

TOWNSHIP OF LOWER MAKEFIELD
ZONING HEARING BOARD
MINUTES – JANUARY 20, 2015

The regular meeting of the Zoning Hearing Board of the Township of Lower Makefield was held in the Municipal Building on January 20, 2015. Chairman Bamburak called the meeting to order at 7:40 p.m.

Those present:

Zoning Hearing Board: Paul Bamburak, Chairman
Jerry Gruen, Vice chairman
Mark Moffa, Member
James McCartney, Alternate Member

Others: Steve Ware, Keystone Municipal Services
Mark Eisold, Township Engineer
Barbara Kirk, Zoning Hearing Board Solicitor
Jeff Benedetto, Supervisor Liaison

Absent: Anthony Zamparelli, Zoning Hearing Board Secretary
Keith DosSantos, Zoning Hearing Board Member

APPEAL #13-1663 – GEORGE FOX, III

Ms. Kirk stated she received a letter from Mr. Fox's attorney, Steve Harris, dated January 7, 2015 asking if the Board would grant an additional Continuance as they had previously had a meeting arranged with the Township solicitor, the Township Zoning Officer, Mr. Fox and his attorney; however, unfortunately it was scheduled on the date of Mr. Stainthorpe's funeral, and they have not been able to re-schedule it. Ms. Kirk stated they hope that the meeting will be fruitful to narrow some of the issues, and they have asked that the matter be carried until the second meeting in February. Ms. Kirk stated the letter also indicates that Mr. Fox waives any time requirements set forth under the Pennsylvania Municipalities Planning Code. The letter was marked as Exhibit A-12.

Ms. Kirk recommended to the Board that if the Continuance is approved, that it be scheduled for the first meeting in March to give an additional two week's time to coordinate a meeting with the Township.

Mr. Gruen moved, Mr. Moffa seconded and it was unanimously carried to continue the matter until March 3, 2015.

APPEAL #14-1719 – CHARLES R. PALAIA

The Application submitted was marked as Exhibit A-1. An impervious surface coverage chart was provided which was marked as Exhibit A-2. A two-page Plot Site Plan showing existing and proposed changes was marked as Exhibit A-3. Notice of tonight's Hearing was published in the Bucks County Advance, and a copy of the Proof of Publication was marked as Exhibit B-1. Notice was also posted at the property of tonight's Hearing, and a copy of that Notice 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 addressees was marked as Exhibit B-3.

Mr. Charles Palaia and Ms. Janel Palaia were sworn in.

Mr. Palaia stated they want to put in an 8' by 12' wood frame shed in the back yard for lawn equipment. Mr. Bamburak stated he understands that they plan to remove some impervious surface area so that the net result is that the impervious surface will go down by .1%, and Mr. Palaia agreed.

Mr. Bamburak asked Mr. Palaia if he plans to build the shed, and Mr. Palaia stated the shed will be delivered. Mr. Bamburak stated he assumes there will not be any construction equipment coming in, and Mr. Palaia agreed.

Mr. Moffa asked if they recently purchased the home; and Mr. Palaia stated they purchased it in August, and they have not added any impervious surface. Mr. Moffa stated he appreciates the thought that was put into the Plan trying to offset the additional impervious.

Mr. Gruen stated they are relocating a patio, and Mr. Palaia agreed it is a paver patio. Mr. Gruen stated they want to enlarge the driveway around the corner, and Mr. Palaia stated he is going to move the existing pavers and fit them around the existing driveway so he can park on that. He stated he is not extending the asphalt.

Ms. Kirk stated there is approximately 380 square feet of impervious surface coverage by the paver walkway and patio of which 270 square feet will be re-located around the driveway/garage and a total of 99 square feet will be eliminated, and Mr. Palaia agreed. Mr. Bamburak stated the impervious surface is going down .1%.

Mr. Bamburak asked Mr. Ware if he reviewed and agreed with the calculations submitted, and Mr. Ware stated he does.

Mr. Gruen asked Mr. Ware if he reviewed whether any Permits were taken which increased the impervious surface from 19% to 24%, and he asked how they got to the 24%. Mr. Ware stated he did not look into that.

Mr. Palaia stated he did see some of the Permits on record, and the house and driveway exceeded the 18% when it was built in 1979. Mr. Moffa stated this used to be in a 24% Zone as noted in the information received.

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

Mr. Moffa moved, Mr. McCartney seconded and it was unanimously carried to grant the Variance as requested.

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

Respectfully Submitted,

Paul Bamburak, Chairman