

Minutes of the  
ZONING HEARING BOARD  
Regular Meeting  
August 2, 2018

**ATTENDANCE:** Present: Joanne Redding, Chairperson  
Albert Champion, Vice Chairperson  
Barbara M. Kirk, Solicitor  
Ronald Gans, Township Engineer  
Michael Brill, Member  
Angeline Domanico, Secretary  
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 July meeting minutes

**ITEM 4** **Continued Hearing for Ajit and Nayana Patel**  
**Appeal #2018-617**  
**Location: 5212 Inlet Dr**  
**Tax Parcel: 02-084-129**  
**Request: Variance for impervious surface coverage for concrete work.**

**DISCUSSION** Ajit Patel sworn in. Mr. Patel shows photos of grass and the layout of yard to the Board. Township Engineer states he has seen improvement since the last hearing. Mr. Patel confirms his property backs up to Bensalem Blvd. The backyard is concrete with flowers along each side. He is requesting 73.8% impervious than the allowable 60%. Township Engineer states he does not see any issues with drainage.

**MOTION** Mr. Champion motions to close testimony, Mr. Seymour seconds, all favor. Mr. Champion motions for the hearing for Ajit and Nayana Patel; Appeal #2018-617; Location: 5212 Inlet Dr; Tax Parcel: 02-084-129 be approved, Mr. Seymour seconds, and all favor.

**ITEM 5** **Continued Hearing for Aisha Parker, BRR Architecture**  
**Appeal #2018-623**

**Location: 3461 Horizon Blvd (Walmart)**

**Tax Parcel: 02-001-018-015**

**Request: Variance for signs to exceed maximum allowed area.**

**DISCUSSION** Solicitor states a letter was submitted to the Township via email on August 2, 2018 requesting this matter be withdrawn at this time.

**ITEM 6** **Continued Hearing for Mar Mar Builders, Inc.**

**Appeal #2018-602**

**Location: 1186 Byberry Rd**

**Tax Parcel: 02-74-110**

**Request: Variances to construct an 8 lot subdivision.**

**DISCUSSION** Solicitor states she received a letter from applicant's attorney, Mr. Murphy on August 1, 2018 requesting a continuance to the September meeting due to needing more time for discussions with the Township regarding issues that were raised at the last hearing. The letter is marked as Exhibit A-13. Mr. Champion requests revised plans be submitted to the Board prior to the next hearing.

**MOTION** Mr. Champion motions for the hearing for Mar Mar Builders, Inc.; Appeal #2018-602; Location: 1186 Byberry Rd; Request: Variances to construct an 8 lot subdivision; Tax Parcel: 02-074-110 be continued to September 2018 meeting, Mr. Seymour Seconds, and all favor.

**ITEM 7** **Hearing for Johnny and Nicole Howard**

**Appeal #2018-625**

**Location: 2674 Kay Ave**

**Tax Parcel: 02-007-134**

**Request: Variance to construct garage exceeding 25% of footprint of house.**

**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/applicant's attorney
- B-2 Proof of publication
- B-3 Proof of posting

Johnny and Nicole Howard are sworn in . The Applicants are requesting to build a 30 by 30 feet detached garage at the back of their property. The height of the proposed garage is 20 feet to the peak. Mr. Howard would like use this garage for his car that he works on, not for daily used cars. There will be no driveway to the garage. Mr. Howard states the height will be used for storage and he is requesting the large sized garage so he has room to work and move around the car. The second floor would have 7 feet ceilings. The Board has concerns about the size of the garage. The total square feet of the house is 2,600. The total footprint of the house is 399 square feet. The Board has concerns about the second floor becoming a living space. Mr. Howard states the proposed garage matches other properties in the neighborhood. Ms. Redding states it would hard to approve this application without looking into the impervious surface coverage for the driveway. The Applicant states he does not plan on doing the driveway for a least a few years if at all. The Applicant states electric will eventually be put in. The Board requests reducing the size of the garage to 24 by 30 feet (720 square feet) and reducing the height a little, as well. Township Engineer states a normal two-car garage is 24 by 24 feet. The Applicant does not wish to reduce the size of the proposed garage.

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

**MOTION** Mr. Seymour motion to close testimony, Ms. Reding seconds, and all favor. Mr. Seymour motions for the hearing for Johnny and Nicole Howard; Appeal #2018-625; Location: 2674 Kay Ave; Request: Variance to construct garage exceeding 25% of footprint of house; Tax Parcel: 02-007-134 be denied, Mr. Champion seconds, and all favor.

**VOTE**

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

**MOTION CARRIED 5-0**

**ITEM 8**                    **Hearing for Felix Ceron**  
**Appeal #2018-626**  
**Location: 2846-50 Street Rd**  
**Tax Parcel: 02-037-005**  
**Request: Variance for sign to exceed 50 square feet.**

**DISCUSSION** Felix Ceron is sworn in. The Applicant states he was not notified to notify surrounding neighbors. Solicitor states she gave the information to the attorney on the Application. The attorney has since withdrawn his appearance. The letter was sent on July 18th. The attorney did not relay this information to the Applicant. Solicitor explains the Board cannot proceed with this hearing without proper notice given. The Applicant requests a continuance to the September meeting.

**MOTION** Mr. Champion motion to close testimony, Mr. Seymour seconds, and all favor. Mr. Champion motions for the hearing for Felix Ceron; Appeal #2018-626; Location: 2846-50 Street Rd; Tax Parcel: 02-037-005; Request: Variance for sign to exceed 50 square feet; Mr. Seymour seconds, and all favor.

**ITEM 9** **Hearing for Rhonda Harmon**  
**Appeal #2018-627**  
**Location: 1385 Chancellor Circle**  
**Tax Parcel: 02-031-249**  
**Request: Variance for impervious surface coverage to exceed 45%.**

**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/applicant's attorney
- B-2 Proof of publication
- B-3 Proof of posting

Mr. Seymour recuses himself. Rhonda Harmon is sworn in. The Applicant states she is building a pool. She was previously approved 239 square feet of patio, which is 44.8% impervious surface coverage. Applicant is now proposing to add additional 3% of impervious surface for the patio. The original plan had patio on one side of the pool, but is requesting to have patio of the sides of the pool as well. The pool is 32 by 12 feet. Patio will not go in the rear of the pool. The walkway that was leading to the pool has been removed. Existing patio is 400 square feet. The property is flat. There is a french drain on one side of the property, but Applicant states she currently has no drainage issues. There is grass on both sides and in the rear of the yard. Pool has been in since June 2018. She has not received any concerns from the neighbors.

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

**MOTION** Mr. Champion motions to close testimony, Mr. Brill seconds, all favor. Mr. Champion motions for the hearing for Rhonda Harmon; Appeal #2018-627; Location: 1385 Chancellor Circle; Request: Variance for impervious surface coverage to exceed 45%; Tax Parcel: 02-031-249 be approved for 48% impervious coverage, Mr. Brill seconds, and all favor.

**VOTE** Ayes: Mr. Champion, Ms. Redding, Ms. Domanico, Mr. Brill

Nays: None  
Abstain: None  
Absent: None

**MOTION CARRIED**

**4-0**

**ITEM 10**

**Hearing for Primavera Square Apartments**

**Appeal #2018-628**

**Location: 717 Station Ave**

**Tax Parcel: 02-061-293-003**

**Request: Variance for impervious surface coverage for pavers and gazebo.**

**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/applicant's attorney
- B-2 Proof of publication
- B-3 Proof of posting

Mark Yormark is sworn in. He is an owner of the property. Applicant explains they have been landscaping around the property trying to improve it. There are pavers down already because they did not know they needed approval. Applicant is requesting approval for the pavers and to add a gazebo. The pavers are right behind the leasing center in the middle of the property. 60% was approved previously. A drainage system can be added if requested by the Board. Applicant also states he is willing to do different pavers if necessary, but likes the ones that are already put down. There is currently a small drainage system. The property has a lot of grass. These improvements will not affect the neighbors. Applicant purchased the property two years ago. They would like to add outdoor furniture such as benches for residents to spend time outside. This property was previously Cornwell Station Apartments, and now called Primavera Apartments. Applicant thought they were well below the variance. Board states there is flooding near this property under the bridge. Currently the property has 60.18% impervious surface coverage. Applicant states he is willing to not add the gazebo if the Board is inclined to it. The Board agrees the gazebo is not necessary.

The audience is asked if anyone is for or against this application. Teddy Walker is sworn in. Mr. Walker states the Applicant has improved this property greatly and he is for this matter.

**MOTION** Mr. Champion motions to close testimony, Mr. Brill seconds, and all are in favor. Mr. Champion motions for the hearing for Primavera Square Apartments; Appeal #2018-628; Location: 717 Station Ave; Tax Parcel: 02-061-293-003 be approved with a condition of 61%

impervious surface coverage and the rocks will be removed from the right of way, Mr. Seymour, and all favor.

**VOTE**

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

**MOTION CARRIED** **5-0**

**ITEM 11** **Hearing for JPH Realty, Inc.**  
**Appeal #2018-629**  
**Location: Galloway Rd and Richlieu Rd**  
**Tax Parcel: 02-046-001**  
**Request: Variances for use, setbacks, woodlands, impervious coverage to construct a multi-use building.**

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

- A-1 Application & accompanying documents
- A-2 Zoning variance 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

Allyssa Burke is sworn in. Joe McGrath is sworn in. Applicant's attorney states this is a small property on the corner of Richelieu and Galloway Road. It is zoned R-1, which was rezoned recently. By 1975, surrounding properties were all rezoned and developed. Behind the property is an apartment complex. It's a triangular shaped lot and is subject to many roadway improvements. The Applicants had a meeting with the Township and made modifications after receiving their input. The Plan was submitted to the zoning office, then they submitted their zoning application. Mr. McGrath is called. His place of business is 163A Bluebird Dr, Yardley, PA 19067. Mr. McGrath is a Real Estate Developer. He has been in Corporate/Commercial Real Estate for 20 years. The property is currently owned by Christian Life Center. This property is under a Sale Agreement. The surrounding uses are the Christian Life Center,

possible other church, Apartments, municipal park, and cemetery. There is a manmade berm of two feet in rear of the property near the apartments. The Applicants do not believe this property would be good for single family homes, railroad, municipal use, daycare use, or utility use. The lot is approximately 1.2 acres. The current plan exceed the necessary parking. The building is two story. After speaking to the Township, apartment use is not a permitted use. They do not have tenants yet. The building will not exceed 6,500 square feet. There is a front loading area, which will be used off peak hours. Tractor trailers are not expected. The Board asks about prior projects that this could relate to. Mr. McGrath stated there is a similar one in Yardley, PA, but does not have a loading area. It's on the street. In the rear of the property, a buffer will be added where the berm currently is. Mr. McGrath states he plans to do a nice landscaping area. They will re-grade it. The lot used to be flat, but it has not been maintained. The requested use is mixed use. The plan is possibly a retail store, personal service, office or studio. There will be three rows of parking. Professional uses are proposed for the second floor, which will only be about 500-600 square feet.

Ms. Burke is called. She is Project Engineer registered in PA. She is familiar with the property and has visited the property. She states it is primarily green and has a lot of vegetation in the rear. It is very overgrown. The property is 100% wooded. Ms. Burke confirms there is a berm in the rear of the property. Ms. Burke shows the plan of elevation of the property. There is a building area of 1.1 acres without variances. If they only disturb 50% woods, building is restricted to ¼ acre. Ms. Burke shows (apart of Exhibit A-2) the slopes. Ms. Burke states it is necessary to re-grade to make the lot level. A front yard setback is needed from corners of the buildings at the front of the property. The Project Engineer explains they shifted the parking area back, so it's away from the intersection. The arrows on the plan of the entry way should be switched. It would have a right in and right out on Richlieu Road. The plan still needs a stormwater analysis, possibly adding an underground facility, but will make sure to comply with state requirements. Mr. Champion has concerns about a lot going on in one lot. The Applicant offers to limit the tenant use to only three tenants maximum, but keep the look the same with a two story building. They will also eliminate the office use upstairs. The upstairs will be for storage. The Board and Applicant agree that they will comply with paragraph two of addendum, no apartments, dedicated space for loading, no more than three tenants, and no offices on the second floor.

Five minute recess.

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 JPH Realty Inc.; Appeal #2018-629; Location: Galloway & Richlieu Road; Tax Parcel: 02-046-001 be approved with conditions as follows:

- Limited to uses per paragraph two of application addendum (page 6)
- No apartment units
- Provide dedicated space/area for deliveries (parking space acceptable)
- No more than three tenants at property
- No occupancy on second floor

Mr. Seymour seconds, and all are in favor.

**VOTE**

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

**MOTION CARRIED** **5-0**

**ITEM 12**                    **Hearing for Korman Commercial Properties**  
**Appeal #2018-630**  
**Location: 2577 Interplex Dr**  
**Tax Parcel: 02-001-002-005**  
**Request: Variances for parking, building setback and buffer area for parking lot improvements.**

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

- A-1 Application & accompanying documents
- A-2 Zoning Plan
- A-3 Certificate of Service
- A-4 Resume of Engineer
- A-5 Amended Zoning Plan
- A-6 Original Building Plans (1975)
- A-7 Bucks Review Letter
- B-1 ZHB letter of hearing to Applicant/applicant's attorney
- B-2 Proof of publication
- B-3 Proof of posting

**DISCUSSION**            Michael Landis is attorney for the Applicant. Arnold Lori is sworn in, the Operations Manager. Cornelius Brown, Engineer is sworn in. Alison Korman, Korman Representative is sworn in. Mr. Landis explains the property is off Route 1 and Old Lincoln



Highway. It is zoned PCD-UD. It was constructed in the 1970's. Applicant is proposing to correct existing non conformity issues with the parking. They want to allow better truck access. The Korman center has two main buildings that are referenced as A, B, and C. They will add new parking, but not change any setbacks or buffers. Mr. Brown is called. His resume is marked as Exhibit A-4. Mr. Brown confirms he is an expert and has testified before a Zoning Hearing Board before. Building A is to the east of the property, Building B is to the west, and building C is to the north. Applicant is proposing to create a driveway, so it will more of a right of way to the loading zone at building B. Parking lots will be re-stripped. They would like to reconfigure the parking areas to make it better accessible. There will be no changes to the buildings, or the building setbacks. Applicant is proposing to add a landscaped area island. There are currently 108 parking spaces. After reconfiguring, there will be 126 spaces. 193 spaces is required for this property, which includes 5 ADA spaces. It is brought to the Board's attention that the wrong plan was submitted. Attorney states he will submit the revised plan. The Amended Zoning Plan is marked as Exhibit A-5. The Applicant is increasing green space and will improve the safety of vehicles and pedestrians. Mr. Lori is in charge of of the day to day operations. The Plan that was approved in 1976 is marked as Exhibit A-6. The Bucks County Conservation review letter is marked as Exhibit A-7. Mr. Champion addresses concerns about the daycare and the trucks. Mr. Lori states there are no concerns. They have never received complaints about the trucks. There are about two trucks per day. Trucks are just getting larger. There is a green buffer for the residents, as well. Building B is a sheet plastic company, which has the most truck deliveries.

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

**MOTION** Mr. Seymour motions to close testimony, Mr. Champion seconds, and all favor. Mr. Seymour motions for the hearing for Korman Commercial Properties.; Appeal #2018-630; Location: 2517 Interplex Drive; Tax Parcel: 02-001-002-005, Mr. Champion seconds, and all favor.

**VOTE**

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

**MOTION CARRIED** 5-0

**ITEM 13** CORRESPONDENCE - None.

**ITEM 14** ADJOURNMENT

Meeting adjourned at 10:00 p.m.

Court Reporter: Kim Bursner  
Respectfully submitted by Danielle Campbell