

TOWNSHIP OF LOWER MAKEFIELD
ZONING HEARING BOARD
MINUTES – JULY 15, 2014

The regular meeting of the Zoning Hearing Board of the Township of Lower Makefield was held in the Municipal Building on July 15, 2014. Chairman Bamburak called the meeting to order at 7:30 p.m.

Those present:

Zoning Hearing Board: Paul Bamburak, Chairman
 Jerry Gruen, Vice Chairman
 Anthony Zamparelli, Secretary
 Keith DosSantos, Member
 Mark Moffa, Member
 Matthew Connors, Alternate Member

Others: Robert Habgood, Code Enforcement Officer
 Maryellen Saylor, Township Solicitor
 Barbara Kirk, Zoning Hearing Board Solicitor

Absent: Kristin Tyler, Supervisor Liaison

APPEAL #14-1699 – MARRAZZO'S NORTH RIVER LANDSCAPE

Mr. Bamburak and Mr. Zamparelli noted that because they know the Marrasso's, they will be recusing themselves from voting on this matter. Mr. Moffa stated that even though Marrasso's did work at his home, he feels he is still able to fairly judge the Application. Mr. Gruen stated that since there are four members taking part in this matter, if there were to be a tie vote, the matter would be denied. Mr. Marrasso agreed to have the Hearing proceed at this time.

The Application submitted was marked as Exhibit A-1. A three-page Deed for the property was marked as Exhibit A-2. The first sheet of the Mortgage was marked as Exhibit A-3. An impervious surface breakdown calculation sheet was provided which was marked as Exhibit A-4. The Site Plan was marked as Exhibit A-5. The Plot Plan provided was marked as Exhibit A-6. 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 posted at the property of tonight's Hearing, and a copy of that Posting was marked as Exhibit B-2. Notice was mailed to property owners as required by the Ordinance, and a copy of the letter with the list of addressees was collectively marked as Exhibit B-3.

Mr. Anthony Marrazzo and Ms. Dianne Marrazzo were present and were sworn in.

Ms. Marrazzo stated the request is for the property at 103 Pine Lane for a patio to be put on the back of the sunroom. She stated it is a landing off the back of the steps which are wooden now; and they will take the steps off, put the landing in with four steps out onto a patio. She stated the patio will be curved, and they will landscape around it. She stated currently they do not have a patio. She stated they will be taking up some walkway that allowed for some of the impervious to come off. She stated they have a nice yard but do not have a patio to use, and they would like to add one to the residence which will increase the value of their home and the neighborhood.

Mr. Habgood stated when he did the calculations, he found the proposed impervious surface would be 25.4% and 24% is allowed based on their lot size. He stated the existing is close to what is shown on Exhibit A-5 which is 22.14%. Mr. Habgood stated they are removing part of the walkway which will bring the proposed impervious surface to 25.4%.

Ms. Marrazzo stated they are asking to add 76 square feet.

Mr. Gruen asked if there are any water problems, and Mr. Marrazzo stated there are not. He stated it is fairly level. Ms. Marrazzo stated there is a slight pitch toward the back. Mr. DosSantos stated he understands that there is a wooded area in the back.

Mr. Gruen asked if they will put in plants to take up the water, and Mr. Marrazzo stated the plants will absorb most of the water off the patio before it goes into the lawn area.

Mr. Gruen stated he does not feel they need to ask for any mitigation since it is a minimal extension of the impervious surface.

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

Mr. DosSantos moved, Mr. Moffa seconded and it was unanimously carried to grant the relief requested as set forth in the Application and per the Zoning Officer's calculations of 25.4%. Mr. Bamburak and Mr. Zamparelli did not vote on this matter.

OTHER BUSINESS

Mr. Gruen asked Ms. Kirk to send another letter to the Township about the Zoning Hearing Board members' term lengths. He stated she sent the Township a letter months ago, but did not get a response. He stated it was his understanding that term lengths should be five years for Board members and three years for Alternates. Ms. Kirk stated they are staggered terms. Mr. Gruen stated the Board of Supervisors re-appointed some people for five years and some for four years.

Ms. Kirk read as follows, "If it is a three-member Board, the terms are three years; and if it is a five-member Board, the terms are five years."

Mr. Gruen stated he was re-appointed for only four years and the Board of Supervisors appointed Mr. Connors as an Alternate for five years.

Ms. Kirk read as follows: "The term of an Alternate is three years."

Mr. Bamburak stated he had also sent an e-mail some time ago indicating that some of the re-appointments were pending and nothing had been done, and he never received a response.

Ms. Kirk was asked to send another letter to the Township about the term lengths and re-appointments.

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

Respectfully Submitted,

Anthony Zamparelli, Secretary