

Minutes of the
ZONING HEARING BOARD
Regular Meeting
October 4, 2018

ATTENDANCE: Present: Joanne Redding, Chairperson
Albert Champion, Vice Chairperson
Barbara M. Kirk, Solicitor
Ronald Gans, Township Engineer
Michael Brill, Member
George Seymour, Member

ITEM 1 Meeting opened at 7:00 P.M. with the Pledge of Allegiance

ITEM 2 Introductions of Board Members and Statement of Rules and Procedures by the Solicitor.

ITEM 3 Approval of September's meeting minutes

ITEM 4 Extension Request for Timothy Rybas
Appeal #2017-558
Location: 2600 State Rd
Tax Parcel: 02-06-021
Request: Extension of variance granted on September 7, 2017.

DISCUSSION **DISCUSSION** The following are exhibits of application;

- A-1 Application & accompanying documents (Decision from 2017 is apart of A-1 as Exhibit E-1)
- A-2 Existing Site Plan
- B-1 Proof of publication

Timothy Rybas is sworn in. The project is taking longer than anticipated. In order to get permits for project, the extension of the previously approved application has to be extended. Applicant states they hope to have permits in by the end of the month. The requested 5 year extension is from the issuance of the permits.

The audience is asked if anyone is for or against this application. No one is present.

MOTION Mr. Champion motion to close testimony, Mr. Brill seconds, and all favor. Mr. Champion motions for the hearing for Extension Request for Timothy Rybas; Appeal #2017-

Abstain: None
Absent: None

MOTION CARRIED

4-0

ITEM 6

Hearing for Alexander Gamarnik

Appeal #2018-636

Location: 931 Clarmont Ave

Tax Parcel: 02-030-126

Request: Variance for front and side yard setbacks to construct new Home.

DISCUSSION

The following are exhibits of application;

- A-1 Application & accompanying documents
- A-2 Plot Plan
- A-3 Certificate of Service
- B-1 ZHB letter of hearing to Applicant/applicant's attorney
- B-2 Proof of publication
- B-3 Proof of posting

Alexander Gamarnik is sworn in. Applicant bought cape cod house for his family. The second floor is a loft and would like a second full second floor. He is requesting to demolish the existing house and rebuild it. The front setback is 25 feet from road, and is a proposed 24 feet. The new house will be within the same footprint. The current porch 9 feet and the proposed new porch is only 4 feet. There will be no change to the foundation.

The audience is asked if anyone is for or against this application. Richard Gallagher is sworn in. He resides at 925 Clarmont Ave. His house is 10 feet from the Applicant's. Mr. Gallagher just wants to make sure the construction is being professionally. Township Engineer confirms they have to be a licensed contractor. Builder inspectors will inspect the foundation to make sure it is sufficient. If applicant changes slope of ground, they will have to get approval. Applicant confirms the garage will be cosmetically fixed, not demolished. The property can be a maximum of 35 feet, but Applicant states it won't be that high.

MOTION

Mr. Seymour motion to close testimony, Mr. Champion seconds, and all favor. Mr. Seymour motions for the Hearing for Alexander Gamarnik; Appeal #2018-636; Location: 931 Clarmont Ave; Tax Parcel: 02-030-126; Request: Variance for front and side yard setbacks to construct new Home be approved, Mr. Champion seconds, and all favor.

like rehab facilities, which have staff all the time. This property is designed for people that are a few months clean. The average age is early 20's, 40's or 50's. Mr. Cooper has been with Steps-to-Recovery since 2013. There are no plans to expand the property. There are currently no regulations, but by 2020 there may be and they comply with those regulations. Ms. Redding has concerns about others opening nearby.

The audience is asked if anyone is for or against this application. No one is present.

MOTION Mr. Brill motion to close testimony, Mr. Champion seconds, and all favor. Mr. Brill motions for the Hearing for Cory Cooper; Appeal #2018-637; Location: 4300 Old Lincoln Hwy; Tax Parcel: 02-009-017-001; Request: Variance to use property as a Recovery Home be approved, Mr. Seymour seconds, Mr. Champion favors, and Ms. Redding nays.

VOTE

Ayes:	Mr. Champion, Mr. Brill, Mr. Seymour
Nays:	Ms. Redding
Abstain:	None
Absent:	None

MOTION CARRIED 3-1

ITEM 8 **Hearing for Carleigh's Castles, LLC**
Appeal #2018-638
Location: 3674 Grandview Ave
Tax Parcel: 02-019-051
Request: Variance for lot size for two lot subdivision.

DISCUSSION The following are exhibits of application;

- A-1 Application & accompanying documents
- A-2 10 Page Site Plan
- A-3 Sketch Plan
- A-4 Certificate of Service
- B-1 ZHB letter of hearing to Applicant/applicant's attorney
- B-2 Proof of publication
- B-3 Proof of posting

Jeanine Klein and Arthur Silcox are sworn in. The relief requested is to subdivide a 20,000 square feet lot. Once subdivided, the property will be almost the same as neighbors lots says the Applicants. Renovations are going to be done to the current house. The other house is a non-conforming lot. The Engineer will evenly divide the lot. It is a corner lot.

Audience is asked if anyone is for or against this application. No one is present.

MOTION Mr. Champion motion to close testimony, Mr. Seymour seconds, and all favor. Mr. Champion motions for the Hearing for Carleigh's Castles, LLC; Appeal #2018-638;

MOTION Mr. Champion motions to close testimony, Mr. Seymour seconds, all favor. Mr. Champion motions for the Hearing for Donna Fleming; Appeal #2018-639; Location: 2260 Finley Ave; Tax Parcel: 02-061-019; Request: Variance for side yard setback and maximum size of garage be approved with condition of garage size being no larger than 25 by 36 feet, 6 feet setback, and maximum of 16 feet peak, Mr. Seymour seconds, all favor.

VOTE Ayes: Mr. Champion, Ms. Redding, Ms. Domanico, Mr. Brill
Nays: None
Abstain: None
Absent: None

MOTION CARRIED 4-0

5 Minutes Recess.

ITEM 10 **Hearing for Anthony Oelschlegel**
Appeal #2018-640
Location: 3349 West End Ave
Tax Parcel: 02-004-137
Request: Variance to convert house into a multi-family dwelling.

DISCUSSION The following are exhibits of application;

- A-1 Application & accompanying documents
- A-2 Site Plan Zoning Data
- A-3 Certificate of Service
- B-1 ZHB letter of hearing to Applicant/applicant's attorney
- B-2 Proof of publication
- B-3 Proof of posting
- B-4 Email from Solicitor's Assist with list of neighbors to notify

Applicant arrives at 8:41 p.m. Applicant is sworn in. Mr. Oelschlegel states he has a few options he would like to do with property. The first version has garage with three apartments. Ms. Redding states this property zoned R-2 and that Bensalem does not even allow mother in law suites with kitchen anymore. She states he is allowed to build a single family home and must meet setbacks. The lot is 75 by 100 feet. Deed shows one lot, 100 by 100 feet. Board confirms with the Applicant there are no apartments allowed on this property. Solicitor recommends to go to the Township to ask for assistance next time before submitting an application. Applicant withdraws application.

ITEM 11

Hearing for Robert A. Milner, Jr.

Appeal #2018-641

Location: 1025 E. Bensalem Ave

Tax Parcel: 02-062-378

Request: Variance for lot area and lot width to construct a house.

DISCUSSION

The following are exhibits of application;

- A-1 Application & accompanying documents
- A-2 Certificate of Service
- A-3 Tax Claim Bureau Deed
- A-4 Tax Parcel Map
- A-5 Property Summary (5 pages)
- A-6 Plot Plan
- A-7 Photos of houses similar
- A-8 Photos of similar properties
- B-1 ZHB letter of hearing to Applicant/applicant's attorney
- B-2 Proof of publication
- B-3 Proof of posting

Russ Sacco is attorney. Applicant is sworn in. The property is 5,000 square feet. There is 50 feet of frontage. This is an existing non-conforming lot. The non-conforming lot is a separate parcel. Mr. Sacco state the Board of Assessment has always taxed this as a separate lot. The building was built in 1947. The lots have never been merged. At one point the lots were put on one deed, but identified as separate parcels. Mr. Sacco references the photos of Exhibit A-8. The houses are on 50 foot lots, which are in the same neighborhood. The Applicant states this will not be dentromental to the neighborhood. Applicant states they can meet all setback requirements for the house and there would be no other use for this lot. The property is zoned R-2 and the Applicant states it will stay R-2.

The audience is asked if anyone is for or against this application. No one is present.

MOTION

Mr. Champion motions to close testimony, Mr. Seymour seconds, and all favor. Mr. Champion motions for the Hearing for Robert A. Milner, Jr., Appeal #2018-641; Location: 1025 E. Bensalem Ave; Tax Parcel: 02-062-378; Request: Variance for lot area and lot width to construct a house be approved with condition of being zoned R-2, meets all zoning setbacks, lot size and lot width confirms, Mr. Seymour seconds, all favor.

VOTE

Ayes:	Mr. Champion, Ms. Redding, Mr. Seymour, Mr. Brill
Nays:	None
Abstain:	None

Absent: None

MOTION CARRIED 4-0

ITEM 12 CORRESPONDENCE - None.

ITEM 13 ADJOURNMENT

Meeting adjourned at 9:10 p.m.

Court Reporter: Amy Boyer

Respectfully submitted by Danielle Campbell