

Zoning Hearing Board  
Monthly Meeting Minutes  
March 2, 2023

In Attendance: Joanne Fields, Harry Kramer, Joanne Fields, Al Champion, Tom Panzer, Esquire, and Kenneth Farrall

1. Open Meeting with the Pledge of Allegiance
  - a. Led by Joanne Redding
2. Statement of Rules and Procedures
  - a. Issued by Tom Panzer
3. Approval of last month's Minutes—February 2, 2023
  - a. Motion to Approve last month's Minutes—February 2, 2023
    - i. Motion to Approve
      1. Al Champion
    - ii. Second Motion to Approve
      1. Joanne Fields
    - iii. Vote to Approve last month's Minutes—February 2, 2023
      1. 3/4 Ayes
        - a. Al Champion
        - b. Joanne Fields
        - c. Joanne Redding
      2. 1/4 Abstained
        - a. Harry Kramer due to absence at February 2, 2023
4. Continued Hearing for 2155 River Road for Minh Thai
  - a. Appeal Number: 2022-1274
  - b. Location: 2155 River Road
  - c. Tax Parcel: 02-064-126
  - d. Request: Variance for construction within a floodplain
  - e. Attorney: Lee Eisey, Esquire
  - f. Summary
    - i. Request for hearing to be continued to June 1, 2023. Waiver of time signed.  
The applicant is in the process of getting approval from the federal government.
  - g. Motion to Approve Continuance of Hearing to June 1, 2023 with re-advertisement in the Bucks County Courier Times and Re-notifications to be sent out to neighbors at the applicant's expense
    - i. Motion to Approve
      1. Al Champion
    - ii. Second Motion to Approve
      1. Harry Kramer
    - iii. Vote to Approve Continuance of Hearing to June 1, 2023 with re-advertisement in the Bucks County Courier Times and Re-notifications to be sent out to neighbors at the applicant's expense
      1. 4/4 Ayes
5. Continued hearing for Chris Geberth
  - a. Appeal Number: 2023-0150
  - b. Location: 4585 Grandview Avenue
  - c. Tax Parcel: 02-018-174

- d. Request: Variance for detached garage to be greater than 25% of principal dwelling
  - e. Summary
    - i. Appellant, Chris Geberth, was sworn in. Mr. Geberth resubmitted the plan as per the Board. The garage is still 1000 square feet and drawing was made to scale. Harry Kramer stated the actual lot size is 2500 square feet. Al Champion asked if the present garage will be demolished and removed. Mr. Geberth stated that it will be. Mr. Geberth stated the garage will be built with single trusses and will have three (3) doors. There will be no utilities at this time. However, there is a possibility of adding electricity later. No further questions or comments from the Board. No one from the audience came forward in favor or opposition to the request.
  - f. Motion to Close Testimony
    - i. Motion to Close
      - 1. Harry Kramer
    - ii. Second Motion to Close
      - 1. Al Champion
    - iii. Vote to Close Testimony
      - 1. 4/4 Ayes
  - g. Motion to Approve variance request for a detached garage to be greater than 25% of principal dwelling with electricity ONLY
    - i. Motion to Approve
      - 1. Harry Kramer
    - ii. Second Motion to Approve
      - 1. Al Champion
    - iii. Vote to Approve variance request for a detached garage to be greater than 25% of principal dwelling with electricity ONLY
      - 1. 4/4 Ayes
6. Hearing for Patrick and Gina Geisler (originally #7 on the Agenda)
- a. Appeal Number: 2023-0311
  - b. Location: 1110 Virginia Avenue
  - c. Tax Parcel: 02-062-480
  - d. Request: Variance for impervious coverage to be greater than 45% to build second floor addition
  - e. Exhibits:
    - i. A1-Application with Attachments
    - ii. A2-Certificates of Service
    - iii. B1-Applicant Letter
    - iv. B2-Proof of Publication in the Bucks County Courier Times
    - v. B3-Proof of Posting on the premise
  - f. Summary
    - i. Patrick Geisler was sworn in. Mr. Geisler stated his mother passed a few years ago. His father is 90 years old, and his caretaker died of ALS a year ago. His father is unable to care for himself and is moving in with the applicant. Michael Girard, an engineer and architect, was sworn in. Mr. Girard stated the addition being proposed will be built over the rear deck. The zoning in the area has changed since the house was built and the property is now non-conforming. The addition will be an extra bedroom with a modification made to the present

bathroom. No further questions or comments from the Board. No one from the audience came forward in favor or opposition of the request.

- g. Motion to Close Testimony
    - i. Motion to Close
      - 1. Al Champion
    - ii. Second Motion to Close
      - 1. Harry Kramer
    - iii. Vote to Close Testimony
      - 1. 4/4 Ayes
  - h. Motion to Approve variance request for impervious coverage to be greater than 45% to build second floor addition.
    - i. Motion to Approve
      - 1. Al Champion
    - ii. Second Motion to Approve
      - 1. Harry Kramer
    - iii. Vote to Approve variance request for impervious coverage to be greater than 45% to build second floor addition.
      - 1. 4/4 Ayes
7. Hearing for John Hansen (Original #8 on Agenda)
- a. Appeal #: 2023-0561
  - b. Location: 3171 Claridge Road
  - c. Tax Parcel: 02-047-062
  - d. Request: Variance for rear yard setback to construct a patio structure
  - e. Exhibits
    - i. A1-Application with Attachments
    - ii. A2-Certificates of Service
    - iii. A3-Google Earth Photo
    - iv. B1-Letter to the Applicant
    - v. B2-Proof of Publication in the Bucks County Courier Times
    - vi. B3-Proof of Posting on the Premise
  - f. Summary
    - i. Applicant, John Hansen, sworn in. Mr. Hansen is looking to replace the present awning with a more stable structure. No questions or comments from the Board. No one from the audience came forward in favor or opposition of the request.
  - g. Motion to Close Testimony
    - i. Motion to Close
      - 1. Harry Close
    - ii. Second Motion to Close
      - 1. Al Champion
    - iii. Vote to Close Testimony
      - 1. 4/4 Ayes
  - h. Motion to Approve variance request for rear yard setbacks to construct a patio structure
    - i. Motion to Approve
      - 1. Harry Kramer
    - ii. Second Motion to Approve
      - 1. Al Champion

- iii. Vote to Approve variance request for rear yard setbacks to construct a patio structure
  - 1. 4/4 Ayes
- 8. Continued Hearing for Delaware Valley Residential Care (originally #6 on the Agenda)
  - a. Appeal Number: 2023-0229
  - b. Location: 875 Mill Road
  - c. Tax Parcel: 02-023-042
  - d. Request: Special exception for medical/health center. A variance for woodland disturbance and cemetery plots within setback.
  - e. Attorney: Michael Meginniss, Esquire from Begley, Carlin & Mandio, LLP
  - f. Exhibits
    - i. A1-Application with Attachments
    - ii. A2-Certificates of Service
    - iii. B1-Letter to the Application
    - iv. B2-Proof of Publication in the Bucks County Courier Times
    - v. B3-Proof of Posting on the Premise
    - vi. B4-Letter from Applicant's Attorney requesting a continuance and withdrawal of variance for woodland disturbance.
  - g. Summary
    - i. The 15 acres has been owned and operated by Saint Valentine's Church for the last century. Saint Valentine's Church sold off eight (8) acres to Delaware Valley Residential Care. Delaware Valley Residential Care (DVRC) is a residential care facility for individuals suffering from traumatic brain injuries. The closest site is located in Warminster, Pennsylvania. None of the residential patients are violent or possess driver's licenses. All patients receiving services will have a staff member assigned to them. The facility is a gated community with control booths for entering and exiting the property in order to promote safety for the residents. There is a total of 98 parking spaces which come into compliance with the parking regulations set forth by the township. Delaware Valley Residential Care is a long-term owner and operator. They are allowed over 100 beds, however, the facility is under that permitted allotment. They have no plan of moving the subdivision line. Mark Morgan, CEO of DVRC, was sworn in. Mr. Morgan stated there are two locations open and operating presently in Rehoboth Beach in South Delaware and in Warminster, Pennsylvania. He explained this will be a residential facility for individuals seeking home care for their post-traumatic brain injuries. The facilities are designed as apartments with a community center. The community center will provide commercial dining for all residents and staff. The community center will be the hub located in the center of the campus which will also provide therapy, and 24 hour staff such as the nurses and security. DVRC partners with social workers, nursing homes, physicians, local hospitals, physical therapy, occupational therapy, speech Bayada Nurses, food and chemical suppliers. On-site staff will consists of approximately 150 to 200 employees, consisting of security guards, Certified Nursing Assistants (CNAs), Nurses, Therapists, Housekeeping and Dietary Staff. There will also be a full medical building for physicians and dentists. If a resident needs to seek medical treatment from a specialist the facility will provide the transportation. DVRC introduces integration of its residents with members of the outside community (I.E. Handing out water at 5K runs, inviting

community members to visit residents during the holidays). DVRC also contracts with landscaping and snow removal companies to assist with maintaining the grounds. There will be 90 beds available and per the code 113 beds are allowed. Al Champion raised a question pertaining to the 200 staff members. The answer given was the facility will run on three (3) shifts of eight (8) hours. In the Morning the staff will consist of doctors, nurses, dietary staff, and security. In the Evening hours and Overnight staff will consist of some dietary staff, front line staff, security and housekeeping. Al Champion inquired about family visits. It was stated visits are not to disturb treatment and most visits will take place either at night and/or weekends. Harry Kramer ask for a description of what one of the residential houses will look like. The Board was told them houses will be a one-story ranch house-like structure per the federal mandate. Each unit will host three (3) bedrooms with three (3) private bathrooms, a laundry room and common area. The common area would consist of one (1) dining area, small kitchenette (no dishwasher), a lockable electric stove that can only be locked/unlocked by maintenance staff only if a resident is considered competent enough to use a stove. Joanne Redding asked about staff at all times. The Board was told a minimum of one (1) caregiver per unit at all times as needed. Joanne Redding also asked about the square footage of the units. The units will be approximately 1104 square feet. Joanne Redding asked if there are hallways that connect all the units. The Board was told no because the state of Pennsylvania will not allow it. It was further stated that there is no time restriction. Residents are able to leave when residents are ready to transition to family members or on their own with the support needed. Jessica Walker was next to be sworn in. Ms. Walker is the Director of Admissions and Marketing. Screening of individuals is done to make sure DVRC is the right fit for said individuals. An application is submitted. Multiple Assessments are conducted, reviewing medical records, and then financial commitment. Family members can pick residents up to take them to dinner or a week vacation. All activities are done at the HUB. A normal day for a resident consists of therapy sessions, breakfast, going back to the apartment to freshen up and possibly going for a field trip. Criminal background checks are completed, as well as checking with prior facilities for violent tendencies. Eric Clase from Gilmore and Associates was sworn in. He reviewed the site plan and studied traffic patterns. All traffic will use Mill Street not Walnut. He described buffering and landscaping plans briefly. He also described the storm water management plan. Joanne Redding asked where the residents will get fresh air because she does not see any parks, walking trails or green area for the residents. Mr. Clase stated there are basketball courts. Mr. Morgan pointed out on the plan that outdoor activities are happening. Karen Trawick was sworn in. Ms. Trawick spoke about her son's experience with DVRC after he was hit by a car and how he ended up a resident at DVRC. The Board had no further questions or comments. Some audience members came forward in favor of the requests. First audience member to come forward was Cynthia Makarczyk. She stated she believes this will be very good use of the land. The second audience member to come forward was Luanne Krotec. She stated The Warminster Community welcomed these new members. The Board broke for a brief recess for an Executive Session. The Board returned with a question regarding the deed

conditions and use. The use will remain explicitly a home and community residency for traumatic brain injuries. The graves will be untouched, and the Church can continue to bury people in lot two (2) of the cemetery. A new parcel number will be assigned.

- h. Motion to Close Testimony
    - i. Motion to Close
      - 1. Al Champion
    - ii. Second Motion to Close
      - 1. Harry Kramer
    - iii. Vote to Close Testimony
      - 1. 4/4 Ayes
  - i. Motion to Approve a special exception for medical/health center and a variance for woodland disturbance and cemetery plots within setback with deed restrictions variance (parcel will remain explicitly a home/community residency for traumatic brain injuries) and grave stay within Lot 2
    - i. Motion to Approve
      - 1. Al Champion
    - ii. Second Motion to Approve
      - 1. Harry Kramer
    - iii. Vote to Approve a special exception for medical/health center and a variance for woodland disturbance and cemetery plots within setback with deed restrictions variance (parcel will remain explicitly a home/community residency for traumatic brain injuries) and grave stay within Lot 2
      - 1. 4/4 Ayes
9. Correspondences
- a. The Board discussed a new policy regarding Continuance. The Board agreed Continuances should be readvertised and renotify neighbors after 60 days or past two (2) hearing dates at Applicant expense.
    - i. Motion to readvertise, renotify neighbors, and repost if continuances are beyond two (2) hearing dates after initial hearing date at Applicant's expense
      - 1. Al Champion
    - ii. Second Motion to readvertise, renotify neighbors, and repost if continuances are beyond two (2) hearing dates after initial hearing date at Applicant's expense
      - 1. Harry Kramer
    - iii. Vote to readvertise, renotify neighbors, and repost if continuances are beyond two (2) hearing dates after initial hearing date at Applicant's expense
      - 1. 4/4 Ayes
  - b. Oral arguments for the Mount Corporation has taken place and are awaiting a decision. Tom Panzer believes the ruling will be to affirm the Zoning Board Decision
10. Adjournment
- a. Motion to Adjourn
    - i. Harry Kramer
  - b. Second Motion to Adjourn
    - i. Al Champion
  - c. Vote to Adjourn
    - i. 4/4 Ayes