

TOWNSHIP OF LOWER MAKEFIELD
ZONING HEARING BOARD
MINUTES – MARCH 3, 2015

The regular meeting of the Zoning Hearing Board of the Township of Lower Makefield was held in the Municipal Building on March 3, 2015. 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

Others: John Koopman, Township Solicitor (left meeting in progress)
Mark Eisold, Township Engineer
Barbara Kirk, Zoning Hearing Board Solicitor
Jeff Benedetto, Supervisor Liaison (joined meeting in progress)

Absent: Mark Moffa, Zoning Hearing Board Member
Steve Ware, Keystone Municipal Services

APPEAL #14-1721 – VICTOR VAN DYKE

Mr. Allen Toadvine, attorney, was present and stated he sent a letter to Ms. Kirk requesting that the matter be continued and re-advertised based on the addition of two more Variances that are needed. He asked that the matter be continued until the first meeting in April assuming that will give sufficient time to re-advertise. Ms. Kirk advised that the cut off for the first meeting in April would be March 11. She suggested Mr. Toadvine notify Mr. Ware of this.

Ms. Kirk stated they opened Testimony previously and already had Exhibits marked. She stated Mr. Toadvine's letter of March 3, 2015 will be marked as Exhibit A-3.

Mr. Gruen moved, Mr. DosSantos seconded and it was unanimously carried to continue the matter to April 7, 2015.

APPEAL #14-1720 – GEORGE ROSE AND CARRIE ANN ROSE

Mr. Toadvine stated this matter was opened at the 2/3 meeting and Exhibits were marked. Mr. Toadvine noted Exhibit A-3 was an Elevation Certificate, and a revised elevation Certificate was presented this evening to comply with the request from the Township Engineer. The revised Elevation Certificate was marked as Exhibit A-6.

Mr. Benedetto joined the meeting at this time.

Ms. Kirk advised Mr. Koopman of the Exhibits which were presented at the prior meeting. Mr. Koopman stated the Township is a Party to this Application, but there are no other Parties other than the Applicant; and Ms. Kirk agreed.

Mr. George Rose was sworn in and stated he lives at 521 River Road with his wife, and they have lived there for two years. Mr. Toadvine asked the type of home he lives in, and Mr. Rose stated it is a two-story Colonial home built in 1941. It is approximately 3,100 square feet. Mr. Toadvine asked if it has all the amenities inside that a typical home in Lower Makefield has, but it does not have a garage or any structure to house vehicles; and Mr. Rose agreed. Mr. Rose stated the property is approximately two and a half acres.

Mr. Toadvine stated the Application is to construct a garage and breezeway to connect to the house as well as a front porch. Mr. Rose stated they would like to build a garage since there is no way to park cars or store the snow blower. He stated they would like to connect the garage with a mud room to the house. He stated they also want to put on a front porch.

Mr. Toadvine asked if the garage would be made available for use as an additional residence, and Mr. Rose stated it would not.

A copy of Exhibit A-4 was shown, and Mr. Rose stated this accurately depicts the construction he is proposing. Mr. Toadvine asked if it will be one or two stories, and Mr. Rose stated it will have three bays and one story with an attic for storage and part of the attic he may turn into an office since he works from home. He stated he works in the baseball industry.

Mr. Toadvine asked if there is an existing driveway on the property, and Mr. Rose stated there is. He added they are not proposing to add any additional driveways. Mr. Rose noted that much of the garage will be going over the existing driveway.

Mr. Toadvine asked if he has had any flooding issues since he has lived at the home, and Mr. Rose stated he has not. Mr. Toadvine asked if Mr. Rose if he is familiar with the history of the property, and Mr. Rose stated he researched the property before he bought it and found that it had not flooded since the house was built.

Mr. Toadvine stated as part of the Application process the Township engineer reviewed the Plans and issued a letter dated 1/29/15, and he understands that Mr. Rose is willing to comply with all the Conditions listed in that letter; and Mr. Rose agreed.

Mr. Gruen noted the survey shows that the property is 1.97 acres, and Mr. Rose stated he also owns property across the street which brings the total to two and a half acres. Mr. Gruen noted there is an area shown behind the garage, and Mr. Rose stated this will be a shed for wood and tools. It will be attached to the garage. Mr. Gruen asked Mr. Rose if he intends to put any plumbing in the garage, and Mr. Rose stated if possible he would like to put in a half bath in the attic since he would like to use it as an office.

Mr. Bamburak stated currently they have a large driveway/parking lot, and Mr. Rose agreed. Mr. Bamburak stated it seems that the impervious being added will be the porch. Mr. Bamburak asked if the garage will be heated, and Mr. Rose stated it would just be the office part.

Mr. DosSantos asked if he is planning to convert the attic space into an office, and Mr. Rose agreed. Mr. DosSantos asked the height of the office space; however, Mr. Rose stated they have not gotten that far since they were waiting for this meeting to see if it was feasible before the architect did the plans. Mr. DosSantos asked if the bathroom would be in the office space, and Mr. Rose agreed.

Mr. Gruen stated they could not go over thirty-five feet, and Ms. Kirk agreed. Mr. Gruen stated the total impervious surface after construction will be 9.78% which is still below what is permitted.

Mr. Koopman stated the Township is participating, and their initial concern was with the new Floodplain Ordinance to make sure that any activity in the floodplain would not have an adverse effect upon the flood insurance in the Township. He stated they were satisfied based upon the review letter from Boucher & James that as long as there was no increase in the flood elevation, the Township would not have a concern with the attached garage provided the Zoning Hearing Board Conditions any approval upon compliance with the Boucher & James review letter which Mr. Toadvine has indicated they would. Mr. Koopman stated he does have questions in light of the recent Testimony that there will be an office. Mr. Koopman

stated this is a Residential Zoning District so if there is to be an office, he would have to comply with the Home Occupation requirements under the Zoning Ordinance and probably get a Use and Occupancy Permit for that home office.

Mr. Toadvine stated he has not discussed with Mr. Rose what he is referring to as a home office but feels it is not that the type of office that would be considered a home occupation since it is more like someone going home after work and doing some work and making calls. Mr. Koopman stated they will have to address that issue and if it is going to involve what is classified as a Home Office, he will have to get a Permit for that. Mr. Gruen asked Mr. Rose if he intends on having clients come to the home office, and Mr. Rose stated he does not. Mr. Rose stated most of his clients are out of the Country.

Mr. Koopman asked if the shed in the back of the garage will have a separate entrance, and Mr. Rose stated it will so that you can get to it from the outside. Mr. Koopman stated he understands that this will serve more like a shed that would serve any residential dwelling, but it is attached to the garage; and Mr. Rose agreed.

Mr. DosSantos asked if there is an existing shed on the property; and Mr. Rose stated he does, but this is going to be removed.

Mr. Gruen asked if the entrance to the office will be through the garage or from the second floor of the house, and Mr. Rose stated it will be through the garage. Mr. Gruen asked Mr. Rose if he would agree not to install a kitchen in there, and Mr. Rose stated he would agree to this.

Mr. Heath Dumack was sworn in and stated he is a Civil Engineer and Surveyor. He stated he is a licensed surveyor in Pennsylvania and Delaware and a licensed professional engineer in thirty-nine States including Pennsylvania. It was agreed to stipulate Mr. Dumack as an engineer.

Mr. Dumack noted he prepared Exhibit A-4. He stated the site is on the westerly side of River Road and the parcel on the west side of the road is approximately 1.97 acres and consists of a single-family home, driveway, shed, and some landscape planting beds in the rear. He stated the entire site is considered in the one hundred year flood plain as defined by the 1999 FEMA maps. He stated what they are proposing to do is a garage that is predominantly located on the existing driveway, a connecting breezeway, and a porch around the front and side of the existing dwelling.

Mr. Toadvine asked Mr. Dumack if he has reviewed the letter dated January 29, 2015 from Boucher & James which was marked as Exhibit A-5, and Mr. Dumack stated he has. Mr. Toadvine noted the concerns raised by the Township engineer, and Mr. Dumack stated based on the construction of the proposed garage and porch they will be putting in the flood vents and the garage will be based on FEMA's guidelines for flood proofing. He stated there will be no negative impact on the one hundred year elevation or on the surrounding properties due to this addition. Mr. Toadvine stated there will be no increase on the base flood elevation due to the proposed construction, and Mr. Dumack agreed. Mr. Dumack stated they will comply with all the items in the Township engineer's review letter. Mr. Toadvine stated they will also comply with the modifications to the Plan included in the Township engineer's review letter, and Mr. Dumack agreed. Mr. Toadvine stated the structure will be built to the current FEMA current standards, and Mr. Dumack agreed.

Mr. Gruen stated there are some large trees in the rear, and he asked if they plan to remove any of them. Mr. Rose stated he did remove one of the trees already because it was struck by lightening and was cracked. Mr. Rose showed on the Plan the tree that was removed. He stated he does not plan to remove any other large trees at this time.

Mr. Koopman asked if there will be any fill needed for the garage construction, and Mr. Dumack stated there will not.

There was no one present in the audience wishing to speak on this Application.

Mr. Mark Eisold was sworn in, and Mr. Koopman asked Mr. Eisold if he has reviewed the Elevation Certificate that was just submitted this evening; and Mr. Eisold stated he has not reviewed it in detail. Mr. Koopman stated Mr. Dumack has testified that there will not be any increase in the base flood elevation as a result of this construction, and Mr. Koopman asked Mr. Eisold if he concurs with that; and Mr. Eisold stated he believes that this is the case. He stated he will be reviewing this to make sure that all the Conditions are met.

Testimony was closed.

Mr. Gruen moved, Mr. DosSantos second and it was unanimously carried to grant the Variance to Section 200-51B1B subject to the following Conditions:

- 1) Existing shed on the property shall be removed;
- 2) There shall not be any kitchen facilities constructed in the proposed garage;

- 3) The Applicant will comply with all requirements as set forth in the Township engineer's review letter dated 1/29/15.

Mr. Toadvine stated in the Township engineer's review letter there was a suggestion that an additional Variance was needed, but Ms. Kirk has agreed with him that only the one Variance is needed; and Ms. Kirk agreed.

Ms. Kirk advised Mr. Toadvine that because of the new Floodplain Ordinance Findings of Fact will be issued in this case.

Mr. Koopman left the meeting at this time.

APPEAL #15-1722 – KATHLEEN HARBISON/FIRSTTRUST BANK

Mr. Seth Mackler, FirstTrust, stated that Ms. Harbison could not be present this evening.

The Application submitted was marked as Exhibit A-1. A photo of the proposed sign was marked as Exhibit A-2. A Site Plan provided was marked as Exhibit A-3. Notice of tonight's Hearing was published in the Bucks County Advance, and a copy of the publication was marked as Exhibit B-1. Notice was also posted at the property, and a copy of the Notice was marked as Exhibit B-2. Notices were also mailed to property owners as required by the Ordinance and a copy of that letter with the list of addresses was marked as Exhibit B-3.

Mr. Seth Mackler, 1902 S. Crescent Boulevard, Executive Vice President with FirstTrust Bank, was sworn in.

Mr. Bamburak asked if there is an issue since Mr. Mackler's name is not on the paperwork, and Ms. Kirk asked Mr. Mackler if he is an authorized agent for the Applicant; and Mr. Mackler stated he is.

Mr. Bamburak stated there are only four Board members present this evening, and in the event of a tie the Application would be denied. He asked Mr. Mackler if he would like to come back when there are five Board members, and Mr. Mackler agreed to proceed at this time.

Mr. Mackler stated FirstTrust Bank has been in the community for a long time, and they have a branch on Oxford Valley Road. He stated he has also lived in Lower Makefield for twenty-three years. He stated they like to support the community with loans like the one they are providing at the town center; and as part of that, they would like to be able to advertise their business by putting up signs around

construction projects. He stated this is a typical sign they would have, and they have a professional sign company installing it. He stated it is 4 by 6, and they would like the opportunity to say that they are proud of this project. They are proposing two signs – one on Yardley-Langhorne Road and one on Stony Hill Road.

Mr. Gruen stated this would be a temporary sign only during the construction, and Mr. Mackler agreed. Mr. Gruen stated he saw a large sign advertising the whole development, and he asked if they could not put their sign on that sign. Mr. Mackler stated they have done that in some cases, but there is not much room at this location.

Ms. Kirk stated this involves two different provisions of the Zoning Ordinance – one being the provision dealing with Highway Commercial District and the other being the Traditional Neighborhood District Overlay, and there are certain requirements that need to be reviewed with Mr. Mackler. Ms. Kirk stated the sign will not contain plastic or moveable letters, and Mr. Mackler agreed there will not. Ms. Kirk stated there is to be no back lighting to the sign, and Mr. Mackler agreed. Ms. Kirk stated the maximum height will be 8', and Mr. Mackler agreed. Ms. Kirk stated it is a free-standing sign and not wall mounted, and Mr. Mackler agreed.

Ms. Kirk stated because of the Traditional Neighborhood Overlay District, the Zoning Ordinance requires that any proposed signage requires a Certificate of Appropriateness as recommended by the Township's Historic Architectural Review Board; and she asked Mr. Mackler if he is going to proceed with that. Mr. Mackler stated he was not aware that this was required, but they will get this if it is required. Mr. Mackler was advised that HARB has very specific requirements. Mr. Benedetto noted that there are different members on HARB than served on that Board in the past.

Mr. Gruen stated he would also like to have the Township Highway Department and Police Department make sure that the sign does not impair any view of traffic. Ms. Kirk stated she feels this would be done automatically under Property Maintenance, but they could make this a Condition of approval. Mr. Mackler agreed to this as a Condition.

Mr. Matthew DiSanto, 755 Stony Hill Road, was sworn in. Mr. DiSanto stated he is next door, and he asked where the sign is going to be placed. Mr. DiSanto was shown a copy of the map showing the proposed sign placement.

Testimony was closed.

Mr. DosSantos moved, Mr. Zamparelli seconded and it was unanimously carried to approve the Variance as requested subject to the following Conditions:

- 1) That the Applicant obtain the appropriate letter of Appropriateness by the Township Historic Architectural Review Board;
- 2) Subject to the Township's review and approval of the sign locations regarding vehicular traffic.

Mr. Bamburak stated he assumes that Mr. Mackler will have to call the Township and find out how to schedule this before HARB, and Ms. Kirk agreed.

APPEAL #15-1723 – RALPH C. DUMACK

Mr. Edward Murphy, attorney, was present.

The Application submitted was marked as Exhibit A-1. A Sketch Plan of the property was marked as Exhibit A-2. Notice of tonight's Hearing was published in the Bucks County Advance, and a copy of the publication Notice was marked as Exhibit B-1. The property was posted with notice of tonight's Hearing, 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 that letter with the list of addressees was marked as Exhibit B-3.

Mr. Heath Dumack was sworn in.

Mr. Murphy stated the property is located at 391 Roelofs Road and is owned by Mr. Dumack's father.

Mr. Bamburak noted that there are only four Board members present and a tie vote would result in a Denial. Mr. Dumack stated that he would like to proceed.

Mr. Murphy stated Mr. Dumack's parents acquired the property in 1974, and he was raised there; and Mr. Dumack agreed. Mr. Murphy stated the property today is zoned R-2 Residential medium-density, and Mr. Dumack agreed. Mr. Murphy stated it is 38,252 square feet with a Tax Parcel #20-34-51-2. Mr. Murphy stated at the time they considered preparing and submitting the Application he and Mr. Dumack

discussed trying to obtain a copy of the original Subdivision Plan that created this parcel. Mr. Murphy asked Mr. Dumack if he was successful in locating this, and Mr. Dumack stated he was not. Mr. Murphy asked if the Title Company involved in the transaction also searched the County records to see if there was a Recorded Subdivision; and Mr. Dumack stated they did but they found that there was no such Recorded Subdivision. Mr. Murphy subsequently Mr. Dumack was able to identify that there was a Survey Plan of this particular parcel available, and Mr. Murphy marked as Exhibit A-3 which Mr. Dumack stated is a boundary survey plan done in 1963 prepared by a professional engineer, William W. Erwin. Mr. Murphy stated this is the earliest record anyone has been able to identify that identifies the metes and bounds of the property since there is no Recorded Subdivision Plan, and Mr. Dumack agreed. Mr. Murphy stated at the time this property was identified as one acre in size, and Mr. Murphy asked why this property was shown as one acre in 1963 but today under the Sketch Plan prepared, the acreage is 38,252 which is less than the 43,560 that would be an acre. Mr. Dumack stated the 1963 Plan shows the boundary going to the center line of Roelofs Road and at that time the right-of-way was 33 feet wide, and now the right-of-way is 50 feet wide. Mr. Dumack stated as part of the Subdivision they had to take into account the ultimate right-of-way for Roelofs Road.

Mr. Murphy stated the Application indicates that this particular parcel is served by public water and public sewer, and he asked Mr. Dumack if that was always the case; and Mr. Dumack stated it was not. He stated when the property was purchased by his parents in 1974 perc tests were required. He stated there was existing water in Roelofs Road but there was no sewer. He stated the sewer came in approximately 1992 when the Hidden Oaks Development was designed and built, and an easement was created along the rear property line of the development to allow his parents to connect to public sewer. Mr. Murphy stated at that time with the parcel being one acre in size, it was required to be that size because it did not have the benefit of public sewer, and Mr. Dumack agreed.

Mr. Murphy asked Mr. Dumack what is the minimum lot size for a lot that has public water and public sewer under today's R-2 Zoning District in which this property is located, and Mr. Dumack stated it is 16,500 square feet.

Mr. Murphy stated Mr. Dumack prepared the Plan submitted with the Application, and added that Mr. Dumack was previously qualified as a licensed, civil engineer in the Commonwealth of Pennsylvania and other States; and Mr. Dumack agreed. Mr. Murphy stated the Plan identifies Lots 1 and 2 – the existing lot and the proposed lot, and he asked Mr. Dumack if they both meet the required minimum lot size of 16,500, and Mr. Dumack stated they do. Mr. Murphy stated even though this proposed Subdivision would result in two conforming lots with regard to minimum lot size, there are three items of relief being requested.

Mr. Murphy stated Mr. Dumack has further updated the Plan that accompanied the Application, and this was marked as Exhibit A-4 which consists of two sheets. Mr. Murphy stated the first sheet of Exhibit A-4 is the updated Sketch Plan that reflects additional density calculations that the original submission did not, and the second sheet is an aerial photograph that highlights this and surrounding parcels.

Mr. Murphy noted the far left hand corner of Exhibit A-4 where Mr. Dumack has provided the site capacity calculations, and he asked Mr. Dumack to review the process of the way the site capacity calculations work. Mr. Dumack stated the first step is to determine the net buildable site area which he determined as 0.87 acres, and from that point you multiply it by the maximum allowable density by Ordinance which in this instance is 1.8 dwelling units per acre, and this gives the maximum permitted number of dwelling units which in this case is 1.58 dwelling units. Mr. Murphy stated notwithstanding the fact that there are two confirming lots in terms of size, 1.58 dwelling units are permitted, and Mr. Dumack agreed. Mr. Murphy stated they are seeking relief from this so that they can construct one additional lot in addition to the lot which contains Mr. Dumack's family home.

Mr. Murphy stated the second request for relief relates to lot width. Mr. Dumack stated the parcels have a 212 foot frontage along Roelofs Road, and once the Lot Line is created they will have a 101.6 foot frontage on Lot 1, and Lot 2 is 111 feet. Mr. Murphy asked what the Ordinance require for a minimum lot width, and Mr. Dumack stated it is 110 feet so one lot will conform and require relief.

Mr. Murphy stated the last area of relief relates to impervious surface on the Lot that contains the family home. Mr. Murphy asked Mr. Dumack what is the allowable maximum impervious surface in the R-2 Zoning District, and Mr. Dumack stated it is 27%. Mr. Dumack stated the Plan contemplates an impervious surface ratio of 29.9% on Lot 1.

Mr. Murphy asked Mr. Dumack if he identified areas of existing impervious that could be eliminated as part of his evaluation of the amount of impervious surface on Lot 1, and Mr. Dumack stated he did. He showed the areas on the Plan which he is proposing to eliminate including a hatched area that starts along Roelofs Road which runs back and includes the turn around, a walkway connecting the driveway to an additional sidewalk, and a stone area on the northern side of the house.

Mr. Murphy asked if it is possible to identify any other areas on the site that could possibly be eliminated to further reduce the amount of existing impervious surface, and Mr. Dumack stated there is not. He stated he has looked at it from a serviceability standpoint. He stated the detached garage is two and a half cars deep, and they need the ability to pull out of the garage and turn around.

Ms. Kirk asked if the calculations for the proposed impervious surface coverage reflect the removal of the areas noted by Mr. Dumack, and Mr. Dumack stated it does. Ms. Kirk stated the 29.9% is after removing these areas, and Mr. Dumack agreed.

Mr. Murphy asked Mr. Dumack how he determined that 27% was the maximum allowable impervious, and Mr. Dumack stated it was from the Zoning Ordinance.

Mr. Gruen stated if you look at the Zoning Ordinance it says in Section 200-29 he reads it as Lot #1 being 21,600 square feet, the impervious ratio from 20,000 to 25,000 square feet is by developer 21%, and by the homeowner 24%. Mr. Eisold stated he believes that Mr. Gruen is correct, and he feels Mr. Dumack used the minimum requirement of 16,500 and not the actual square footage of the lot.

Mr. Gruen stated they are therefore requesting a larger Variance, and Mr. Dumack agreed. Mr. Murphy stated as the homeowner they would be permitted 24%, and this would relate to Lot #1. Mr. Murphy stated for Lot #2, they feel they would be able to build within the allowable impervious.

Mr. Murphy stated Mr. Dumack understands there would be a requirement imposed that he would work with the Township engineer in identifying any stormwater management facilities that might be appropriate in order to control stormwater run off, and Mr. Dumack agreed and would accept this as a Condition.

Mr. Gruen stated the main criteria is that they show hardship, and he asked what is the hardship since there is already a house on the property. Mr. Murphy stated this was a lot that was created fifty years ago, and there is a Survey Plan that shows it as one Lot that did not have public sewer; but now they could have more than one lot because they now have public sewer. He stated they have two conforming lots in terms of the size. He stated they are not seeking to do anything that would not be consistent with the neighborhood, and they are only asking for relief for the frontage on Roelofs Road. Mr. Murphy stated the hardship is that sixty years later this property would easily be subdividable but for the fact that when it was first created, it did not have public sewer, and he does not feel they should be penalized.

Mr. DosSantos stated he would agree with Mr. Murphy, and his main concern is the impervious surface. He stated recognizing this, is there anything else that can be done aside from any engineering remediation. Mr. Dumack stated possibly they could remove the paver walk that connects with the remaining paver walk that connects the house to the garage although he does not know exactly what that square foot although he estimates it to be approximately 200 square feet.

Ms. Kirk asked Mr. Eisold since this is an existing house which appears to have minimal paths and driveways, what would be required by way of stormwater management facilities to provide a net impervious surface effect of 24%. Mr. Eisold stated they could do a dry well or rain gardens to reduce the effective impervious surface. Ms. Kirk asked the size of the dry well required; and Mr. Eisold stated while he has not determined this, there are calculations and the engineer could do those, and he could verify them. Mr. Eisold noted there are some open space areas on the site where they could do something.

Mr. Gruen stated while the impervious surface could be remedied, and he does not have a concern with the Variance for 8' on the frontage, he is concerned with the Variance for density. Mr. Murphy stated part of the problem is the way the Ordinance calculates net site density as you have to delete areas of the right-of-way unlike years ago when the Lot was first created and you were permitted to go to the center line of the road, and all of this reduces the area of the lot. He stated this is a one acre lot in a Zoning District that permits 16,500 square foot lots which is a total of 33,000 square feet and they have 43,560 square feet.

Ms. Kirk asked if the calculation has to do with the type of housing that would be placed there. Mr. Eisold stated to some extent it would be. Ms. Kirk stated they are proposing a single-family home as opposed to two townhouses or something of that nature. Ms. Kirk asked if there is a single-family dwelling constructed, to what extent does the density effect the property if subdivided. Mr. Eisold stated the density is just the number of units per area, and the type of house built does not effect it; and it is the number of units per area. Ms. Kirk stated the number of units would mean separate living units, and Mr. Eisold agreed.

Mr. DosSantos stated as part of Exhibit A-4, they attached an aerial photograph to address the density issue. Mr. Dumack showed the aerial photo, and they overlaid the geometry from tax maps as well as the Hidden Oak Subdivision. He stated it demonstrates is the relative density of the homes in the immediate vicinity around the lot as well as their proposed Lot #1 and Lot #2. Mr. Murphy stated it shows the lot size and how it relates to other lot sizes in the area. Mr. Murphy stated Exhibit A-4 also highlights the driveway that accesses Mr. Dumack's parents' home from Roelofs Road, and Mr. Dumack agreed. Mr. Murphy stated aside from the house, that driveway looks to be the largest impervious surface, and Mr. Dumack agreed that it is approximately 200 feet long. Mr. Murphy asked if he has considered reducing the width of that driveway to further reduce the impervious, and Mr. Dumack stated they have been able to remove some impervious along the north side and cut it done to approximate 10 feet in width. He stated they have also removed the turn around/k turn space. He stated the remaining width of paving services the two-car garage. Mr. Murphy asked if there is any way they could reduce the width as the driveway widens out approaching Roelofs Road, and Mr. Dumack stated they did on the east side but it is still a 10 foot wide driveway.

Mr. Bamburak stated from the aerial view it does not look like the other lots are as densely packed as what they are proposing for this lot. He stated what they are proposing will change the character of the neighborhood. Mr. Gruen stated the houses on Roelofs Road on either side of the proposed Subdivision appear to be approximately one acre each. Mr. Murphy stated there is only one other property that takes access to Roelofs. Mr. Bamburak stated they are just talking about the general size of the other lots.

Ms. Cheryl Lang, 385 Roelofs Road, was sworn in. She stated she owns 385 Roelofs along with her sister, and they are opposed to the Zoning Variance for all the reasons stated – the density, the impervious surface ratio, and the other Zoning Variances.

Mr. Tom Lorandean, 388 Cobbler Court, was sworn in. He stated he is in back of and off to the side of the subject property. He stated his main reason he is present is because his property is at a lower elevation than the property in question, and he gets the run off from that property. He stated when there is a heavy storm they have six to seven inches of water that goes through his property and then off to the next property and into the street. He stated he is concerned that this will get worse. He stated they are at the point where they have to put rocks in certain spots to try to minimize the amount of dirt that gets washed down to the street.

Mr. Gruen stated he felt there were pine trees in the back of the property, and Mr. Lorandean stated there are pine trees on his side of the property line. Mr. Gruen stated he felt trees were removed, and he questioned if this was causing the run off; however, Mr. Lorandean stated no trees have been removed from his property.

Mr. Murphy asked Mr. Lorandean if the water he is describing runs from the Dumack property toward his and gets to the swale, and Mr. Lorandean stated the swale goes through his property. Mr. Lorandean reviewed how the water flows. Mr. Lorandean stated there is a stone channel is on Lot #2 and appears to have been intentionally dug to move the water. Mr. Dumack stated the stone was there when his parents bought the house, and he understands that twenty to twenty-five years ago there were some flooding issues and the Langs installed that French drain to try channel the water away from their home.

Ms. April Lang was sworn in and stated there was a period of time when they did not own the home, and it was previous owners that installed French drains. She stated they have always had two sump pumps in the basement, and she assumes that because of the extent of water that sits in their yard in the back, the owners after their Mom deepened the sump pumps and added the French drains.

She stated they still have water issues in their yard, and their yard sits much lower than the Dumack property so they are very concerned about what an additional house will do to their yard. Mr. DosSantos asked if they are the corner property, and Ms. Lang agreed.

Ms. Sandra Gray, 384 Cobbler Court, was sworn in. She stated she is the first house on Cobbler Court, and she is also concerned about the impervious surface since this water goes through her back yard as well and also goes onto the sidewalks. She stated those two blocks of sidewalk get very icy.

Mr. Murphy asked the Langs if they live in the property they own, and they stated they do not as they rent the property.

Mr. Murphy stated if this Application were to be approved, they would have the opportunity to do some stormwater management that might solve a lot of these problems.

Ms. Kirk asked Mr. Murphy, in light of the Testimony provided by the adjacent property owners and the concerns raised by the Board, would it make sense to request a Continuance to give Mr. Dumack time to explore the nature, cost, and depth of the proposed stormwater management facilities that could alleviate the stormwater. She stated they could then come back with a proposal, and Mr. Murphy stated he and Mr. Dumack agreed that this would be worthwhile if they would have the opportunity to work with the Township to design something that he would be comfortable with. Mr. DosSantos suggested that they also include the residents as well, and Mr. Murphy agreed they would be happy to do that. Mr. Murphy stated he would like at least thirty days.

Mr. DosSantos moved, Mr. Gruen seconded and it was unanimously carried to Continue the matter to April 21, 2015.

OTHER BUSINESS

Appeal #14-1701 – Chinmaya Mission Tri-State Center

Ms. Kirk stated in July, 2014 the Board heard the Application of Chinmaya Mission for a Special Exception for the building of a religious facility. She stated generally under the Code they have six months to submit an Application for a Building Permit or seek an extension of the Special Exception from the Zoning Hearing Board.

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Ms. Kirk stated they had some problems with financing, and were finally able to get the architect and engineer needed to get certain drawings done that were part of what they needed to do for the Building Permit. She stated because of the delay, they do not meet the six months for getting their Permit, and they are asking for an Extension of the Zoning Hearing Board's Approval for an additional six months.

Mr. Gruen moved, Mr. DosSantos seconded and it was unanimously carried to grant the six month Extension.

There being no further business, Mr. DosSantos moved, Mr. Gruen seconded and it was unanimously carried to adjourn the meeting at 9:00 p.m.

Respectfully Submitted,

Anthony Zamparelli, Secretary