

Minutes of the
ZONING HEARING BOARD
Regular Meeting
January 7, 2019

ATTENDANCE: Present: Joanne Redding, Chairperson
Albert Champion, Vice Chairperson
Matthew J. McHugh, Solicitor
Ronald Gans, Township Engineer
Michael Brill, Member
George Seymour, Member
Marc Bourne, 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 December meeting was cancelled. No meeting minutes to be approved.

ITEM 4 Reorganization of the Board

- a.) Chairperson – Joanne Redding
- b.) Vice Chairperson – Albert Champion
- c.) Secretary – Michael Brill
- d.) Meeting dates – Confirmed with changes. July 4, 2019 meeting is rescheduled to July 11, 2019. December 5, 2019 meeting is rescheduled to December 19, 2019. January 2, 2020 meeting is rescheduled to January 9, 2020.
- e.) Solicitor – Matthew J. McHugh, Esquire, Obermayer Rebmann Maxwell & Hippel LLP
- f.) Court Reporter – Kim Bursner & Associates
- g.) Clerk and fee – TABLED
- h.) Official Publication – Bucks County Courier Times

ITEMS 5-8 **Hearing for Michael R. Nugent**
Appeal #s: 2017-566, 567, 568, 569
Location: 3247 Clive Avenue, Clive Avenue, 3259 Clive Avenue, 3242 Moore Avenue
Tax Parcels: 02-066-065; 02-075-047; 02-075-049; 02-075-056
Request: Continuance

Chris Steward, Esquire representing the Applicant. The Applicant is requesting a continuance to the March meeting in order to advertise relief pursuant to an amended application filed by the Applicant. The Board advised that there would not be any further continuances of this matter and the Applicant must proceed at the March meeting.

MOTION Motion to grant continuance until March 7, 2019 made by Mr. Seymour. Mr. Bourne seconds.

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

MOTION CARRIED 5-0

ITEM 9 **Hearing for Ed and Eileen Sacco**
Appeal #2018-649
Location: 701 Bache Lane
Tax Parcel: 02-098-059
Request: Variance to construct pool within the front yard setback

DISCUSSION The following are exhibits of application:

- A-1 Application & accompanying documents
- A-2 Zoning Permit Plan
- A-3 Certificate of Service
- B-1 ZHB letter of hearing to Applicant
- B-2 Proof of publication
- B-3 Proof of posting

The Applicants are sworn in. A representative from Anthony Sylvan Pools is also sworn in. The Applicants wish to install an approximately 600 square foot pool on the subject property. The pool will be located 10.4 feet from the front yard property line. The house has two front yards. The address is Bache Lane but the front door is located on Tatham Road. The pie shape of the lot makes it difficult to maintain the required setbacks.

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 Ed & Eileen Sacco; Appeal #2018-649; Location: 701 Bache Lane; Tax Parcel 02-098-059; Request: Variance to construct pool within the front yard setback be approved. Mr. Seymour seconds, and all favor.

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

MOTION CARRIED 5-0

ITEM 10 **Hearing for Chintal Patel**
Appeal #2018-650
Location: 107 Casey Lane
Tax Parcel: 02-033-102-011
Request: Variance for side yard setback to construct addition

DISCUSSION The following are exhibits of application:

- A-1 Application & accompanying documents
- A-2 Certificate of Service
- B-1 ZHB letter of hearing to Applicant
- B-2 Proof of publication
- B-3 Proof of posting

The Applicant is sworn. The Applicant constructed an addition and did not realize they needed certain permits. When they applied for permits, they were told they needed a variance to encroach into the side yard setback. They believe the encroachment is approximately 1.5 to 2 feet. The Van Cleef Engineering letter indicates they may need up to 5 feet.

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

MOTION Mr. Bourne motions to close testimony. Mr. Champion seconds, and all favor. Mr. Champion motions for the Hearing for Chintal Patel; Appeal #2018-650; Location: 107 Casey Lane; Tax Parcel 02-033-102-011; Request: Variance for side yard setback to construct addition. Mr. Bourne seconds, and all favor.

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

MOTION CARRIED **5-0**

ITEM 11 **Hearing for James Delaney**
Appeal #2018-651
Location: 1129 Emerson Lane
Tax Parcel: 02-029-204
Request: Variance for shed to exceed 25% footprint of the primary building

DISCUSSION The following are exhibits of application:

- A-1 Application & accompanying documents
- A-2 Plan
- A-3 Certificate of Service

- B-1 ZHB letter of hearing to Applicant
- B-2 Proof of publication
- B-3 Proof of posting

The Applicant is sworn. The Applicant desires to construct a 24 x 32 square foot accessory shed for storage purposes on the property. It will not have any utilities or driveway access and will not be used for commercial purposes. The Applicant does not need a variance for the side yard setback.

The audience is asked if anyone is for or against this application. The Applicant's brother speaks in favor of the Application. No one else is present.

MOTION Mr. Champion motions to close testimony. Mr. Seymour seconds, all in favor. Mr. Champion motions for the Hearing for James Delaney; Appeal #2018-651; Location: 1129 Emerson Lane; Tax Parcel 02-029-204; Request: Variance for shed to exceed 25% footprint of primary building be approved. Mr. Seymour seconds, and all favor.

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

MOTION CARRIED 5-0

ITEM 12 **Hearing for Mike and Valerie Lucera**
Appeal # 2018-652
Location: 2844 Bowman Avenue
Tax Parcel: 02-062-469
Request: Variance for garage to exceed 25% and setbacks from property line

DISCUSSION The following are exhibits to application:

- A-1 Application & accompanying documents
- A-2 Certificate of Service
- B-1 ZHB letter of hearing to Applicant
- B-2 Proof of publication
- B-3 Proof of posting

The Applicants are sworn. They desire to construct a 24 x 24 square foot accessory garage on the property. The proposed garage will replace the existing smaller garage and will improve an existing nonconformity on the property.

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

MOTION Mr. Champion motions to close testimony. Mr. Bourne seconds, all in favor. Mr. Champion motions for the Hearing for Mike & Valerie Lucera; Appeal #2018-652; Location: 2844 Bowman Lane; Tax Parcel 02-062-469; Request: Variance for garage to exceed 25% and setbacks from the property line. Mr. Seymour seconds, and all favor.

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

MOTION CARRIED 5-0

ITEM 13 **Hearing for Lawrence Kajkowski**
Appeal # 2018-653
Location: 3431 Bristol Pike
Tax Parcel: 02-075-019
Request: Continuance

Correspondence was received from the Applicant's attorney, Thomas R. Hecker, Esquire, requesting a continuance of the hearing until February 7, 2019.

MOTION Motion to grant continuance of hearing until February 7, 2019 made by Mr. Champion. Mr. Bourne seconds.

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

MOTION CARRIED 5-0

ITEM 14 **Hearing for Lawrence and Marilyn Konyves**
Appeal # 2018-654
Location: Ogden Avenue
Tax Parcel: 02-031-185
Request: Variance for front yard setback to construct home

DISCUSSION The following are exhibits to application:

- A-1 Application & accompanying documents
- A-2 Plan
- A-3 Certificate of Service
- B-1 ZHB letter of hearing to Applicant
- B-2 Proof of publication
- B-3 Proof of posting

Ms. Redding announces that she is recusing herself from consideration of this application. Thomas R. Hecker, Esquire of Begley Carlin & Mandio LLP on behalf of the Applicants. The Applicants are sworn. Mr. Hecker summarizes the Application and indicates that the Applicants are building a new single family dwelling on the property that will be located 12.67 feet from the front yard property line. The property has dual frontage on Clovernook Avenue and Ogden Avenue and that makes it difficult to meet both required setbacks.

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

MOTION Mr. Champion motions to close testimony. Mr. Bourne seconds, all in favor. Mr. Champion motions for the Hearing for Lawrence & Marilyn Konyves; Appeal #2018-654; Location: Ogden Avenue; Tax Parcel 02-031-185; Request: Variance for front yard setback to construct home be approved. Mr. Seymour seconds, and all favor.

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

MOTION CARRIED 5-0

ITEM 15 **Hearing for Neshaminy Winding Brook LLC**
Appeal # 2018-655
Location: Route 1 & Rockhill Drive (Neshaminy Mall)
Tax Parcel: 02-001-037-002
Request: Continuance

Correspondence was received from the Applicant's attorney, Thomas R. Hecker, Esquire, requesting a continuance of the hearing until February 7, 2019.

MOTION Motion to grant continuance of hearing until February 7, 2019 made by Albert Champion. Marc Bourne seconds.

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

MOTION CARRIED 5-0

ITEM 16 **CORRESPONDENCE – None.**

ITEM 17 **ADJOURNMENT**

Meeting adjourned at 8:45 p.m.

Court Reporter: Kim Bursner
Respectfully Submitted by Matthew McHugh