

TOWNSHIP OF LOWER MAKEFIELD
ZONING HEARING BOARD
MINUTES – AUGUST 19, 2025

The regular meeting of the Zoning Hearing Board of the Township of Lower Makefield was held in the Municipal Building on August 19, 2025. Mr. Dougherty called the meeting to order at 7:30 p.m.

Those present:

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

Others: James Majewski, Community Development Director
 Dan McLoone, Planner
 Maureen Burke-Carlton, Township Solicitor
 Adam Flager, Zoning Hearing Board Solicitor
 Suzanne Blundi, Supervisor Liaison

APPEAL #Z-25-30 – MUNZ/MCCLINTOCK
Tax Parcel #20-035-006-010
770 SANDY RUN ROAD, YEARLDYE, PA 19067

Mr. Colin Craige was sworn in.

Mr. Flager marked the Exhibits as follows: The Application was marked as Exhibit A-1. The Site Plans were marked as Exhibit A-2. The Impervious Surface and Stormwater Management Small Project Volume Control was collectively marked as Exhibit A-3. The November 1, 2021 ZHB Decision was 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. Craige stated he is representing Munz Construction. He stated his client, John McClintock, was unable to attend this evening as he was traveling for work. Mr. Craige stated he was before the Zoning Hearing Board two years ago as they had submitted for a Permit for a two-car, detached garage. He stated they were granted relief by the Board two years ago, but the approval has expired. The Plan has not changed, and they are requesting the same three things which were approved two years ago.

Mr. Craige stated they are requesting relief from the side yard setback where 10' is allowed, and they are requesting that it be reduced to 5'6". He stated in planning this with Mr. McClintock, that was the closest they could take it to the side yard setback while still maintaining a sizable entrance into the back yard. Mr. Craige stated they are also requesting relief from the height Ordinance where 15' is allowed, and they are requesting an additional 1'9" for a total of 16'9". He stated Mr. McClintock has a number of cars, and he would like to be able to store them in the garage. He stated they need the additional height in order to have the lift that he plans on installing to allow the cars to go below each other in the new proposed garage. Mr. Craige stated the third request is the impervious surface coverage. The property is currently non-conforming at 30.3%, and the proposed garage would bring him up to 33.7% where 28% is allowed. Mr. Craige stated they have submitted to the Board and is shown on the Site Plan a Stormwater Management Plan for two separate dry well systems – one to accommodate the new two-car garage build and one to accommodate the existing home. This would bring back the impervious coverage to the 28% allowed.

Ms. Carlton stated the Township is not participating in this matter.

Mr. Solor asked if there was any outreach to the neighbor on the garage side regarding the garage or has there been a change in resident there. Mr. Craige stated Mr. McClintock had spoken to that neighbor previously when it was discussed two years ago; and nothing has changed, and they do not have an issue with the build.

Mr. Dougherty asked if the Volume Control specs are identical to what was presented in 2021, and Mr. Craige stated they are the same.

Mr. Solor stated Mr. Craige has indicated that they are mitigating back to 28% which was one of the Conditions at the last meeting for this proposal, and the Board would re-state that. Mr. Craige stated Mr. McClintock is fine with that.

There was no one wishing to make public comment on this matter.

Mr. Solor moved, Mr. Schwartz seconded and it was unanimously carried to approve the Appeal as written subject to mitigating the stormwater back to the 28% subject to the approval of the Township engineer.

APPEAL #Z-25-25 – MEGINNISS/1 SUTPHIN ROAD

Tax Parcel #20-042-109

1 SUTPHIN ROAD, YARDLEY, PA 19067

(Continued from 7/15/25)

Mr. Vince Fioravanti sworn in.

Mr. Flager marked the Exhibits as follows: The Application was marked as Exhibit A-1. The Revised Application was marked as Exhibit A-2. The Site Plan was marked as Exhibit A-3. The Revised Plan was marked as Exhibit A-4. The 10/5/21 Decision was marked as Exhibit A-5. 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. Exhibits B-4 through B-6 are the revised versions of those.

Mike Meginniss, attorney from Begley Carlin, was present on behalf of Lucille and Al Giagnacova who are the owners of two properties in the Township located at the corner of Sutphin and Makefield Roads. The properties in the aggregate total about 2.1 acres, and they are Zoned in the R-2 District. He stated the properties are oddly configured. The lot that is at the bend of Makefield and Sutphin functions as an L-shape.

Mr. Meginniss stated there are three principal dwellings with a number of accessory structures on the property even though there are currently only two lots. He stated the larger of the two lots, which is the one that is the L-shape, is a little over 1.6 acres, and is irregularly shaped. Mr. Fioravanti noted on the Plan the location where they are proposing the new dwelling which is an unimproved portion of the property which functions as a large vacant side yard.

Mr. Meginniss stated they analyzed the surrounding properties which range between 12,000 and 15,000 square feet up to about .388 acres, and they felt this was an opportunity to fix some “very strange” property issues in terms of the composition while creating a new dwelling in the existing dual side and front yard along Fayette.

Mr. Meginniss stated the northwest lot is its own property, and they are adjusting the lot line a bit as shown by Mr. Fioravanti on the Plan.

Mr. Meginniss stated right below it where there is a principal dwelling, that will also be its own lot. He stated the larger, improved lot will be at the bend which has three frontages on Makefield, Sutphin, and Fayette; and that will be one parcel. He stated there is a chicken coop which was noted on the

Plan which will be deleted as part of the Application. They would then build a new, single-family detached dwelling at a location Mr. Fioravanti showed on the Plan.

Mr. Meginniss stated there was some confusion regarding the overall requirements for minimum lot size in the District. He stated when they designed the Plan looking at Section #200-21, they presumed that the minimum lot size in the Township for lots of this nature would be, depending on the interpretation, either 16,500 or 16,000 square feet. He stated there is a notation that says the 34,000 square foot marker for minimum lot size is for a home in the Township where there is 0% to 24% environmental features when there is on-lot septic.

Mr. Meginniss stated looking at the top right corner of the Plan the surrounding parcels can be seen, and they are all fairly uniform in size; and none of them are 34,000 square feet. Mr. Meginniss stated when they designed this, they wanted the end result to have each principal dwelling to be on its own lot, the lot sizes would mirror, with the exception of the property on the corner, the existing lots in the area, they would delete one of the accessory buildings, and they would need fairly minimum relief to be able to correct this irregular situation. He stated they will need lot size relief, but that is in keeping with the surrounding community, and they need a small impervious surface Variance for the new home to be constructed.

Mr. Meginniss stated as noted by Mr. Flager, they amended the Application to increase the size of the new lot and remove the chicken coop.

Mr. Fioravanti reviewed his licenses and experience. He stated he prepared the Plan before the Board this evening. Mr. Meginniss asked Mr. Fioravanti to describe the existing conditions on the two properties. Mr. Fioravanti showed the two lots on the Existing Features Plan. He stated the one lot has a very irregular shape which does not match the surrounding area. He stated the R-2 Zoning requirements for lot area can be confusing as it states that 34,000 square feet is required if there is on-lot septic and wells; but otherwise there is a Table that allows for lot areas ranging from 16,500 to 16,000 and goes down a little from there. He stated Green Acres Subdivision is the surrounding community which was developed in 1951, and the lot lines in that community are very regular, rectangular in shape, and are about 12,000 to 14,000 square feet.

Mr. Fioravonti showed on the aerial the Applicant's parcel, with the end parcel with two dwellings on it without property lines. He noted the other parcel was recently subdivided. He stated they are proposing to add one property to it and clean up the lot lines. He stated two lots will be over 16,500 and one will be 15,000. He stated they feel this proposal will match the community better. He stated one of the lots will have a small impervious surface Variance with the impervious going from 18% to 23% because they took off 1,000 square feet. He stated the request is for two very minor dimensional Variances – one for area and one for impervious surface. He stated they can put a stormwater system in to mitigate. He stated they will take out the chicken coop and a driveway turn-around Mr. Fioravonti showed on the Plan. He stated by removing the chicken coop and driveway, they can compensate for the new house. He stated while it is not required by the Code because it is such a small amount, if the Board desires stormwater management, they could add seepage beds for the 100 square feet to get it back to 18%.

Mr. Fioravonti stated this is an existing area which was developed in a manner inconsistent with the surrounding community. He stated the property has two houses on it without a property line, and he does not know how that happened. He stated they will be fixing up some of the non-conformities; and when they are finished the property will be more in keeping with the surrounding area.

Mr. Meginniss stated they will need a Variance for the lot size and for a minor increase to the impervious surface overall for the tract due to the re-orientation of the one lot line. Mr. Meginniss stated they meet all the dimensional requirements for setbacks, etc.; and Mr. Fioravonti agreed. Mr. Meginniss stated they would agree to a Note that post approval by the Township, that this would be the end of the creation of additional dwelling units for this corner. He stated they would also agree to a Condition of approval that they will remove the chicken coop.

Ms. Carlton stated the Township is participating in this matter.

Mr. Solor asked about stormwater management requirements for the new property, and Mr. Majewski stated the new Stormwater Management Ordinance would apply to every lot including the recently-constructed house in the northwestern corner of the property which site is still currently under construction. He stated he believes that they have the stormwater management area roughed out, but they have not finalized it yet. He stated as part of any potential Subdivision should they be granted an approval, they would be required to comply fully with our new Stormwater Management Ordinance including the house that is still under construction.

Mr. Dougherty stated Mr. Fioravonti mentioned that currently there are two residences on the large lot, and that it is a non-conformity. Mr. Dougherty asked if it is a legal non-conformity or an illegal non-conformity. Mr. Majewski stated they have no record of the house being built. He added that previously the Township did not always keep records that are easily searchable. He stated according to the Bucks County Board of Assessment, the existing older farmhouse that is closer to Sutphin Road was constructed in 1895. He stated the other house is not listed on the Bucks County Board of Assessment, and it is difficult to tell when that was built.

Ms. Lucille Giagnacova was sworn in. She stated that with regard to the second house, her prior attorney, Tom Profy, told her that prior to 1942 they did not have Building Permits. She stated the house in question is a Sears & Roebuck home from 1942. Mr. Majewski stated the Township started Building Permits in 1939 so if it was 1942, it is not legally conforming. Ms. Giagnacova stated she has owned the property for 18 years.

Ms. Carlton stated Mr. Meginniss had agreed to a Condition that there would be no further structure or primary residences, and Mr. Meginniss stated they would agree that there would be no further primary residences built.

Ms. Carlton asked if they would agree that there be no further Subdivision of any of the parcels, and Mr. Meginniss agreed. He added that they could not do that anyway with the current composition without coming to the Zoning Hearing Board. He stated they would agree to that as a Condition unless that was waived at a later date by a future Zoning Hearing Board as a Deed Restriction.

Mr. James Scammell was sworn in. Mr. Scammell stated he lives directly across the street from the property. He stated there is confusion as originally he thought they were putting two houses at the property on the corner from the 1800's house up to the corner of Makefield and Sutphin, and he asked if they are only putting one house on that lot. Mr. Majewski stated they are putting one house on Fayette. He stated there is a house on Makefield Road, the other house that was recently put in that is still under construction, and behind that on Fayette is where they are proposing to put one additional house. Mr. Scammell asked if the people on Fayette were notified, and Mr. Majewski stated they were. Mr. Scammell stated there was a gentleman present at the first meeting they had who lived on the corner of Fayette, and he thought it was the Church lot that they were building on.

Mr. Scammell asked if they are looking at one house on the property on the corner, and Mr. Majewski stated they are looking at one house but not on the corner. Mr. Scammell asked if there is anything planned for the corner of Makefield and Sutphin, and Mr. Meginniss stated there is not. Mr. Dougherty stated if this is approved, and Board will make it a Condition that there can be no future Subdivision. Mr. Scammell stated there not be two houses – just one. Mr. Dougherty stated there is the one that is under construction, and there will be a future house constructed on Fayette. He stated the corner of Makefield and Sutphin will not be developed.

Mr. Dougherty moved and Ms. Reiss seconded that the Appeal be granted as presented with the Condition that no additional residential approvals can be added to any of these four lots and no future Subdivision will be sought.

There was question about the wording of the Motion.

Mr. Dougherty asked Mr. Meginniss if the Applicant is willing to waive the right of future development of any other residential properties on any of the four lots and any additional Subdivision. Mr. Meginniss stated with respect to principal dwellings, he would not want there to be any confusion if someone wanted to build a deck or some residential improvement. He stated they would agree to no future Subdivision or future dwelling units.

Mr. Dougherty moved, Mr. Schwartz seconded and it was unanimously carried to approve the Appeal as presented subject to the following Conditions: There will be no future Subdivision and no additional dwelling units on any of the four lots.

APPEAL #Z-25-24 – MEGINNISS/KNESSET HASEFER
Tax Parcel #20-016-073-001
1237 EDGEWOOD ROAD, YARDLEY, PA 19067

Rabbi Zalman Blecher, Mr. Matthew Landro, and Mr. Greg Richardson, were 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 July 2 Traffic Study by TP&D was marked as Exhibit A-3. 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.

Ms. Carlton stated the Supervisors have asked that she attend to oppose this Application.

Mr. Meginniss stated he is present on behalf of Kneset Hasffer. He stated also present is Mr. Landro, the Civil Engineer for the project, Mr. Richardson, from TPD, and Rabbi Blecher.

Mr. Meginniss stated the property is located at 1237 Edgewood Road. An aerial was shown of the irregularly-shaped property. The gross acreage is just over 5 acres, and it is in the R-2 District. It is currently improved with an existing structure, labeled as the Synagogue, which is approximately 2,100 square feet in terms of the footprint. Mr. Meginniss stated the building has been used for religious services by the Synagogue.

Mr. Meginniss stated the Rabbi also provides services on the weekends at another site for which there is a Rental Agreement. He stated the property being discussed tonight offers services during the week. Mr. Meginniss stated the genesis of the Application was a desire to consolidate the operations between the site that is being rented with the operations at the site that is owned by the Synagogue. He stated they made a larger than normal initial investment to do an engineering analysis to make sure that this site was suitable for the building which they are proposing.

Mr. Meginniss stated the Rabbi will testify as to the unique composition of the site and the Synagogue with over one third of the congregants being Orthodox, which means that they travel by foot on the weekends to the Synagogue for services. He stated a large percentage of the members of the congregation reside in Yardley Hunt and Yardley Estates which has access to the sites to those members as opposed to relocating a future Synagogue at a different site.

Mr. Meginniss stated Mr. Landro's firm was retained. He stated they know that any with any religious institution traffic, circulation, parking, and means of ingress and egress are important considerations for the Township. He stated they made a greater than normal initial investment and Mr. Richardson was brought on board to provide not just a trip generation analysis but to do a full-blown Traffic Impact Study and discuss the impact of this development in the community.

Mr. Meginniss stated the original design for the site was put together over one year ago and had the building and the parking lot flipped in orientation compared to what is now proposed. A Plan of what is being proposed now was shown. Mr. Meginniss stated the original iteration had the parking and driveway access to the east; however TPD proposed that they connect at the round-about rather than where it was initially proposed. He stated by moving the drive aisle and the parking to the other side of the existing building any concern about headlights that could go into the residential property would be eliminated.

Mr. Meginniss stated they submitted a Sketch to the Township prior to coming to the Zoning Hearing Board, and they appeared before the Planning Commission about five months ago where they received comments and were able to get the Variances to seven. He stated because of the setback requirements and the extreme irregularity of the shape of the property, there is no building envelop which is functional.

Mr. Meginniss stated there is not a question as to whether a Synagogue is or is not allowed at this property as there is an existing building which has been functioning as a Synagogue and offering religious services to members of the Lower Makefield Township community. He stated there is also no question as to whether there is an appropriate building envelope on the site as there is not. He stated the question he feels the Board needs to consider is what is the reasonable building on this site given the operation and unique property composition. He stated he hopes to prove through testimony that the proposed building will not only function from a practical level but is entirely appropriate from a legal level as well.

Rabbi Blecher stated he has been the Rabbi of Knesset Hasefer for three years. He functions in that capacity at this property and at services that are provided at a separate property as well. Mr. Meginniss stated the 1237 Edgewood property is the property that is owned by Knesset Hasefer, and Rabbi Blecher agreed.

Mr. Meginniss asked Rabbi Blecher to explain where the services are held with respect to each site and the days of the week. Rabbi Blecher stated weekday services are offered at Edgewood Road, and Sabbath services which take place Friday night and Saturday morning as well as Jewish holidays, Passover, etc. take place at the rented facility where the landlord is the VFW on Yardley-Newtown Road. He stated that is a larger facility than the current Edgewood location. Mr. Meginniss stated the 1237 Edgewood site is currently operating as a Synagogue, and Rabbi Blecher agreed.

Mr. Meginniss asked Rabbi Blecher the approximate split with regard to members of the Synagogue who are Orthodox and non-Orthodox. Rabbi Blecher stated they cater to Jews of all persuasions and denominations including Orthodox of which he is one of them. He stated approximately 40% of their current members are Orthodox and 60% are non-Orthodox.

Mr. Meginniss asked what impact there is to the Orthodox Jews with regard to the services held on the weekends. Rabbi Blecher stated Orthodox Jews observe the Jewish Law to the best of their ability, and one of those Laws prohibits them from operating vehicles – anything electric, has an ignition, gas-powered vehicles, etc. on the Sabbath which starts Friday at sundown and concludes Saturday at nightfall as well as Jewish holidays. He stated the only way an Orthodox Jew can attend prayer services on those days is by foot as they are prohibited from driving or getting driven.

Mr. Meginniss asked the impact of where members reside has on looking at potential properties to build the building they are proposing somewhere else. Rabbi Blecher stated being able to only walk to Synagogue limits their Congregation when it comes to selecting a property in Lower Makefield that satisfies the five-acre requirement for a house of worship and being walkable by the current membership. He stated he knows every five acre lot that is within walking distance to the current membership and there are probably only five with most of them being privately owned and the owners are not interested in selling. He stated this lot is within walking distance to Yardley Estates, Yardley Hunt, Mill Road Estates, and Sandy Run and there are sidewalks to those developments for their current members. He stated as they grow, there is also sufficient housing for potential families who can choose a home that is within safe walking distance to the Synagogue. Rabbi Blecher stated currently he walks on 332; and while there is a wide shoulder, there are no sidewalks. He stated at nighttime it is necessary to wear a reflective vest. He stated at the location on Edgewood Road there is currently a crosswalk, and it is much safer than at the other location at the VFW.

Mr. Meginniss asked approximately how many members are currently attending services at the Edgewood Road facility on a weekday, and Rabbi Blecher stated on average it is 10 to 15 for a morning service. He stated at the VFW the average is about 15 on Friday evening; and Saturday, morning which is the primary service, they are averaging between 50 to 60 people. Mr. Meginniss stated this is not 50 to 60 vehicles, rather it is 50 to 60 people inclusive of families.

Rabbi Blecher agreed that includes men, women, and children. He stated while they have single individuals, their congregation primarily consists of families.

Mr. Meginniss stated they are present to propose a new structure, Synagogue, at the Edgewood Road property; and Rabbi Blecher agreed. Mr. Meginniss stated the hope is that if this is built that will allow the congregation to be unified on one site so that services would no longer be held on the weekends at the VFW, and all services would be held at this property; and Rabbi Blecher agreed. Mr. Meginniss asked when they began to think about expanding the operation and consolidating it at this property, and Rabbi Blecher stated it was three to four years ago. Mr. Meginniss stated they are proposing a building a little over approximately 14,000 square feet in terms of the footprint, and Rabbi Blecher agreed. Mr. Meginniss asked Rabbi Blecher if he feels a building of that size is similar in size and scope to other Synagogues in the areas, and Rabbi Blecher agreed. Mr. Meginniss stated they are not proposing anything to the rear of the property that would disturb any of the environmental features beyond the scope of the parking improvements that have been shown on the Plan, and Rabbi Blecher agreed.

Mr. Meginniss asked Rabbi Blecher to speak to the pedestrian connectivity and what it means to the community with the round-about and the side-walks. Rabbi Blecher stated since they walk, having sidewalks along the routes that their members would take to walk to Synagogue is of extreme importance. He stated where the current Synagogue is, the surrounding developments have walkability using sidewalks and the pedestrian crossing directly to the proposed entrance to the Synagogue.

Mr. Meginnis asked Rabbi Blecher to speak to why he believes the size of the Synagogue they are proposing is necessary for their operations. Rabbi Blecher stated when they met with the team they were asked about their current needs and the future projected needs; and based off that, they came up with the building footprint proposed. Mr. Meginnis stated a Day Care is proposed as part of the building as an Accessory Use, and Rabbi Blecher agreed. Rabbi Blecher stated this Day Care will not be an independently-operated Day Care but would be accessory and in tandem to the operations of the Synagogue. He stated it will be catering to the children of the Jewish community/members of their Synagogue. Mr. Meginniss asked when that would occur relative to services. Rabbi Blecher stated typical Pre-School hours are about 8:30 a.m. to 3:30 p.m. with possibly early drop-off and late pick-up. He stated the morning services take place at 6:45 a.m. and are usually done by 7:30 a.m. He added that while there are a number of different things

happening at the building, none of them are happening at the same time. He stated prayer services in the morning would be done well before parents would be dropping off their children. He stated during the Sabbath and Jewish holidays there would be no Pre-School.

Mr. Meginniss stated currently weekend services have a higher attendance than weekday services, and he asked the Rabbi to speak about the average peak attendance on the weekend now and in the future. Rabbi Blecher stated on average on the weekend now it is 50 to 60 with a peak of 80 if there is a baby naming or Bar Mitzvah when there would be additional guests that are not regular attendees. Mr. Meginniss stated there are 61 parking spaces proposed for the site, and Rabbi Blecher agreed.

Mr. Meginniss asked Rabbi Blecher his opinion as to whether that is an appropriate number of spaces for the future re-development of the property, and Rabbi Blecher stated he believes so. He added the Township Code calls for one space for three seats in the Sanctuary, and he feels 61 spaces is a good number to accommodate current and future growth.

Mr. Meginniss asked if this building is built and the operations are consolidated to this property, what would be the approximate schedule for worship; and Rabbi Blecher stated it would be similar to what they have now which is 6:45 a.m. morning services during the week, Friday services depending on when sundown is would be spring and summer at 6:30 p.m. and 4:30 p.m. to 5:30 p.m. in the winter. He stated Saturday mornings is 9:30 to 12.

Mr. Meginniss asked Rabbi Blecher if he is familiar with the surrounding area and the surrounding residential communities, and Rabbi Blecher stated he is. Mr. Meginniss asked Rabbi Blecher if he feels a Synagogue of this size would be detrimental or harmful to any of those property owners; and Rabbi Blecher stated he cannot think of any reason why it would be detrimental, and he would not want his Synagogue to be detrimental to any of the neighbors. Mr. Meginniss asked Rabbi Blecher if there have been any issues, to the best of his knowledge since he became the Rabbi at this site, with the community or surrounding property owners; and Rabbi Blecher stated there have been none both at this site and at the rented location on Yardley-Newtown Road.

Mr. Meginniss asked Rabbi Blecher if he feels that this building if approved will allow the Synagogue to continue to grow, thrive, and survive in Lower Makefield Township, and Rabbi Blecher agreed. He stated they want to be a beacon of light for the Jewish community and all of Lower Makefield.

Mr. Solor stated he feels that the parking is over-designed even though it is probably the minimum required. He asked what they would need if they had 180 people at the Synagogue since approximately 40% of the people would be walking and the rest are family units. Rabbi Blecher stated he would estimate they would need parking for 25 cars other than for times when there are Bar Mitzvahs, etc. He stated while he feels 61 is more than they need, he does not want their Synagogue to be a problem for their members not being able to find a parking space or a problem for neighbors with people parking on the surrounding roads.

Mr. Schwartz asked how long the Congregation owned the property, and Rabbi Blecher stated it is a few decades. Ms. Reiss stated it is more than 30 years that they have owned it. Mr. Schwartz asked if it is none if the existing shape of the property was that shape when it was originally purchased or was it purchased in segments. Mr. Majewski showed a Plan of the property that was done in 2003/2004; and at that time the Synagogue was located a smaller piece of property that Mr. Majewski showed on the Plan. He stated the adjoining property with the house was much larger, and they owned a large portion that he showed on the Plan. He stated at the time the Synagogue wanted to have the property be conforming as to the size at 5 acres. He stated to that end they did a lot line change with the adjoining property owned by the Ronaldo family and moved the lot line to the east of the house to allow room for a possible future expansion and left a small portion so that the existing building in the back of the property was conforming. He stated they took in all the property that was constrained by environmental resources such as the stream, the wetlands, and the stream buffers.

Mr. Schwartz referred to the aerial previously shown, and he stated he can see that Brock Creek runs through there. He stated Mr. Majewski just mentioned wetlands, and he asked where all of the demarcations are on the property that prevent them from building in that spot. Mr. Majewski stated a light blue line can be seen on the aerial, and he believes that is the limit of the floodplain. He stated he also believes that there are wetlands in the back beyond the stream. Mr. Schwartz stated that whole side of the property which appears to be about 60% of the whole total lot is basically undevelopable, and Mr. Majewski agreed.

Mr. Dougherty noted the house on the property that is currently being used as a Synagogue. He asked if it was built as a single-family house and when it was built. Mr. Majewski stated according to the Bucks County Board of Assessment it was constructed in 1962 and remodeled in 1972. Rabbi Blecher stated he believes it was originally built as a single-family home. Mr. Dougherty stated Mr. Meginniss had indicated that there is no building envelope that is feasible, and he assumes he was talking about for a Synagogue or is the current house out of conformance. Mr. Meginniss stated they will discuss that further, but there is no building envelope on the site for anything including the current house.

Ms. Carlton stated the Rabbi indicated that they will operate the Day Care for their congregants only, and she asked Rabbi Blecher how many families he expects to participate. Rabbi Blecher stated over the last few years they have had a tremendous influx of young Jewish families with Pre-School age children, and they want to tend to their Jewish educational needs. He stated it could range from 40 to 70 children ages 18 months to five years old in the future although that is just a guesstimate. He stated they do not have a Pre-School at this time.

Ms. Carlton stated Bar and Bat Mitzvahs were discussed, and she asked if there is a proposal to have some type of community center within the Synagogue being built to host these events. Rabbi Blecher stated they are planning to have a social hall as part of the building primarily for Synagogue events, and one of those would be Bar Mitzvahs. Ms. Carlton asked if it would be used for the party afterwards and not just for the religious ceremony. Rabbi Blecher stated it could be used for that, but it would not be a party hall that would be rentable to the wider public. He stated typically the Bar Mitzvah is part of the Shabbat service on Saturday, and following services there is a Shabbat community lunch which would take place in the social hall. He stated typically the family of the Bar Mitzvah boy would sponsor the lunch that takes place in the social hall following the Saturday service. Ms. Carlton stated the Supervisors were concerned with traffic, and she asked if they anticipate having Bar and Bat Mitzvahs every Saturday; and Rabbi Blecher stated they do not. Rabbi Blecher stated currently they probably have four or five during the entire year.

Mr. Landro stated he has worked at Bohler Engineering for about twelve years. His Licenses were reviewed, and he indicated that he has testified before Zoning Hearing Boards and been recognized as an expert in Civil Engineering.

Mr. Meginniss offered him as an expert in the field of engineering, and the Board had no objection.

Mr. Landro stated he supervised the preparation of the Plan that is before the Board this evening. The aerial was shown. Mr. Landro stated the rear of the property is the south and is riddled with environmental issues including stream corridors, wetland areas, and steep slopes in the back area. He stated there are both green and blue lines on the aerial that represent the different environmental constraints. He stated in addition to the actual stream itself, Brock Creek, there is a flood hazard area associated with that and there are wetlands areas which require buffers per the Subdivision and Land Use Code that they also show on the aerial. He stated the Land Use Resource Area Calculations show that the property is just over 5 acres in size, and only .97 acres are available after netting out the restricted areas. He stated about one-fifth of the area remains after deducting the constraints. Mr. Meginniss stated this is not talking about the building envelope, rather that is what is left after removing the environmental features; and Mr. Landro agreed.

Mr. Meginniss stated other than the Wetlands Variance, which they will discuss further, they are not requesting relief to build in the floodplain or disturb wetlands, and they are not encroaching to the rear of the property; and Mr. Landro agreed.

Mr. Meginniss noted the shape of the lot. He stated one of the criteria for a Variance in Pennsylvania is that there are unique physical conditions; and he asked Mr. Landro to speak to whether the physical outline would constitute a unique physical condition. Mr. Landro stated it definitely would especially in the R-2 Zone of the Township. The proposed Zoning Plan was shown. Mr. Landro stated from a setback perspective the Ordinance in the R-2 Zone requires a 100' front yard, a 50' side yard setback, and a 100' rear yard setback. He stated after offsetting the property lines especially in the front of the site where there is a developable area, there is a small dashed rectangle in the middle of the Plans bisecting the proposed building; and that area is approximately .05 acres and is the only buildable area for a primary structure that is permitted.

Mr. Landro stated the property is very irregular, and per the current Ordinance there is really no functional use that could be proposed on the property. Mr. Meginniss stated the front yard setback is measured not from the property boundary so they are constrained even further, and Mr. Landro agreed since the actual curb line of the roadway is approximately another 20' beyond the actual property line so really the setback from the curb line of the roadway is about 120'.

Mr. Meginniss stated with regard to the rear line setback, even though the property has significant depth, the narrowness there means that the rear of the property which is far closer to the road than you would think. Mr. Landro agreed adding that the very narrow section north to south could almost be constituted as a flag lot, and that prohibits the rear yard from being further back where it otherwise would have been.

Mr. Meginniss stated the existing structure is a non-conforming structure with respect to its disposition, and Mr. Landro agreed. The Survey Plan was shown, and Mr. Landro stated they did a full topographic and location survey for the property. He stated the front setback can be seen of the existing former residence/current Synagogue and is approximately 62' which is 40' less than what the current Ordinance requires. Mr. Meginniss stated that means with respect to engineering that other than leaving the building in its exact composition, any expansion forward, back, left, or right as a building addition to the existing structure would require Zoning relief; and Mr. Landro agreed.

Mr. Landro stated they are proposing a 14,700 square foot footprint which will be two stories and a finished basement space which will result in three habitable floors, two above grade. He stated there is also a 1,500 square foot patio which is shown on the east side which they were strategically able to add by reconfiguring the parking and driveway location from where they initially started. He stated they are also proposing access out to Edgewood Road at the existing three-way round-about, and TPD will discuss the specifics of that access point. He stated that is the primary point of ingress and egress to the site.

Mr. Landro stated the access would then come into the site with compliant drive aisle width and parking stall dimensions with 61 total parking spaces. He added that with respect to parking, there are a number of different categories and calculations that can be applied for this type of use, one of which was discussed earlier which is the 1 per 3 internal seats which would allow for approximately 180 patrons. He stated the other calculations is based on floor area of the habitable space for worship not including common areas, kitchens, etc.; and that requirement would require significantly more parking well in excess of what would ever be needed on the property and would be over 100 spaces. He stated they are electing to apply the 1 per 3 seats since that is more in line with the operation that they expect in speaking with Rabbi Blecher.

Mr. Meginniss stated there was discussion with the Township about making sure there was sufficient space for maneuvers, and he asked Mr. Landro to discuss that further. Mr. Landro stated they looked at vehicle and truck

circulation since it is a meandering driveway that ultimately dead-ends on the south side of the site. He stated they can state with confidence that a vehicle can make that maneuver with some extra area on the far south where a small bump-out can be seen on the Plan which would allow for a K-turn for a vehicle if they were parking in that area. He added that as Rabbi Blecher stated earlier that might be a few times per year at most since otherwise there would be plenty of parking spaces where the rear parking lot would likely not be utilized.

Mr. Meginniss stated he had earlier indicated that one of the benefits of the re-design with the parking coming in off the round-about was to reduce the number of spaces that would be immediately adjacent to the existing residential dwelling that is owned by the neighbor, and Mr. Landro agreed. Mr. Meginniss stated there are spaces close to that property boundary, but they are sufficiently set back from that home, and Mr. Landro agreed adding there would not be an issue in terms of light spillage on the neighbors. Mr. Landro stated as part of the Land Development Application, they would have a Landscaping Plan with screening and buffering that would demonstrate the visual buffer there plus anything additional that might be suggested at that time such as an opaque fence which would enhance visual protection. He stated from a lighting perspective, all lights proposed would be full cut-off in nature, and there would be no upward glare. He stated all of this would be incorporated into the design to minimize any impact.

Mr. Meginniss asked Mr. Landro what Variance is being requested with regard to lighting and illumination greater than .5 foot candles. Mr. Landro stated Section #200-66G requires no more than 0.5 foot candles at property lines. He stated the only place they anticipate not conforming to that requirement is at the driveway connection with the round-about. He stated they see this across the State on many projects that they work on where in order to provide for a safe and efficient experience for vehicles and pedestrians, they want that intersection to be illuminated properly, and very often that is more than 0.5 foot candles. Mr. Meginniss stated they are not proposing to have lights that will be spilling into the neighboring properties, and Mr. Landro agreed.

Mr. Meginniss asked Mr. Landro his opinion with the Variance requests with respect to the setbacks as to whether those are necessary for the construction of anything additional on this property. Mr. Landro stated he agrees that any proposed development would require relief from Section #200-A.68.27e.

Mr. Meginniss noted the Variance with respect to the buffer and the landscape area which are both 3 ½'. Mr. Landro stated this relates to Section #200-73C5 and Section #200-73C8. He stated the 3.5' that they are proposing is on the south side of the building between the proposed drive aisle that is going east and west on the Plan to the property line that is irregular that was discussed previously which is a narrow landscaped area between the curb and the property line. Mr. Landro showed where this is located on the Plan. He stated in lieu of that they want to provide some kind of visual buffer since there is a property there, and they would entertain the idea of an opaque fence, and they could handle that during Land Development.

Mr. Solor stated the Plan suggests that those two particular Variances are extending significantly further because they are asking for less than 25' which is the Code so you are meeting most of the property line of that property with the parking lot front as part of the Variance.

Mr. Meginniss stated in that area, if it is a Condition of the Board, they would be willing to communicate with the adjacent property owner to volunteer to plant some additional trees on that side of the property line if that would be desired as part of the Land Development process to create some added buffering because they are a little bit constrained with what they can do with the Applicant's corner.

Mr. Meginniss stated they are also seeking a Variance with respect to the woodlands disturbance and how that is calculated. Mr. Landro stated this is Section #200-51B6b, and all the Natural Resource calculations depend on the amount of any given resource you have on the property. He stated in this case, there are a number of acres of wooded areas; and the requirement they are being asked to comply with is .95 acres which is the fraction of the wooded area that would need to remain; and they are proposing 0.5 acres of that wooded area to remain. Mr. Landro stated that is not to say there will only be .5 acres of wooded area remaining, and that is only outside of the other protected areas that are already being accounted for so it is essentially everything above the streams and the wetlands areas that were discussed where there will be .5 acres of wooded area beyond that which will remain; but they do need to develop the majority of that remaining area to have a functional site. Mr. Meginniss stated they are not disturbing the woodlands which are heavily wooded to the rear of the property, and they are not be clear cutting the trees on the site and having only a half-acre of woodlands on the site; and Mr. Landro agreed.

Mr. Meginniss stated they are also asking for a Variance to be 3% over what is allowed with respect to the impervious surface coverage, and Mr. Landro agreed adding that is a requirement under Section #200-23. He stated .18 is required, and they are proposing .21. He stated one of the reasons for that is that they are located in the R-2 Zone which is primarily residential-focused without off-street parking lots. He stated they will provide the stormwater management improvements to offset what that increase is. He stated with regard to the parking, they believe the parking spaces proposed at 61 is a good number to allow for future growth and the peak periods while not being so excessive that it is not necessary. Mr. Meginniss stated they could comply with the impervious surface by removing parking spaces, but they would then need a parking Variance; and while they may not be able to mitigate a lack of parking spaces, they are able to mitigate the added impervious by the stormwater design; and Mr. Landro agreed. Mr. Meginniss stated the stormwater design will be reviewed at the Land Development stage by the Township engineer and by the County Conservation District which could potentially trigger a NPDES Permit depending on the scope of disturbance, and all of those requirements would have to be met before any approval for development of the site, and Mr. Landro agreed.

Mr. Meginniss asked Mr. Landro if he is comfortable with the lay-out proposed of 61 parking spaces after his discussions with the Rabbi, and Mr. Landro stated he is.

Mr. Meginniss stated they are proposing a footprint of just over 14,000 square feet, and he asked Mr. Landro if he has designed the site to accommodate a building of that size appropriately; and Mr. Landro stated he has. Mr. Landro added that in addition to the survey, the Traffic Impact Study, the Plan work, and the coordination with the Township staff, they have also done geo-technical testing and preliminary grading schemes that make them feel very comfortable at this stage since normally they would not do those things for a Zoning Plan, and they invested a lot of time and effort.

Mr. Meginniss asked Mr. Landro if the relief being requested is the minimum relief to appropriately utilize the site, and Mr. Landro agreed. Mr. Meginniss asked Mr. Landro if he knows of any reason based on the design that this building would have a negative impact on the community or the surrounding property owners, and Mr. Landro stated he does not.

Ms. Reiss asked if they considered pervious pavers for any part of the parking lot. Mr. Landro stated they did discuss that with Mr. Majewski, and they are going to look into that during Land Development. Mr. Majewski stated our Ordinance does allow for a reduction in the calculated impervious surface ratio should they utilize porous pavement, but testing would have to verify that it would work. Mr. Landro stated they would be very interested in doing that, but they have requested the relief in the event that it does not work. Mr. Solor stated it has been used in Commercial Applications with Variances requests before.

Mr. Solor stated there was discussion about minimum buffer parking setback, minimum landscape setback which is significantly more than the 3.5 just in that one area; and they are using those Variances to apply to a large portion of the surrounding site which he believes is represented by the dashed line. He asked that it pointed out where at least two of those Variances apply. Mr. Landro stated the most restrictive dimension is the 3.5 but there are other locations, a number of which are around the parking area. Mr. Majewski showed on the Plan a number of those locations and Mr. Landro described the dimensions in a number of those areas.

Mr. Solor stated with regard to the foot candle requirement, they did not provide what they are requesting relief to; and he asked what is the foot candle they are proposing and the locations where they are requesting relief at. Mr. Landro stated the location is at the driveway entrance to the site and the sidewalk area that may be associated with that would be the only location at the northwest corner of the property. He stated in terms of the value, he cannot speak to that without having a lighting design completed. He stated from experience generally speaking, it is usually 1 or 1.5 foot candles at a driveway based on lighting design industry standards. He stated possibly there could be language that it would need to be approved by the Township engineer as part of an Application going forward.

Mr. Schwartz stated the property currently has 4% impervious surface, and he assume that is just the residential structure in the upper left of the aerial. Mr. Landro stated it is the residential structure and a small driveway out front which is primarily gravel. Mr. Schwartz stated it is calculated using the entirety of the property to get to 4%, and Mr. Landro agreed. Mr. Schwartz stated they are going to go from 4% to 21% when 18% is allowed, but that 21% based on the entirety of the property is all in the little section; and Mr. Landro agreed.

Mr. Schwartz asked how they plan to mitigate all of that water. Mr. Landro stated while the Plan has not been engineered, conceptually the plan is they will have to use underground systems or a pervious paving system in conjunction with that. He stated they might have a pipe system if infiltration is feasible. Mr. Schwartz stated he has seen underground systems in use usually under parking areas, but he would have liked to see a plan showing this. Mr. Landro stated he feels that a majority of the parking area would likely need to have some kind of system underneath it not only to collect the stormwater but to also hold it. He stated there will not heavy-duty applications for truck loading or large delivery vehicles, and it is really just passenger vehicles. Mr. Schwartz stated he has seen it used at the Mosque on Big Oak Road, and it was also used at the new bus parking lot at Pennwood. Mr. Majewski stated the big parking area where the Edgewood Café is located has an underground system. He stated at the subject location, this would take up a good part of the parking area. He stated while there may not be trucks at this location, it would be designed for truck loading. Mr. Schwartz stated his main concern is that the 21% or the 18% when calculated over the entire 5 acre lot is one number, but calculated over the section at the top where the development will take place is different. He stated he would like to see more information on how the stormwater management would take place. Mr. Landro stated as noted by Mr. Meginniss there would be numerous reviewing bodies who would have to review that design including the Township, the Conservation District, and the County Planning Commission to insure that it complies with Township and State requirements; and they would adhere to that.

Mr. Dougherty asked if there have been any preliminary discussions what they would mitigate back to. Mr. Solor stated it is new construction so "it is all," and Mr. Majewski agreed.

Mr. Dougherty asked that Mr. Landro show the .45 acres of protected woodlands that will be cleared; and Mr. Landro showed the blue line on the northern side of the creek which is the limit of the natural protection calculations on what is already included under other resource value calculations, so it is to the north of that up toward Edgewood Road where there is a line of trees along that area. He stated it is mostly individual trees and not densely wooded.

Mr. Greg Richardson stated he is the Executive Vice President and Principal with Traffic Planning & Design. He reviewed his Licenses and has testified before Zoning Hearing Boards and been recognized as an expert in traffic engineering. Mr. Meginniss offered Mr. Richardson as an expert in traffic engineering, and he was accepted by the Board.

Mr. Richardson stated he is familiar with the subject property being discussed. He stated TPD prepared the July 2 Traffic Impact Study that was submitted to the Township with the Application.

Mr. Meginniss asked Mr. Richardson to review the existing site conditions for access. Mr. Richardson stated the site is currently used by the Synagogue for weekly services. He stated there is a ring-road type driveway with two access points and two curb cuts out on Edgewood Road. He stated they are gravel with one located approximately at the location of the de facto fourth leg for the round-about, and the easternmost driveway is located about 75' to the east.

Mr. Meginniss stated when TPD was initially retained, the proposed lay-out was different than what has been submitted to the Zoning Hearing Board, and Mr. Richardson agreed. Mr. Richardson stated the current Plan shows an access point that would serve as a fourth leg to the existing round-about, and the previous plan showed an access point that was approximately 150' to the east of the proposed location. Mr. Meginniss asked Mr. Richardson to explain why the design was modified. Mr. Richardson stated he believes that there have been some issues with the lay-out of the site itself and the impacts to the neighbors; but from a traffic standpoint when they were brought on to provide consulting services, one of the aspects of their assessment is to look at the access point to the public road. He stated they need to determine if there is adequate sight distance for a driver pulling in and out of the driveways and where is the appropriate location for the driveways that would not conflict with nearby intersections or the round-about itself which is a controlled intersection much like a signal. Mr. Richardson stated they recommended that the primary access to the site be located at the location shown on the proposed Plan which would serve as the fourth leg of the round-about itself.

Mr. Meginniss asked Mr. Richardson if he has experience designing connections as a fourth leg to a round-about through his time at TPD and if he can speak to any success he has had with similar improvements. Mr. Richardson stated one was a much larger round-about with more traffic located in the western part of the State. He stated that driveway provides access to a CVS and a Dunkin'.

Donuts which have higher traffic volumes than what is proposed here for the Synagogue. He stated they saw no increase in crashes at that particular round-about, they received awards for the design, and the local Municipalities are very happy with it. He stated it is about 15 to 20 years old. He stated they have also designed a number of other roundabouts. He stated when they looked at the site access for the subject property, they felt that this provided an opportunity to provide an access to the local roadway at a controlled intersection. He stated they also considered that if you placed the driveway outside of the round-about, they would be introducing left-turn movements out onto Edgewood Road out of the site as well as into the site so that there would be vehicles potentially sitting on Edgewood waiting to turn in. He stated there is a large shoulder there, and people may use that as a “run-around” which you would not want to encourage just before they are entering a round-about. Mr. Richardson stated by placing the driveway at the round-about, they are controlling those movements, and he feels it makes it a safer and more-efficient access point.

Mr. Meginniss stated his firm also prepared the Traffic Impact Study, and he asked Mr. Richardson to describe what is a Traffic Impact Study. Mr. Richardson stated for Traffic Studies for a Land Development in most Municipalities you obtain local data including traffic volumes on the nearby roadways and look at key intersections, and then you determine what the proposed use will generate as far as traffic with the number of vehicles going in and out during the peak time periods. He stated in this case they looked at the a.m. and p.m. peaks for a weekday. He stated it was noted that there will be multiple uses for this site; however, during the week the primary traffic generator would be the proposed Day Care. He stated they looked at the time periods when the parents would be dropping off and picking up their children. He stated those time periods also coincide with the highest traffic volumes that occur on the main road, which in this case is Edgewood. He stated they add the traffic volumes together and use formulas afforded by the transportation planning industry and do an assessment of the pre versus post construction.

Mr. Richardson stated based on their analysis they were able to determine that while it will generate additional volumes at the round-about, it will not have a significant impact in Levels of Service, which is how you grade an intersection with A being the best grade and F being the poorest grade. He stated in this case, the Levels of Service at the round-about, which was the key intersection, showed no degradation in the Levels of Service due to the proposed development. Mr. Richardson stated they use the site today as a Synagogue for services during the week; however, they did not take into

account the traffic that is there today utilizing the driveway, and they assumed more traffic on top of what is existing today, and he feels they are double counting during certain time periods, and he feels they looked at worst-case conditions in their assumptions.

Mr. Meginniss stated this was all significantly more thorough than what is seen sometimes for Zoning Applications where there is basically a trip-generation report done of a few pages; and this was a thorough study based upon on-site analyses coupled with global data they were able to synthesize and come to conclusions for this property. Mr. Richardson agreed that this is a typical study that they would present at the Land Development stage. He stated they are more than willing to adjust the Study after working with the Township engineer if they reach that point. He stated for a Zoning Hearing Board they typically do not go to this length of analysis, but they wanted to give the Board enough information to be able to provide a decision with supporting data.

Mr. Meginniss stated if they get approval from the Zoning Hearing Board, they still have to go through the Land Development process; and Mr. Richardson and his team would commit to working with the Township traffic engineer for a review and any traffic improvements that are necessitated as part of the development. Mr. Richardson agreed and added that would include the Traffic Study as well as the access. He stated they have a concept for the access as to the location, the radii, and a proposed splitter island; and they would respect the comments that they would get from the Township consultants.

Mr. Meginniss stated the conclusion that was generated in the Traffic Impact Study is that this development would not be prohibitive to the Township and the maneuvers would respect to the round-about, and Mr. Richardson agreed. Mr. Richardson added he does not feel that it will have an adverse impact on the local roadway network from a traffic perspective.

Mr. Meginniss asked Mr. Richardson if he is aware that they designed this to have 61 parking spaces on site, and Mr. Richardson agreed. Mr. Meginniss asked if based on his analysis and the testimony that was provided if he believes that is an appropriate number of parking spaces for the use and what is proposed, and Mr. Richardson stated based on the proposed use, the attendance, and the types of uses he believes that 61 is adequate.

Mr. Meginniss asked Mr. Richardson if he has any reason to believe from a traffic standpoint that this development will have a negative impact on the surrounding community or properties, and Mr. Richardson stated he does not.

A short recess was taken at this time.

When the meeting was reconvened, Mr. Dougherty stated that generally the Board does not go past 10:30 p.m.; however, if it seems that they are getting close to getting through public comment and the remaining questions, they will make a decision whether they will continue with the meeting or request a Continuance.

Mr. Schwartz asked Rabbi Blecher if the Day Care will just be there when the congregants are there for services or is it during the weekday, and Rabbi Blecher stated the Day Care is for the children of their members during the week. Mr. Schwartz asked the start and end of Day Care, and Rabbi Blecher stated typically it is 8:30 to 3:30 for most Day Cares.

Mr. McVan asked if the Traffic Study considered the train tracks that are to the east, and Mr. Richardson stated they took that into account when they did the traffic counts. He stated they did not see any issues that would present a back-up as far as the round-about. Mr. McVan stated with a facility like this, there is a dedicated in and a dedicated out. He asked if you are only able to make a right-hand turn coming out into the round-about. Mr. Richardson stated just like any of the three legs, if you are leaving the site, you will have to yield to the vehicles that are on the round-about. He stated the Township traffic engineer may want there to be stop signs to make it more of a driveway type feel. He stated it would work with the yield condition just like on the other approaches, and the vehicles that are on the round-about have the right-of-way; and vehicles approaching the round-about have to yield until it is clear and have to stop if there are vehicles on the round-about. He stated it makes it even safer as an access since it controls the vehicles that are exiting out of the site. He stated they will not go straight across; and because of the shape of the island, they will make a slight right turn and then make a movement toward the round-about. He stated if they wanted to go on Schuyler, they would proceed north or proceed around if they are going to the west. He stated coming out would be no different than any other driveway where you have a right-turn movement and you have to yield to the vehicles.

Mr. Solor stated they are eliminating the left turns which eliminates the cross traffic.

Mr. Richardson stated one of the concerns you normally have at most intersections is sight distance, but because the round-about/median area is a flat area with no vegetation, drivers that are exiting the site will be able to see vehicles coming from all directions very clearly. He added it is not a high speed area, and Edgewood in this area is posted at 25 miles per hour. He stated the round-about itself will force vehicles to slow down, and there is a cautionary speed of 15 miles per hour.

Mr. Schwartz asked if there would be any time such as during the summer when they might expand the Day Care to allow families to bring older children, and Rabbi Blecher stated they would not. Mr. Schwartz asked about summer camps, and Mr. Blecher stated they have no plans to have summer camp at this facility.

Mr. Flager asked if the Traffic Study was submitted to either the Township engineer or Township traffic engineer; and Mr. Meginniss stated they submitted a Sketch Plan, but he is not sure that the Traffic Impact Study was submitted with the Sketch Plan. He stated they had a Planning Commission presentation, and the Township traffic engineer was present at that meeting. He stated when they submitted the Traffic Impact Study as part of the Zoning Hearing Board Application, he provided a copy to Ms. Carlton; but he does not know if it was disseminated internally after that.

Mr. Dougherty stated he feels from a vehicular ingress/egress standpoint, it looks like a great plan. He asked if there will be a dedicated pedestrian walkway. He stated the walking path is on the other side of the street. Mr. Richardson stated he thought of this as well, and it would be up to the Township whether they would approve that, and this would be an opportunity to provide some extra connection to the multi-use path. He stated he believes his client would be in favor of it if the Township was agreeable to it. Mr. Dougherty stated he is concerned about pedestrians trying to navigate the round-about. Mr. Richardson stated they would work with the Township to provide a crossing and an additional ADA ramp that might be needed on the north side with the Synagogue being responsible for it on their side.

Mr. Meginniss stated a year ago when the Plan changed, one of the items they had optimism about internally was that by modifying the point of ingress and egress to the round-about they thought there might be some opportunity for problem solving and to contribute to help with some of the issues there as part of the development such as the ADA ramp and other

pedestrian crossings which would have been more prohibitive if the original proposed point of access remained. He stated they felt the new proposal opened up avenues for dialogue as part of the Land Development process.

Ms. Carlton stated the Rabbi asked if they intend to have a bus for the Pre-School; and Rabbi Blecher stated typically Pre-Schoolers are driven by their parents, and they do not expect to have busing.

Ms. Carlton asked Mr. Richardson if they will be able to accommodate emergency vehicles into the Synagogue, and Mr. Richardson stated they will have to. He stated they may have to adjust the radii, and he is sure that the Fire Marshall will do a thorough review under Land Development, and they would have to address any comments from the Fire Marshall. He added that they do not anticipate any problems since they use a software called AutoTURN which graphically shows larger vehicles being able to maneuver into driveways.

Mr. Dougherty stated those wishing to make public comment are asked to be as concise as possible and not be repetitive. Those wishing to make comment will be sworn in and can request Party Status. Mr. Flager stated those who received the Notice from the Township are generally able to have Party Status, and those who did not receive the Notice would have to show how this Application would affect them and their property rights. He added that Party Status gives more rights for involvement if there is an Appeal, but Party Status is not necessary to make a comment or ask questions.

Ms. Blundi stated to have Party Status you would need to live adjacent to or near the property and that your property rights are impacted, and just being a member of the Synagogue would not be sufficient to be granted Party Status.

Mr. Meginniss stated Mr. Landro referenced some Exhibits, and he wanted to make sure that they were already marked as Exhibits. Mr. Majewski stated the Aerial was submitted subsequent to the initial Application, and the Aerial was marked as Exhibit A-4. The Boundary and Topographical Survey was marked as Exhibit A-5. The Lot Line Change Plan was marked as Exhibit T-1.

Mr. Daniel R. Matlis was sworn in. He stated he has been a Township resident for 27 years, and he is in support of the proposed Jewish community center. He stated when they moved to the Township in 1997 the primary reason was the presence of a welcoming Jewish community. He stated this center will be

a place where traditions are preserved and celebrated and where children can learn about their heritage in a setting that fosters pride, understanding, and a sense of belonging. He stated it will be a place where families will gather for holidays, life events, and community service; and the center will offer cultural, educational, and social programs to meet the needs of people at every stage creating a foundation for community and resilience which is needed now. He stated the Township support for the project is especially important at a time when anti-Semitism and division are on the rise. He stated he has experienced this personally when walking to Synagogue with people saying things that should not be said while driving by.

Mr. Matlis stated they are grateful for the support which strengthens their sense of safety and belonging and affirms that this is their home. He stated they know that they made the right decision in moving to the Township 27 years ago, and he urged the Board to approve this proposal so together we can realize a vision that celebrates their unique identity and strengthens our shared future.

Ms. Monica Matlis was sworn in and stated she lives on Mill Road. She stated her children were born here and Rabbi Blecher did the Bar Mitzvah for their youngest son who is now 19. She stated her children have stated that no matter where they are they want to return to the community because their home is here, and the Center will help them continue their family roots in the community and give many other young families the chance to do the same. The Board was asked to make this possible.

Ms. Linda Greenberg was sworn in and stated she lives in the Afton Chase Development. She stated she moved to Lower Makefield 28 years ago, and her children call Knesset Hasefer “the house of God.” She stated they go to numerous different Synagogues because like many Jews they pick and choose what they do. She stated years ago they walked to the Synagogue with their young children before there was a crosswalk; and there were 60 to 80 people in the house with about 30 children playing in the basement and 30 to 40 adults upstairs, and “no one knew.” She stated there was not a traffic issue, and they did not drive to the Synagogue at that time; and the majority of Jews who drove would park at the Township Building and walk down the hill.

Ms. Greenberg stated two of her children will not drive on Shabbat or on holidays. She stated during Passover when her son was home, they walked a little over two miles because the services were held at the VFW. Ms. Greenberg stated she was terrified walking on 332 as there are cars going by very quickly, there

is no walkway, and it is not safe. She stated there is no way to cross at that location legally if you are Shabbat-observant Jew. Ms. Greenberg stated the Rabbi discussed where most of the Jews live in the area near the Synagogue being discussed, and a majority of the people can walk to it using crosswalks so it is much safer.

Ms. Greenberg stated she has been to many Bar Mitzvahs at the house being discussed, but you would not know how many people were there because they do not allow music or DJs. She stated this is a community that is very different from many that the Board may have been exposed to. She invited the Board to walk with her on Saturday to the VFW on 332. She stated the issue of traffic on Shabbat and holidays will not be an issue at the subject property if that is the Board's concern. She stated the traffic issues at the circle have nothing to do with the Synagogue, rather it is that people do not know how to drive around a traffic circle.

Ms. Greenberg asked the Board to think about what Lower Makefield stands for as Lower Makefield is based on a Quaker tradition of inclusivity and diversity. She stated there are numerous Churches in the area, various Jewish Synagogues, and a Mosque. She stated we want to keep the diversity and keep it safe so that people are not walking on 332 on the weekends. She stated before he left for College today, her son walked to the Synagogue, She stated it is an amazing pace that is welcoming to people of different "flavors" of Judaism, and it does great work feeding people who are hungry.

Ms. Samantha Maranca was sworn in and stated she lives in Yardley Hunt. She thanked the Rabbi for all he has done for the community and her family. She stated the reason her family moved here five years ago was because of the Synagogue and Abrams Hebrew Academy. She stated they love the community which has become a home away from home for their children and a safe place, a fun place, and a place of pride and joy where they can be their full Jewish selves and have a sense of community.

Ms. Maranca stated currently on Shabbat when they walk from Yardley Hunt to where the services are they have to walk on two main roads and through Yardley Estates that does not have sidewalks and where people are turning off of the main road very quickly onto the side road. She stated when her children get older she would not feel comfortable with them walking on their own. Ms. Maranca stated the location on Edgewood Road would be a "game changer," as there are wide sidewalks which are removed from the main road; and she would not be concerned about her children when they are older being able to walk from home to Synagogue at this location.

Ms. Maranca stated the proposed plan would allow the Synagogue to thrive and grow, and they trust that the Rabbi will do an incredible job not only for the internal community but for the neighborhood and the greater Yardley community.

Mr. Michael Rosen was sworn in stated he is non-Orthodox. He stated throughout the years he has been associated with many Synagogues; and he is a member of this Synagogue by choice. He stated it provides a sense of community for all of its members. He stated his son, daughter-in-law, and two grandchildren, who live in the area, are regular attendees to all of the various events at the Synagogue. He stated it is a place of hope, peace, and love. He stated to build the building where more people can come would be a blessing not only for the Synagogue, but for Lower Makefield as well.

Mr. David Kleinman, 678 Mill Road, was sworn in. He stated this is a great opportunity for our community to show everybody how we respond to the world around us which talks about separating us, having us not care about each other, and finding fault with each other. He stated the project that has been presented tonight represents for all of them in the Township a great opportunity to reverse all of those feelings and to demonstrate to everybody around us that Lower Makefield continues to represent an opportunity to be together, to care about each other, and to serve each other in whatever manner we all choose to do.

Dr. Mel Burchman, 1591 Silo Road, was sworn in. He stated he has lived in Mirror Lake Farms since 1985. He stated Rabbi Blecher and his family are the nicest people you have ever met, and they are the most welcoming.

Dr. Burchman stated everyone knows that anything that is built now has to conform to the “storm drains,” and water control with today’s technology should not be anything to limit this building.

Rabbi Yehuda Shemtov was sworn in. He stated he lives at 1224 Ward Drive. He stated he is an Orthodox Rabbi and has lived here close to 35 years, and is one of the original walkers. He stated he has walked many times on 332 first with his children, one of whom is Rabbi Blecher’s wife. He stated the father of his 88-year-old father was killed by a car so his father has not been able to spend Shabbat with them for 35 years because of the danger of the road. Rabbi Shemtov stated safety is a big issue. He stated this is the only location where they can build this facility, and because of the roads and the crosswalks, they have to do this at this location. He asked the Board to be as generous as they can in the Variances to make sure that this can happen.

Mr. Solor asked if it is possible to move the building to the back edge of the lot and move the parking to the front. He stated this would reduce the amount of paving and might remove some of the comments made regarding access getting into the back of the lot and turns associated with that. Mr. Landro stated they explored a number of options including that one with the access coming from the fourth leg of the round-about. He stated the issue was the amount of stacking that provides on the site because if you were to come in and have to make an immediate left to that front parking area instead of being able to go straight for some distance, there are some turning movement and conflict concerns with people able to get in and out away from the circle. He stated they feel the design that is proposed is more efficient and safe to get people in and out of the parking lot.

Mr. Dougherty stated he loves that there is no opposition either on-line or in the room. He stated there is already an existing Synagogue use there, which from a dimensional standpoint, is already non-conforming. He stated there is need for better guidance on the lighting, and they will need to discuss the stormwater management on the site so that it is not reflected across the whole five acre lot but just the section that is being developed. He stated he would be in favor of approving this with some Conditions.

Mr. Solor stated he feels the Condition with regard to the lighting would be as they propose. He stated it is a pretty limited location; and unless the Township objects for an engineering reason, he feels that level of foot candle at that particular location might be a Township benefit.

Mr. Dougherty asked Mr. Majewski for his ideas as to how to manage the stormwater management on the section of the lot that is being developed. Mr. Majewski stated when they first started discussing the project with the Applicant and their engineers, stormwater was one of the main issues. He stated they discussed how they could accomplish that on the site within the parameters of the restrictions with wetlands and floodplains in the rear of the property. He stated, as noted by the Applicant's engineer, it was determined that they would have to have some kind of underground stormwater management system whether that would be pipes, arch chambers, or other ways to do that so that they could store water, let it infiltrate if the soils are practical to do that, and let water flow out at a slower rate so that the ultimate impact on Brock Creek and properties downstream is less than what it is currently coming from the site. Mr. Majewski stated he feels the exploration of porous pavement is a good idea as well.

Mr. Dougherty asked Mr. Majewski what language as it relates to stormwater management should be included in a Motion to approve. Mr. Majewski stated some Board members have expressed an interest in the use of porous pavement if it is suitable, and there could be a Condition that they explore the feasibility of providing porous pavement to reduce the amount of impervious surface on the site to the extent practical.

Ms. Reiss stated she has seen porous pavement used in New Jersey where a large building was built steps from a creek, and it worked.

Mr. Solor stated while typically he is the Board member most detailed oriented about the stormwater, but in this case he feels he is the least concerned Board member about the stormwater. He stated from the perspective of the Ordinance obligation, we are already protected by the requirements of the Township from the development process since this in essence is new construction.

Mr. Schwartz stated they have a wonderful community that has shown their support, and the speakers spoke eloquently about what the Synagogue means to their life and their family. He stated he feels our community needs more of this. He stated he lives behind a Synagogue and every Saturday he sees the congregants walking by his front door.

Mr. Schwartz stated with regard to the traffic, he is not that concerned about increased traffic; but he does see the traffic circle abused as the drivers do not seem to know how to use circles. He stated his concern is how this will affect the pedestrians. Mr. Schwartz stated as long as the approval is worded properly as it relates to some of the concerns that have been addressed, he is in support of the project.

Mr. Dougherty stated if there was opposition to this, the Board would probably want to decrease the size of the project; but the Synagogue is clearly a good neighbor as no neighbors have expressed opposition

Ms. Reiss stated she is a member of Beth El, but she has walked on Edgewood numerous times. She stated her concern is more with the traffic and people not knowing how to travel on a circle, although she does feel that the circle is slowing traffic down. Ms. Reiss stated the Board has approved a Day Care at both a Mosque and a Church in the last few years, and she does not see that as an issue. She stated she does not have an objection to the Application, and she feels that the Township has the wherewithal with the engineers to make sure that there is not a water issue.

Mr. McVan stated he has a problem with the proposal and feels that it is too much for this piece of property. He stated he would like to see them do it, but he would like to see it smaller. He stated he does not like that it does not have two driveways, and he also feels that it will be scary for walkers. He stated he has seen people drive across the circle 100 miles per hour, and the train block up.

Ms. Carlton stated when the Hearing started she indicated that the Board of Supervisors sent her to oppose the Application; and while the presentation was impressive and they feel for the congregation and agree with all of the comments of the congregants, the Board is still opposed to the Application itself for many of the same reasons that Mr. McVan just mentioned. She stated the Board believes that the traffic entering and exiting the community center is problematic, and feels that the Applicant is trying to “fit a square peg in a round hole.” She stated with the size of the proposed building on this site and from a safety standpoint for the congregants walking to and from, they remain opposed.

Mr. Dougherty asked if the Board provided any guidance as to what they feel would make sense, and Ms. Carlton stated they did not because they did not hear the presentation unless they are watching it this evening. She stated she can only speak to what she was instructed to do noting that she listened to the presentation this evening.

Mr. McVan asked Rabbi Blecher if he ever approached the neighbors. Rabbi Blecher stated he has not approached all of them although he knows some of them. He stated Mr. Rothenberg is across the road; and while he is not a formal member of the Synagogue, but he is very pro. Mr. McVan stated he is referring to the neighbor next door which could get them a “bigger spot.” Rabbi Blecher stated that is Mrs. Ronaldo who he believes is in her mid-90’s. Mr. McVan stated he was asking about this to see if that property could be purchased. Rabbi Blecher stated when they started this exploration the first person they spoke to was the neighboring property since if they could purchase the neighboring property, he believes that Mr. McVan would vote yes. He stated is her right as it is her property, and it was a firm “no.” Ms. Reiss stated she is in her 90’s, and she believes that she wants to stay there as opposed to going to another location.

Mr. Schwartz stated if the Zoning Hearing Board approves this tonight, they will still have to go before the Board of Supervisors. Mr. Majewski stated they would have to prepare fully-engineered plans that address all of the

issues including those touched upon by the Zoning Hearing Board. He stated the Township will solicit input from residents in the area on the Site Plan. He stated this will go to the Planning Commission, they will have to get Permits from a number of agencies, and ultimately it will go to the Board of Supervisors for a decision.

Mr. Solor moved and Mr. Schwartz seconded to approve the Appeal as presented in particular the detailing on the dimensioning and subject to clarification of the request for Variance from Section #200-66G on site lighting as 1 ½ foot candle limit at the driveway ingress/egress point only, and that the Applicant consider the use of pervious pavement within the Stormwater Management Plan.

Motion carried with Mr. McVan opposed.

OTHER BUSINESS

Mr. Flager stated there is no Agenda for September 2, and that meeting was previously canceled. The next meeting will be September 16 and items to be considered that night were noted.

There being no further business, Mr. Dougherty moved, Ms. Reiss seconded and it was unanimously carried to adjourn the meeting at 10:45 p.m.

Respectfully Submitted,

Christian Schwartz, Secretary