

TOWNSHIP OF LOWER MAKEFIELD
ZONING HEARING BOARD
MINUTES – JUNE 19, 2012

The regular meeting of the Zoning Hearing Board of the Township of Lower Makefield was held in the Municipal Building on June 19, 2012. Chairman Bamburak called the meeting to order at 7:00 p.m.

Those present:

Zoning Hearing Board: Paul Bamburak, Chairman
 Jerry Gruen, Secretary
 Anthony Zamparelli, Member

Others: Robert Habgood, Code Enforcement Officer
 Nathan Fox, Township Solicitor
 Mark Eisold, Township Engineer
 Barbara Kirk, Zoning Hearing Board Solicitor
 Jeff Benedetto, Supervisor Liaison

Absent: Keith DosSantos, Zoning Hearing Board Member

APPEAL #12-1632 – MANOR CARE OF YARDLEY PA, LLC

The Application submitted was marked as Exhibit A-1. A Plan was also submitted, and this was marked as Exhibit A-2. Notice of the original Hearing scheduled before the Board for June 5, 2012 was published in the Bucks County Advance, and the Proof of Publication was marked as Exhibit B-1. The property itself was posted with Notice of the original Hearing, and the Proof of Posting was marked as Exhibit B-2. Notices of the initial Hearing were mailed to adjacent property owners as required by the Ordinance, and a copy of that letter along with the listing of residents was marked as Exhibit B-3.

Ms. Kirk stated at the last Hearing, they had received a request from the Applicant's counsel asking that the matter be carried until today as they were waiting for the presentation before the Planning Commission. Ms. Kirk stated the Board received a memo from the Director of Zoning, Inspections, & Planning dated 6/12/12 indicating that the Planning Commission meeting was held on Monday, June 11, 2012 and that there was a recommendation made by the Planning Commission with respect to this Application. That memorandum was marked as Exhibit B-4.

Mr. Neil Stein, attorney, was present representing the Applicant. Mr. Stein stated this is an existing facility located at 1480 Oxford Valley Road, and there are two distinct portions of the facility with the Manor Care residential care facility along Oxford Valley Road and Arden Courts to the rear off of Stony Hill Road which is not the subject of this Application. Mr. Stein stated the entire property is approximately 17.5 acres in the R-3M District which permits nursing care and related uses by Special Exception. He stated since they are proposing an expansion to the building, they are seeking a Special Exception for that purpose. He stated there are also Variances being requested principally to impervious coverage and the width of drive aisles to allow for additional parking at the property. He stated there is a general consensus that this property could use additional parking. He stated between the time the facility was constructed and today, the parking requirements have changed; and part of this Application will have the benefit of bringing the property up to current Code standards as far as parking is concerned.

Mr. Stein stated there are a number of prior decisions that the Zoning Hearing Board rendered relative to the property; and one of the items of relief that will be heard this evening is the expansion of the Special Exception to allow an additional twenty beds on the property, and this would still be less than the maximum that was permitted by the Zoning Hearing Board under prior Decisions. Mr. Stein stated the other aspect will be an additional fifty-six parking spaces on the property.

Mr. Stein stated they recognize and did confirm for the Planning Commission that they understand they will also have to obtain Land Development Approval; and if they obtain the required Zoning relief, they will be back before the Planning Commission and the Board of Supervisors with a Land Development Application.

Mr. Paul Lepard, Land Planner, was sworn in. Mr. Lepard's CV was marked as Exhibit A-3.

Mr. Fox stated the Township is participating in this matter for informational purposes only at this point.

Mr. Stein reviewed Mr. Lepard's educational and business experience as noted on the CV. Mr. Stein stated Mr. Lepard has more than twenty-two years of land planning and landscape architecture experience, and he is being offered as an expert in the fields of land planning and landscape architecture. Mr. Stein stated Mr. Lepard has testified and been accepted as an expert at numerous Townships before Zoning Hearing Boards, Boards of Supervisors, and even in the Court of Common Pleas. The Board was in favor of accepting Mr. Lepard as a Witness.

Mr. Stein stated Mr. Lepard has provided an aerial photograph which was marked as Exhibit A-4 with copies provided this evening. Mr. Stein asked that Mr. Lepard describe what is depicted on the aerial photo, and Mr. Lepard stated it is a depiction of the subject property. He stated the yellow line is the general configuration of the property. Mr. Lepard stated the property has road frontage on Stony Hill Road and N. Oxford Valley Road. He stated the building facility that fronts on N. Oxford Valley Road is the skilled nursing facility which presently exists. Mr. Lepard stated approximately two hundred feet south of the intersection of Sandy Grove Road is the main entrance to the Manor Care Skilled Nursing Facility; and upon entering guests and those dropped off are immediately in front traveling west toward the building façade; and if you were to turn right there is an area to the northeast corner along Oxford Valley Road, there is an existing off-street parking facility for visitors, guests, and employees.

Mr. Lepard stated if upon entering, you bear off to the south, there is an access drive that generally parallels the southern property line along the south side of the existing nursing facility; and that drive also provides for areas of off-street parking for visitors, guests, and employees. He stated there is also a service area on the south side. He stated the access way then travels further west and provides an internal connection to the Alzheimer's facility which is a 52-bed facility located on the rear portion of the subject property with a separate off-street parking area for approximately thirty vehicles and drop off as well.

Mr. Lepard stated the property is approximately 17.5 acres, and a portion of the site is wooded predominantly along the south side of the property as well as a wooded portion along the western property toward Brock Run.

Mr. Lepard stated on the south side approximately mid-property between the skilled nursing facility and the Arden Court facility is the existing stormwater management facility that was built to manage the stormwater generated on the premises and this discharges to the south of the property.

Mr. Stein asked for a description of adjoining properties and land uses; and Mr. Lepard stated the neighborhood is residential in character.

Mr. Stein provided a Site Plan which was marked as Exhibit A-5. Mr. Lepard stated similar to the orientation of the aerial, the top of the sheet is north with Stony Hill Road to the top of the sheet, on the east side is Oxford Valley Road, to the south is the residential property line which is wooded. He noted the location of the basin and the two major facilities with Arden Courts to the west.

Mr. Stein asked the size of the existing buildings on the site. Mr. Lepard stated the skilled nursing building is 54,300 square feet, and Arden Courts is 23,200 square feet. Mr. Stein stated the proposed building additions are highlighted in gold. Mr. Lepard stated there are three proposed additions as part of the Application. He stated the largest addition which is on the western side of the skilled nursing facility is 6,337 square feet and will provide for a twenty-four bed facility and some improvements to the dining facility in that portion of the building. He stated that addition is similar to the addition that the Township reviewed as a prior Special Exception in 1994. He stated it is the intent of the Applicant at this point to proceed with developing that portion of the building in a manner very similar to what had been reviewed previously. Mr. Lepard stated the second addition off of the front façade off of Oxford Valley Road is a 1,826 square foot addition which is an extension to the existing residential wing and this will provide for an expansion of four beds. Mr. Lepard stated interior to the residential wings within the court is a small 812 square foot addition which is proposed to provide for an expansion to the in-house therapy facilities for patients.

Mr. Lepard stated in addition to the building improvements, there are a series of off-street parking facilities that are proposed are part of this improvements; and they are proposing an additional fifty-four parking spaces to accommodate the expansion and the current bed and employee count for the site.

Mr. Stein stated the net addition in terms of beds is an increase of twenty beds, which is still less than what was originally approved for the site; and Mr. Lepard agreed.

Mr. Stein asked where the additional parking will be located, and Mr. Lepard showed on the Plan where additional parking is proposed including sixteen additional spaces on the northeastern corner of the existing parking lot that would front along Oxford Valley Road, an extension of four additional parking spaces off of the existing parking facility on the north side of the property next to the residential wing, and a series of off-street perpendicular parking spaces along the interior access drive, with a total of five additional parking bays that provide approximately thirty additional parking spaces along the access drive for employees and guests.

Mr. Stein stated there is also a proposal to adjust the width of the drive aisle, and Mr. Lepard agreed. Mr. Lepard stated the existing drive aisle varies in width between 20' and 22', and the Applicant would like to be able to widen it to a 24' width in the areas that are more narrow as well as provide for the 10' by 20' parking spaces off of the expanded aisle way.

Mr. Stein asked Mr. Lepard if he has examined initially whether existing stormwater management facilities would be of sufficient size to address the additional impervious coverage recognizing that this will be the subject of a Land Development Application; and Mr. Lepard stated he has. He stated stormwater management on the property would be subject to detailed review as part of the Land Development Application, but preliminarily it is their expectation that there is available land area to expand the basin if it needs to be expanded for peak control. He stated there is also an opportunity for the parking spaces to the north of the property line to be tied into the existing storm facility through the existing pipe conveyance, subject to further study, to drain into the existing basin or in combination with underground storage facilities underneath the parking spaces if that is required. Mr. Lepard stated there are opportunities for them to address stormwater on the property; and while it has not been studied in detail at this junction, he is confident that they can manage the stormwater on site.

Exhibit A-6 was marked, and Mr. Lepard stated this is a panoramic photo of the top portion of the property showing the parking area and the view shed from Sandy Grove Road looking toward the entrance way of the property as well as the off-street parking area. Mr. Lepard showed in View 1 the entrance to Manor Care, View 2 is toward the drop-off, View 3 is toward the existing off-street parking facility, and View 4 is the portion of the property they have identified for additional parking. Mr. Lepard stated given the topographic condition of Oxford Valley Road, it is important to note that this portion of the site and the expanded parking area will sit low relative to the Road; and so from the street, it will effectively be screened with filters views onto the expanded parking area.

Exhibit A-7 was marked, and Mr. Lepard stated this is a similar panoramic taken at the request of the Planning commission to memorialize what the character of the road is under the current condition. He stated the views are generally to the north along Oxford Valley Road. He stated View 1 and View 2 are the entrance sequence at the drive entrance in, and you can see the existing parking field to the south of the skilled nursing facility. View 2 is the round about and drop off. Views 3 and 4 depict the existing off-street parking area. He stated you can see the topographic change and how the existing parking area is cut into the hillside, and they would expect to continue that with the expanded parking so that it will have a minimal impact in terms of the view sheds from Oxford Valley Road.

Architectural elevations were provided. Exhibit 8 was marked for Sheet 2 of 3, and Exhibit A-9 was marked for Sheet 3 of 3. Mr. Lepard stated Exhibit A-8 is a series of building elevations. He stated the top elevation is labeled, "North Elevation A," and this depicts the view of the building from the north property. He showed on Exhibit A-8 the portion of the building that is proposed to be expanded for the four-bed addition. He noted the middle elevation, Elevation B, and stated this shows the 800 square foot addition for the expansion of the internal therapy area. He stated this also shows the

front façade of the residential annex which is on the right-hand portion of the board. Mr. Lepard noted Elevation C which shows the small portion of the twenty-four bed addition looking toward the north on the south end. He stated this will be a one-story addition and a continuation of the architectural theme that is presently on site.

Exhibit A-9 was noted which is the architectural rendering of the building addition on the south side of the existing nursing facility. He stated South Elevation D is the view from the south from the access drive toward the skilled nursing facility, and it is a continuation of the existing roof line in order to provide the additional beds. He stated the west elevation is looking due east toward the back side of the building, and you can see that it is a very residential one-story façade that is depicted on the front of the building. He stated Elevation F is a view looking south from the north property line and shows the character of that addition, and you can see that it is a continuation of the existing architecture that is presently on site.

Exhibit A-10 was marked which is a floor plan. Mr. Lepard stated this shows what is existing and what is proposed. Mr. Lepard showed on the right side the four bed addition shown in a dotted line. On the interior court the addition proposed is shown for the therapy suite, and to the rear of the property is the third addition which would provide for the twenty-four bed addition. He stated there are a series of semi-private rooms that are being converted to singles, and this is why the net bed increase is twenty. Mr. Lepard stated there will also be work done interior to the building including a medical records room, some dining, activity, and office areas that will be renovated as part of the project; but they do not result in a change to the building footprint.

Mr. Stein stated the additions in large measure are to cure some existing inefficiencies and obsolescence, and Mr. Lepard agreed. Mr. Stein stated the additional parking is being proposed because the general consensus and understanding is that there is not enough parking today, and Mr. Lepard agreed. Mr. Lepard added that the Ordinance provisions that were in effect in 1994 when a similar Plan was before the Township did not require Manor Care to provide a full parking space for each employee. He stated subsequently the Ordinance has been amended requiring one full parking space per employee plus the bed count so that the increase in bed count and increased parking requirement does generate additional need for off-street parking. He stated Mr. Snoddy may want to testify as to the changes in the character in service that has had an impact to their employees. Mr. Lepard stated they have also seen an increase in their employee count from 1994 to the present which is also contributing to the need for additional parking.

Mr. Stein stated in order to accomplish those changes, it is necessary to have an increase in impervious coverage to 26.6% shown on the Plan; and Mr. Lepard agreed. Mr. Lepard stated the Variance request was to 27% to allow for potential sidewalk connections for the off-street parking to the doors which accounts for the difference between the 26.6% and the 27% shown in the request. Mr. Stein asked if this is the minimum Variance necessary to for the improvements shown on the Plan, and Mr. Lepard agreed.

Mr. Stein noted Variance request for the construction of two parking aisles within the 25' setback, and he asked Mr. Lepard why this is necessary from a planning development standpoint. Mr. Lepard noted Exhibit A-5, the Site Plan, and stated they are trying to advantage of where they have existing infrastructure in place that they can tie in services to in terms of stormwater and a logical continuation of on-site circulation. He stated they have identified two areas on the northeast corner of the site for a portion of the expanded parking lot. He stated furthest to the west is a continuation of the aisle way of the existing parking so that they are providing four additional parking spaces which are located outside of the 25' parking setback line. He stated they are also proposing an expansion of a parking area for an approximate increase of sixteen new parking spaces on the north side of the existing parking area again taking advantage of the existing aisle way to provide access. He stated the parking spaces on the northernmost portion do not encroach on the 25' setback; however, in both locations, the aisle way which is providing access does encroach approximately 11' into the 25' setback. He stated that encroachment is not for parking, but is simply for providing an access way to the parking facilities.

Mr. Lepard stated when this facility was originally reviewed in the early 90s, the parking setback requirement was 10'. He stated the parking space that is closest to the residential property line is approximately 14'. He stated they have not proposed an aisle way any closer than 14' so in terms of an improvement pattern, it is consistent with the development pattern on the premises and allows for a logical extension and expansion of the off-street parking facilities in that area.

Mr. Lepard stated another area of relief is that as part of the Special Exception Approval, they are now expanding an existing building; but due to Ordinance modifications subsequent to the last Approval and construction of the skilled nursing facility, the setback requirement on the north property line expanded to 50'. He stated the existing building encroaches into that side yard by approximately 1 ½', and they are proposing that the addition will be expanded in line with the façade; and it will not be an increase in the non-conformity, it will be a continuation of the non-conformity.

Mr. Stein asked if there is any aspect of the proposal that will be detrimental to the public health, safety, or welfare; and Mr. Lepard stated there is not. Mr. Stein asked if the existing water and sewer facilities are adequate to service the additions; and Mr. Lepard stated they are, and he added that the property is served by both public water and sewer and will continue to be. Mr. Stein asked if there is any aspect of this proposal that would be objectionable by way of noise, fumes, vibration, or light; and Mr. Lepard stated there is not.

Mr. Gruen asked what they anticipate will be the increase in the number of employees with the increase in the number of rooms. Mr. Lepard stated based upon the current employee count, they are proposing an increase of thirteen employees.

Mr. Gruen asked if there will be any additional traffic in terms of additional trucks; and Mr. Lepard stated while he does not believe so, Mr. Snoddy may be a better Witness to answer this operational issue.

Mr. Gruen asked if the new parking spots could be paved with a pervious material, and Mr. Lepard stated they have not considered this at this point. He stated for parking spaces that have a high turn-around for a use like this, a porous pavement may not be the best solution for long-term maintenance, although it is an option available to them. He stated there may be other ways for them to manage the stormwater. He stated they are going to have to obtain an NPDES Permit as part of this project since the disturbance will be greater than an acre so they will have to be managing the volume on site, and they could do this through rain gardens and other similar measures. He stated if there is an opportunity for cisterns, if soil conditions warrant, they may consider this as well. Mr. Bamburak stated the Township engineer would also be reviewing the Plan.

Mr. Gruen noted the front addition, and he asked if they are moving the parking spots or just enlarging the building in the grass area; and Mr. Lepard stated they are enlarging the building in the grass area.

Mr. Zamparelli asked if they are adding additional lighting to the parking lot, and Mr. Lepard stated as part of the Land Development Application additional lighting would be required to be provided. Mr. Zamparelli stated he is concerned about light pollution, and Mr. Lepard stated any new light poles would be shielded to limit the throw of light off property.

Mr. Fox had no questions on behalf of the Township at this time.

Ms. Kirk asked the existing number of employees at the facility, and Mr. Stein stated the next Witness will discuss this.

There was discussion about the need to go for Land Development, and Mr. Stein stated this is a determination that is made by the Township. Mr. Habgood stated they are proposing additions to the existing facility, and any changes to a non-Residential building require Revised Land Development.

Mr. Richard Snoddy was sworn in and stated he is employed by HCR Manor Care as their Senior Project Manager in the Construction Department. He has been with them for fifteen years. He is familiar with the subject property and its operation.

Mr. Stein asked Mr. Snoddy to advise the Board the reason why the additions are being proposed. Mr. Snoddy stated as part of the requirement for adding new beds in the State of Pennsylvania, they must go through the Department of Health to obtain a Certificate of Need. He stated they applied, and have been granted that Certificate of Need from the State. He stated the State controls the nursing home beds throughout the State, and does not allow any in an area that they do not feel it is necessary to have.

Mr. Stein stated these beds are being transferred from two other Manor Care facilities, and Mr. Snoddy stated they are coming from two of their other local facilities so the overall number of beds in the service area will not increase. Mr. Stein stated he understands they are coming from Lansdale and Huntingdon Valley, and Mr. Snoddy agreed.

Mr. Stein asked from an operational standpoint why there would be a need for an enlarged therapy suite and some of the other operational changes being made to the floor plan. Mr. Snoddy stated the industry has changed quite a bit in the last twenty years since the building was originally built. He stated they have gone to a more high acuity type resident using a lot more therapy, and the residents are coming in with different needs. He stated they have a cardiac care unit, and they are trying to train those coming in to get back into their own homes.

Mr. Stein stated there was an indication in the Certificate of Need that the population of sixty-five and older individuals within three miles of this site is projected to increase by approximately 15% in the next few years, and Mr. Snoddy agreed. Mr. Stein stated it is therefore expected that there will be more of a demand for these types of beds in this immediate area, and Mr. Snoddy agreed.

Mr. Stein stated there was a question asked earlier about the number of employees and whether they anticipate increasing those numbers and how that will effect parking, traffic, and service vehicles. Mr. Snoddy stated they expect the additions to generate the need for thirteen new employees bringing the total employees to eighty-seven employees whether they are contract employees or full-time staff members during the peak shift. He stated this would be to serve the twenty new beds and the expanded therapy portion.

Mr. Stein asked if he would expect there to be any increase in service vehicles or truck traffic, and Mr. Snoddy stated it would be nothing appreciable.

Mr. Stein stated during Mr. Lepard's Testimony, he indicated that there does seem to be a shortage of available parking particularly when there are times of high visitors, and Mr. Snoddy stated this is his understanding.

Mr. Gruen asked if the physical therapy facility will be for residents only or will it be opened to outside patients, and Mr. Snoddy stated they do not do out-patient therapy in any of their buildings.

Mr. Benedetto asked if there is another access in the back addition, and Mr. Snoddy stated they do not plan to have one for the public although they might have an employee entrance.

Mr. Stein moved for admission of his Exhibits.

There was no public comment, and Testimony was closed.

Mr. Gruen moved, Mr. Zamparelli seconded and it was unanimously carried to approve as requested.

APPEAL #12-1633 – WENDY FARSIU AND DAVID FARSIU

Mr. Bamburak stated this Application was continued from the June 5 meeting. Ms. Kirk stated although the Applicant had requested that the matter be carried the Zoning Hearing Board is under time constraints within which to open Hearings; therefore, at the last Hearing the documents were marked as Exhibits. The Application submitted was marked as Exhibit A-1. The Plan submitted with the Application was marked as Exhibit A-2. A copy of the letter requesting the Continuance was marked as Exhibit A-3. Notice of the last Hearing was published in the Bucks County Advance, and that Proof of Publication was marked as Exhibit B-1. The property itself was posted with Notice of that Hearing, and Proof of Posting was marked as Exhibit B-2. Notices were mailed to adjacent property owners as required by the Ordinance, and a copy of that letter along with the listing of those notified was marked as Exhibit B-3.

Ms. Wendy Farsiou and Mr. David Farsiou were sworn in. Mr. Farsiou stated they want to replace a portion of an existing fence in their rear yard which is adjacent to Roelofs Road. Mr. Farsiou stated it is a chain link fence which was there when they purchased the property, and they would like to upgrade it to vinyl.

Mr. Bamburak stated typically the Board requires that they leave a 2” gap at the bottom of the fence so that they do not impede the water flow, and Mr. Farsiou agreed to this as a Condition of Approval of the Variance.

Mr. Bamburak asked if the new fence will be higher than the existing fence; and Ms. Farsiou stated the existing fence is 4’ high, and the replacement will be 6’ high. Mr. Habgood stated this does not present a problem.

Mr. Bamburak asked if the fence is in the drainage easement, and it was noted that it is. Mr. Bamburak stated typically another Condition is that if the Township requires access to the easement, the owners would have to remove and/or replace the fence at their own expense; and they agreed to this Condition.

There was no one present to speak on this matter, and Testimony was closed.

Mr. Zamparelli moved, Mr. Gruen seconded and it was unanimously carried to replace the existing fence subject to the condition that there be a 2” gap at the bottom of the fence so as not to impede water flow and that if the Township would need access the fence would be removed and/or replaced at the owners’ expense.

APPEAL #12-1637 – MIKE AND SHELLY JOSEPH

The Application submitted was marked as Exhibit A-1. The Site Plan submitted was marked as Exhibit A-2. Notice of the Hearing was published in the Bucks County Advance, and the Proof of Publication was marked as Exhibit B-1. The property itself was posted with Notice of tonight’s Hearing, and the Proof of Posting was marked as Exhibit B-2. Notices were mailed to property owners as required by the Ordinance, and a copy of the Notice letter with the listing of the adjacent owners was collectively marked as Exhibit B-3.

Mr. Mike Joseph and Ms. Shelly Joseph were sworn in.

Mr. Bamburak stated it indicated on the Application that this is a Special Exception, but this is just a Variance; and Ms. Kirk agreed.

Ms. Joseph stated they want to build a garage as they do not currently have one. She stated they have pictures of the garage that they would like to attach to their existing home.

Mr. Bamburak stated this will increase the impervious surface by 1.2%, and Ms. Joseph agreed.

Ms. Kirk stated as set forth on the Site Plan the proposed garage addition will be 496 square feet, and it will be attached to the existing house; and Ms. Joseph agreed. Ms. Kirk stated access to the garage will be an existing driveway, and Ms. Joseph agreed. Ms. Kirk asked how many bays there will be in the garage, and Ms. Joseph stated there will be two so it will fit two cars. Ms. Kirk stated the garage will be used for storage of personal vehicles and other personal property, and Ms. Joseph agreed. Ms. Kirk asked the number of stories, and Ms. Joseph stated there will be just one. Ms. Kirk asked if there will be electrical connections, and Ms. Joseph stated there will be electrical connections; however, there will be no plumbing

It was noted there is also a request for a side yard Variance as they will be off the side yard by one foot. Mr. Zamparelli stated he is concerned that it will only be one foot from the side yard, and he asked if they discussed this with their side yard neighbor. Ms. Joseph stated the Township is their adjacent neighbor because there is open space on that side, and there is no house there. There was discussion about the nature of this Township open space; and Mr. Habgood stated along Ferry Road from Big Oak to Pennsylvania Avenue there is a wooded area between some of the homes, and Ms. Joseph agreed this is where their home is located.

Mr. Habgood noted that on Exhibit B-3 there is a copy of the Tax Map and it indicates the Township parcel at this location is approximately two acres.

Ms. Kirk stated in the past Municipalities would purchase properties to maintain as passive open space to prevent future development and also maintain the natural aesthetics of an area.

Mr. Habgood stated the permitted impervious surface for a lot of this size is 29%, and they are requesting 24.3% which is an increase of 1.2% over what they already have.

Mr. Fox asked if the driveway is shown going over the property line, and Ms. Joseph agreed that this was the existing condition.

There was no one in the public wishing to speak on this matter, and Testimony was closed.

Mr. Gruen moved, Mr. Zamparelli seconded and it was unanimously carried to approve the Variance for a 1' setback from the property line setback and impervious surface of 34.5%.

APPEAL #12-1638 – DOUG SCHENCK

The Application submitted was marked as Exhibit A-1. An impervious surface break down chart was marked as Exhibit A-2. A single-sheet statement of improved conditions was marked as Exhibit A-3. A Site Plan was provided and was marked as Exhibit A-4. Notice of tonight's Hearing was published in the Bucks County Advance, and the Proof of Publication was marked as Exhibit B-1. Notice was also posted at the property, and a copy of that Posting was marked as Exhibit B-2. Notices were mailed to property owners as required by the Ordinance, and a copy of the letter with the list of property owners was collectively marked as Exhibit B-3.

Mr. Doug Schenck and Ms. Gina Schenck were sworn in.

Mr. Bamburak stated they have a shed which is too close to the property line, and they are proposing a kitchen addition which will actually result in a decrease of .1% in impervious surface.

Mr. Schenck stated they are trying to improve their house by expanding the kitchen; and while they will lower the impervious surface, it is over the permitted amount. He stated the kitchen will come out in the front of the house and the sidewalk across the front will be removed. He stated the sidewalk and steps on the side will also be removed. He stated there is a doorway in that area now, and that will be removed as well.

Mr. Gruen asked how long they have owned the home, and Mr. Schenck stated it has been fifteen years. Mr. Gruen asked how they got to the point that there are over the permitted impervious surface. Mr. Schenck stated the shed was there when they purchased the house as was the brick patio and the stone along the side of the house. Mr. Schenck stated he did put on a deck on the back of the house that is wooden and level with the ground.

Mr. Gruen asked what they propose for the shed, and Mr. Schenck stated he would like to leave it where it is.

Mr. Frank Oliveti, 76 Manor Lane South, was sworn in and stated he feels this will be an improvement to the neighborhood.

No one else wished to speak about this matter, and Testimony was closed.

Mr. Zamparelli moved, Mr. Gruen seconded and it was unanimously carried to grant the Variance as requested to construct a 6' by 15' kitchen addition and allow the 10' by 10' shed in its original location.

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OTHER BUSINESS

Ms. Kirk stated the Briefs from all attorneys involved in the Aria/Frankford Hospital matter are due this Friday; and once she receives them, she will circulate them to everyone. She stated she hopes to prepare an Outline of comparisons for everyone for consideration.

Mr. Gruen moved, Mr. Zamparelli seconded and it was unanimously carried to adjourn the meeting at 8:15 p.m.

Respectfully Submitted,

Jerry Gruen, Secretary