

Zoning Hearing Board

Monthly Meeting

December 2, 2021

In attendance: Ken Farrell, Tom Panzer, Al Champion, George Seymour, Joanne Redding, Mike Brill, Harry Kramer

1. Open Meeting with the Pledge of Allegiance
 - a. Led by Joanne Redding
2. Statement of Rules and Procedures
 - a. Issued by Tom Panzer, Esquire
3. Approval of last month's Minutes—November 4, 2021
 - a. Motion to Approve last month's Minutes—November 4, 2021, with Corrections to be made and resubmitted
 - i. Motion to Approve
 1. Harry Kramer
 - ii. Second Motion to Approve
 1. Al Champion
 - b. Vote to Approve last month's Minutes—November 4, 2021, with Corrections to be made and resubmitted
 - i. 5/5 Ayes
4. Continued hearing for Marco Investments, LLC
 - a. Appeal Number: 2021-3750
 - b. Location: 2801 Bristol Pike
 - c. Tax Parcel: 02-062-629-002
 - d. Request: Use variance to construct a retail store and motor vehicle service facility
 - e. Attorney: Edward F. Murphy, Esquire
 - f. Exhibits added to previous submitted list
 - i. A3-Amended application and attachments
 - ii. A4-New Site Plan
 - g. Summary
 - i. Last hearing was held in October. Applicant was asked to evaluate parking. Mr. Murphy summarized testimony on behalf of the Applicant(s). Mr. Murphy stated there are two (2) existing buildings on the property that are situated in an "L" shape. The variance is being sought for the use of the vacant building. A revised application requesting a use variance and a parking variance was submitted. The property presently has nine (9) parking spaces located behind the occupied building. They can add six (6) parking spaces. The parking calculations show 136 spaces are needed. The property never had more than 29 parking spaces on this site. Presently, the property is nonconforming. Applicant wants to use the vacant building as a mechanic shop. The building will have three (3) bays and three (3) employees. Michael Ranniello, Jr., and Mark Ranniello were sworn in (Herein referred to as "applicant"). The applicants stated there are also twenty (20) parking spaces located in the front of the

occupied building. Various businesses rent office space in the front building. Joanne Redding questioned the location of the bay doors. Applicant replied that the bays would be located on both sides of the building, not the long side. The one side will have one (1) large garage bay that will be wide enough for tractor trailers to enter and exit. The other side will have two (2) narrower garage bays for cars. The lease will specify only three (3) employees—one (1) employee per bay. Al Champion stated it is a lot for the space. Al Champion also asked about the basement and the use of that space. Applicant stated the basement is used to store show cars. George Seymour asked how many cars are being stored. Applicant said ten (10) show cars. Joanne Redding stated there is not enough parking spaces to handle a multi-use facility. No further questions. Mr. John Daly, who was present and vocal at the October Hearing, came forward again to state his opposition. He also expressed concerns over lack of parking and traffic entering and exiting the lot.

- h. Motion to Close Testimony
 - i. Motion to Close
 - 1. Al Champion
 - ii. Second Motion to Close
 - 1. George Seymour
 - iii. Vote to Close Testimony
 - 1. 5/5 Ayes
 - i. Motion to Deny use variance to construct a retail store and motor vehicle service facility
 - i. Motion to Deny
 - 1. Al Champion
 - ii. Second Motion to Deny
 - 1. George Seymour
 - iii. Vote to deny use variance to construct a retail store and motor vehicle service facility
 - 1. 5/5 Ayes
5. Hearing for Joseph J. Console, Esquire
- a. Appeal Number: 2021-4336
 - b. Location: 472 Olney Ave
 - c. Tax Parcel: 02-068020, 02-068-021, 02-068-019 & 02-068-007
 - d. Request: Variance to use property as construction company yard shop garage, variances for buffer yards and improvements in a flood plain.
 - e. Summary
 - i. Applicant requested a continuance to next available hearing date.
 - f. Motion to grant request for a continuance to hearing date January 6, 2022
 - i. Motion to Continue
 - 1. Harry Kramer
 - ii. Second Motion to Continue
 - 1. Al Champion
 - iii. Vote to grant request for a continuance to hearing date January 6, 2022
 - 1. 5/5 Ayes

6. Hearing for Susan and Daniel Halpin

- a. Appeal Number: 2021-4490
- b. Location: 757 Cliff Road
- c. Tax Parcel: 02-078-068
- d. Request: Variances for footprint, setbacks, building area and impervious surface coverage to build detached garage.
- e. Exhibits
 - i. A1-Application with Attachments
 - ii. A2-Certificates of Service
 - iii. B1-Letter to the Applicant
 - iv. B2-Proof of Publication in the Bucks County Courier Times
 - v. B3-Proof of Posting

f. Summary

- i. The applicants want to build a garage. They purchased the property in 1993. They wish to add electricity and heat to the garage. They wish to construct a two-story (2-story) garage (30x45). The primary residence is approximately 28x50 and has a detached garage presently. Board agreed and expressed concern over the size of the possible new structure and the new structure is about as big as the primary residence. Mr. Halpin stated he did all the measurements himself and made sure all the setbacks were met according to the ordinance. No formal calculations for impervious surface were made. Board and Applicants went off the record to sort out details. Mr. Panzer clarified off the record discussion with the applicants. Impervious and building calculations showed no variances needed. Applicant stated the garage is the same distance from the street to the right corner of primary home. Joanne Redding stated to the applicant they are basically constructing another home on the property. Board does not approve two (2) houses on one (1) parcel. Joanne Redding stated concern with the front of the property right now. George Seymour also stated concern over the size the garage and the second floor. Joanne Redding expressed concern the garage will be used as another residence in the future. Tom Panzer stated to the applicant is permitted to construct a garage that is 25% of the size of the primary residence which includes the house, two-car detached garage, and shed(s). Joanne Redding suggested to the applicants to rethink and revisit once they meet with an architect. Applicants insisted they purchased the extra ground to expand their property just to be able to construct a garage of this size. Multiple Board members attempted to explain to the applicants the size of property does not matter; the size of the residence determines the size of the requested structure. Al Champion recommended extending and attaching the present detached garage to make one (1) structure instead of two (2). Board members expressed concern again over the possibility of the applicants selling the property, the next owners would use the garage as a second house on the property. Applicants, after continual recommendations from most of the Board members, requested a Continuance to find/consult/hire

an architect to assistance with their construction. Applicants requested a continuance to be heard at the February.

- g. Motion to Continue hearing to February 3, 2022
 - i. Motion to Continue
 - 1. Al Champion
 - ii. Second Motion to Continue
 - 1. George Seymour
 - iii. Vote to Continue hearing to February 3, 2022
 - 1. 5/5 Ayes
- 7. Hearing for Gina DiNardo
 - a. Appeal Number: 2021-4527
 - b. Location: 3636 and 3648 Hulmeville Road
 - c. Tax Parcel: 02-040-012 and 02-040-013
 - d. Request: Use variance to permit warehousing and storage in PCD district, variances for buffer yard and side yard setbacks.
 - e. Attorney: Michael Meginnsis, Esquire
 - f. Summary
 - i. Applicant withdrew application. No vote needed. Tom Panzer wanted withdrawal placed on the record and to be recorded in December Minutes.
- 8. Correspondence
 - a. None
- 9. Adjournment
 - a. Motion to Adjourn
 - i. Mike Brill
 - b. Second Motion to Adjourn
 - i. Harry Kramer
 - c. Vote to Adjourn
 - i. 5/5 Ayes