

BENSALEM TOWNSHIP ZONING BOARD MEETING

SEPTEMBER 5, 2019

7:00 p.m.

ATTENDANCE :

PRESENT:

JOANNE REDDING , CHAIRWOMAN

MATTHEW MCHUGH, SOLICITOR

KEN FARRELL , ZONING OFFICER

MICHAEL BRILL, MEMBER

GEORGE SEYMOUR, MEMBER

ABSENT:

ALBERT CHAMPION, VICE CHAIRMAN

MARC BOURNE, MEMBER

ITEM 1 : MEETING OPENED WITH PLEDGE OF ALLEGIANCE

ITEM 2 : INTRODUCTION OF BOARD MEMBERS AND STATEMENT OF RULES AND PROCEDURES BY MATTHEW MCHUGH.

MATTHEW MCHUGH MADE THE APPLICANTS AND THE AUDIENCE AWARE THAT MARC BOURNE IS NOT PRESENT AND THAT ALBERT CHAMPION WAS GOING TO BE LATE BUT HE HAS BEEN INFORMED THAT ALBERT IS NOT GOING TO MAKE THE MEETING. HE ADVISED THAT FOR AN APPLICATION TO BE APPROVED ALL MEMBERS IN ATTENDANCE MUST VOTE IN FAVOR OF THE APPLICATION. IF ANY APPLICANT WOULD LIKE TO ASK FOR A CONTINUANCE UNTIL NEXT MEETING BECAUSE OF THIS , THEY MAY DO SO AT THIS TIME.

ITEM 3 : APPROVAL OF LAST MONTH'S MINUTES - SEPTEMBER 5TH, 2019

ITEM 4 : HEARING FOR MAUREEN AND JOSEPH SWEENEY -APPEAL # 2019 – 2809

LOCATION : 4909 CHURCH AVENUE

TAX PARCEL : 02-004-076

REQUEST : VARIANCE FOR FRONT YARD SET BACK , IMPERVIOUS SURFACE COVERAGE AND READ YARD SET BACK TO CONSTRUCT AN ADDITION.

MATTHEW MCHUGH ASKED THE APPLICANT IF THEY WERE OK PROCEEDING WITH ONLY 3 BOARD MEMBERS , THE APPLICANT STATED YES THEY WANTED TO PROCEED.

MATTHEW MCHUGH STATED THAT HE REVIEWED THE PAPERWORK AND EVERYTHING SEEMS TO BE IN ORDER.

B-1 HEARING LETTER TO THE APPLICANT

B-2 PROOF OF POSTING

B-3 PROOF OF PUBLICATION

A-1 APPLICATION AND ACCOMPANYING DOCUMENTS

A-2 CERTIFICATE OF SERVICE

MAUREEN SWEENEY, APPLICANT WAS SWORN IN.

MAUREEN SWEENEY STATED THAT SPOUSE , JOSEPH SWEENEY , IS PARALYZED AND LOST LET . SHE HAS TO TRANSFER JOSEPH TO THE BED HERSELF AND THERE IS NOT ENOUGH SPACE , SHE HAS TO PHYSICALLY LIE ON THE BED. IT IS AN ISSUE AND THEY WOULD ALSO LIKE TO GET AN ADA BATHROOM, BIGGER WITH A HOYER LIFT. THEY HAVE A CONTRACTOR FOR THIS PROJECT.

GEORGE SEYMOUR – IS IT ONLY A 1 FLOOR LEVEL ?

JOANN REDDING – STATED NO THAT THE GARAGE IS THE 1ST FLOOR. JOANNE ALSO ASKED THE APPLICANT IS THEY KNEW THE MEASUREMENTS. THE APPLICANT SAID THEY DID NOT.

MATTHEW MCHUGH – TOLD THE BOARD THAT IS MARKING AS BOARD EXHIBIT 4 – AERIAL VIEW OF THE PROPERTY.

GEORGE SEYMOUR – ASKED WHAT THE CLOSEST INTERSECTION IS TO THE PROPERTY?

MAUREEN SWEENEY – IT IS BY THE METHODIST CHURCH AT BROWNSVILLE ROAD.

MATTHEW MCHUGH STATED THAT IT IS LISTED AS R-2 BY THE TOWNSHIP . REQUIREMENT IS 45 ft. THEY'RE REQUESTING IT BE 46.5 ft. IT IS A CORNER PROPERTY WITH 2 FRONT YARDS.

TOM FARRELL – THE VARIANCE WON'T MAKE THE CONDITION OF CHURCH AVENUE ANY WORSE.

JOANN REDDING ASKED IF BOARD HAD ANY OTHER QUESTIONS OR IF ANYBODY IN THE AUDIENCE WOULD LIKE TO SPEAK FOR/AGAINST THIS APPLICATION. NO BOARD MEMBER AND NO ONE IN THE AUDIENCE.

JOANN REDDING ASKED FOR A MOTION TO CLOSE TESTIMONY.

MOTION : MOTION TO CLOSE TESTIMONY

MOTION MADE BY : MICHAEL BRILL

SECONDED BY : GEORGE SEYMOUR

VOTE : AYES : JOANN REDDING , GEORGE SEYMOUR, MICHAEL BRILL

NAYS : NONE

ABSENT : ALBERT CHAMPION , MARC BOURNE

ABSTAIN : NONE

MOTION CARRIED : 3-0

MOTION : MOTION MADE TO APPROVE VARIANCES FOR APPEAL # 2019 – 2809 FOR MAUREEN AND JOSEPH SWEENEY LOCATION OF PROPERTY , 4909 CHURCH AVENUE.

MOTION MADE BY : MICHAEL BRILL

SECONDED BY : GEORGE SEYMOUR

VOTE : AYES : JOANN REDDING , GEORGE SEYMOUR, MICHAEL BRILL

NAYS : NONE

ABSENT : ALBERT CHAMPION , MARC BOURNE

ABSTAIN : NONE

MOTION CARRIED : 3-0

MATTHEW MCHUGH LET THE RECORD STATE THAT HE IS GIVING A COPY OF THE DECISION TO THE APPLICANT.

ITEM 5 : HEARING FOR CHARLES AND WILDE BECHTLE APPEAL # 2019 – 2884

LOCATION : 2614 BELLVIEW DRIVE

TAX PARCEL : 02 -113 -116

REQUEST : VARIANCE FOR FRONT YARD SET BACK TO CONSTRUCT A ROOF OVER PATIO.

MATTHEW MCHUGH STATED TO APPLICANT THAT MARC BOURNE AND ALBERT CHAMPION WERE NOT PRESENT ON THE BOARD AND IN ORDER TO SEEK RELIEF WOULD HAVE TO GET 3 VOTES FROM THOSE PRESENT. DID APPLICANT WANT TO PROCEED ? APPLICANT UNDERSTOOD AND SAID THAT WANTED TO PROCEED.

MATTHEW MCHUGH STATED THAT HE REVIEWED THE PAPERWORK AND EVERYTHING SEEMS TO BE IN ORDER.

B-1 HEARING LETTER TO THE APPLICANT

B-2 PROOF OF POSTING

B-3 PROOF OF PUBLICATION

B-4 AERIAL VIEW

B-5 AERIAL VIEW

A-1 APPLICATION AND ACCOMPANYING DOCUMENTS

A-2 CERTIFICATE OF SERVICE

CHARLES BECHTLE , APPLICANT WAS SWORN IN . MR. BECHTLE WOULD LIKE TO PUT A ROOF OVER PATIO.

KEN FARRELL STATED THAT IS NOT FOR/AGAINST IT BUT THE REQUEST IS SIMILAR TO THOSE IN THE NEIGHBORHOOD.

THE BOARD LOOKED THROUGH THE PAPERWORK.

JOANN REDDING ASKED IF ANY QUESTIONS FOR THE APPLICANT ? NO

ASKED IF ANY AUDIENCE MEMBER IS HERE THAT WANT TO SPEAK FOR/AGAINST THIS APPLICATION? NOBODY IN AUDIENCE.

JOANN ASKED FOR A MOTION TO CLOSE TESTIMONY.

MOTION : MOTION TO CLOSE TESTIMONY

MOTION MADE BY : MICHAEL BRILL

SECONDED BY : GEORGE SEYMOUR

VOTE : AYES : JOANN REDDING , GEORGE SEYMOUR, MICHAEL

NAYS : NONE

ABSENT : ALBERT CHAMPION , MARC BOURNE

ABSTAIN : NONE

MOTION CARRIED : 3-0

MOTION : MOTION TO APPROVE VARIANCE FOR APPEAL # 2019 -2884 FOR A FRONT YARD SET BACK TO CONSTRUCT A ROOF OVER THE PATIO FOR CHARLES AND WILDE BECHTLE PROPERTY LOCATED AT 2614 BELLVIEW DRIVE.

MOTION MADE BY : MICHAEL BRILL

SECONDED BY : GEORGE SEYMOUR

VOTE : AYES : JOANN REDDING , GEORGE SEYMOUR, MICHAEL

NAYS : NONE

ABSENT : ALBERT CHAMPION , MARC BOURNE

ABSTAIN : NONE

MOTION CARRIED : 3-0

MATTHEW MCHUGH LET THE RECORD STATE THAT HE IS GIVING A COPY OF THE DECISION TO THE APPLICANT.

ITEM 6 : CONTINUED HEARING FOR SEVENTH VENTURE , LLC. APPEAL # 2019 – 2241

LOCATION : 680 ROCKHILL DRIVE

TAX PARCEL : 02 -001-037-008

REQUEST : VARIANCE FOR A WALL SIGN

MATTHEW MCHUGH ASKED IF APPLICANT WAS OK TO PROCEED WITH ONLY 3 BOARD MEMBERS AND REMINDED THEM THAT IN ORDER TO SEEK RELIEF APPLICANT HAD TO HAVE 3 VOTES. APPLICANT LAWYER ON APPLICANT'S BEHALF IS OK WITH IT.

MATTHEW MCHUGH STATED THAT HE REVIEWED THE PAPERWORK AND EVERYTHING SEEMS TO BE IN ORDER.

B-1 HEARING LETTER TO THE APPLICANT

B-2 PROOF OF POSTING

B-3 PROOF OF PUBLICATION

A-1 ORIGINAL APPLICATION AND ACCOMPANYING DOCUMENTS

A-2 AMENDED APPLICATION

A-3 CERTIFICATE OF SERVICE

ATTORNEY FOR APPLICANT, GREG ADELMAN.

PROPERTY IS LOCATED AT THE MARKETPLACE IN FRONT OF TARGET.

THE SIGNS WILL BE FOR ASPEN DENTAL, FINE WINE AND SPIRITS AND TMOBILE.

ASPEN DENTAL WAS ADDED AS A BUSINESS SO THE APPLICATION WAS AMENDED.

DUE TO THE PROXIMITY LOOKING TO CAPTURE CUSTOMER'S ATTENTION FROM THE RIGHT OF WAY AND RT. 1 ALSO

DISCUSSION FOLLOWED REGARDING THE SIZES OF THE SIGNAGE.

FINE WINE AND SPIRITS WANTED A SIGN IN THE BACK BUT WAS TOLD IT WOULDN'T BE SEEN.

THERE IS A PYLON SIGN AT ENTRANCE OF THE SHOPPING CENTER THAT IS IN THE PROCESS OF BEING MOVED DUE TO PENNDOT CONSTRUCTION.

KEN FARRELL – STATED THAT THE BOARD CONSIDERED AND APPROVED A SIMILAR SIGNAGE APPLICATION FOR CHIPOLTE.

MATTHEW MCHUGH – STATED THE OWNER OF THE PROPERTY LEASING OUT PROPERTY AND IS OK WITH THE SIGNAGE.

THE APPLICANT'S LAWYER STATED THAT SO MANY DIFFERENT FRONTAGES AND WANT TO MAKE THE BUSINESS A SUCCESS.

MICHAEL BRILL – STATED THAT HE HOPE IT'S THE END OF BUILDING UP THAT WAY , IT HAS TO BE CLOSE TO MAXED OUT.

JOANN REDDING ASKED THE BOARD IF HAD ANY ADDITIONAL QUESTIONS ?

JOANN REDDING ASKED IF ANY MEMBER OF THE AUDIENCE WOULD LIKE TO SPEAK FOR/AGAINST THIS APPLICATION ? NOBODY

GEORGE SEYMOUR – ASKED SO ONLY NEED 1 VARIANCE

MATTHEW MCHUGH – STATED NO 3 VARIANCES 1 AND 2 FOR THE SIZE AND 3 – LOCATION OF SIGNAGE THAT NOT FACING THE MAIN THOROUGHFARE.

JOANN REDDING ASKED FOR A MOTION TO CLOSE TESTIMONY

MOTION : MOTION TO CLOSE TESTIMONY FOR APPEAL # 2019 -2241
MOTION MADE BY : GEORGE SEYMOUR
SECONDED BY: MICHAEL BRILL

VOTE : AYES : JOANN REDDING , GEORGE SEYMOUR, MICHAEL BRILL
NAYS : NONE
ABSENT : ALBERT CHAMPION, MARC BOURNE
ABSTAIN : NONE
MOTION CARRIED : 3-0

MOTION : MOTION TO APPROVE VARIANCE FOR 2 WALL SIGNS AND 139 ft. SIGN FACING INTO THE
PARKING LOT FOR APPEAL # 2019 -2241 BASED ON AMENDED APPLICATION. LOCATION 680 ROCKHILL
DRIVE.
MOTION MADE BY : GEORGE SEYMOUR
SECONDED BY: MICHAEL BRILL

VOTE : AYES : JOANN REDDING , GEORGE SEYMOUR, MICHAEL BRILL
NAYS : NONE
ABSENT : ALBERT CHAMPION, MARC BOURNE
ABSTAIN : NONE
MOTION CARRIED : 3- 0

THE MOTION APPROVED BASED ON THE AMENDED APPLICATION.
SIGN VARIANCE TO BE APPROVE AS NOTED BY GREG EDELMAN , ASPEN DENTAL FACING RT 1 -75.7 sq ft,
FINE WINE AND SPIRITS FACING RT. 1 - 61.27 sq. ft. AND ASPEN DENTAL FACING INTO THE PARKING LOT
120.6 sq. ft.

MATTHEW MCHUGH – LET THE RECORD STATE THAT HE IS GIVING THE APPLICANT’S ATTORNEY A COPY
OF THE BOARD’S DECISION.

15 MINUTE RECESS

ITEM 7 : CONTINUED FOR PRICESMART , INC. APPEAL # 2019 – 2374

LOCATION: MARSHALL AND WINKS LANE

TAX PARCEL : 02-075-079

REQUEST : VARIANCE TO CONSTRUCT OFFICE/WAREHOUSE WITH PARKING.

THE APPLICANT SPOKE WITH COUNSEL , MR. MCGENNIS , AND THEY WOULD LIKE TO HAVE THE FULL
BOARD PRESENT. ASKING FOR A CONTINUANCE UNTIL OCTOBER 3rd , 2019

MOTION : MOTION FOR A CONTINUANCE FOR APPEAL # 2019 -2374 TO OCTOBER 3rd, 2019.
MOTION MADE BY : GEORGE SEYMOUR
SECONDED BY : MICHAEL BRILL

VOTE : AYES : JOANN REDDING , GEORGE SEYMOUR, MICHAEL
NAYS : NONE

ABSENT : ALBERT CHAMPION , MARC BOURNE

ABSTAIN : NONE

MOTION CARRIED : 3-0

MATTHEW MCHUGH STATED FOR THE RECORD THAT APPEAL # 2019 – 2374 IS CONTINUED UNTIL OCTOBER 3, 2019.

ITEM 8 : HEARING FOR TRUMARK FINANCIAL CREDIT UNION APPEAL # 2019-2887

LOCATION : 3240 TILLMAN DRIVE

TAX PARCEL : 02 -035-001-001

REQUEST : VARIANCE FOR SIDE YARD SET BACK TO CONSTRUCT A BANK.

APPLICANT'S ATTORNEY, MR. MEGINNIS STATES THAT THE APPLICANT WANTS TO PROCEED WITH APPLICATION AND IS AWARE OF NEEDING THE 3 VOTES.
GERARD DIVITIS , TRUMARK MANAGER WAS SWORN IN.

MR.MEGINNIS STATES THAT THE PARKING VARIANCE REQUEST IS BEING WITHDRAWN. ADDITIONAL CALCULATIONS AND TALKS WITH OUTBACKS CONFIRM THAT THE PARKING CONFIRMS WITH ZONING. MR. MEGINNIS ALSO STATES THAT ONLY NEED A SET BACK SO IT DOESN'T OVERLAP WITH OUTBACK. IT WILL BE 64 ft. OFF TILLMAN DRIVE VERSUS THE 100 ft. THAT IS MANDATED.

JOANN REDDING - ASKED ABOUT THE PARKING.

MR. MEGINNIS- STATED THAT THERE IS 155 TOTAL PARKING SPACES.

OUTBACK - 1 FOR EVERY 2 PEOPLE / 1 FOR EVERY 50 sq. ft. OF BUILDING SPACE THE HIGHER PARKING CALCULATIONS IS WHAT USED TO CALCULATE.OUTBACK HAS 218 SEATS . SO 1 FOR EVERY 2 PEOPLE IS 109 PARKING SPACES 155 PARKING SPACES TOTAL THAT IS AVAILABLE. SO TRUMARK DOESN'T NEED THE PARKING VARIANCE.

JOANN REDDING – WHAT IF OUTBACK MOVES OUT , WHAT IF THE NEW BUSINESS PARKING CALCULATIONS CHANGE.

MR.MEGINNIS -STATED THAT THEY USE THE HIGHER PARKING CALCULATION TO FIGURE OUT HOW MANY PARKING SPACES NEEDED BY OUTBACK. A NEW BUSINESS COULD USE THE BUILDING SPACE CALCULATION AND BE UNDER THE ZONING REQUIREMENT.

JOANN REDDING – STATED THAT THERE'S GOING TO BE CROSS PARKING.

MR. MEGINNIS - STATED THAT TRUMARK IS COMPLIANT WITH THE ZONING FOR PARKING .

TRUMARK IS USING PARKING MOSTLY DURING THE DAY.

OUTBACK IS USING PARKING MOSLTY DURING THE NIGHT.

JOANN REDDING – WHAT IS TRUMARKS HOURS OF OPERATION?

GERARD DIVITA – BANK MANAGER , MONDAY TUESDAY AND WEDNESDAY – 8:30a.m. to 5:00 p.m.

THURSDAY – 8:30 a.m. to 6:00 p.m. , FRIDAY – 8:30 a.m. to 7:00 p.m. , SATURDAY 9:00 a.m. to 1:00 p.m

AND SUNDAY 11:00 a.m. to 3:00 p.m.

MR. MEGINNIS – STATED THAT FOR THE IMPERVIOUS SURFACE TRUMARK IS UNDER BY ABOUT 1% . IT IS 49.13%. GREEN SPACE BEING ADDED SO IT HELPING WITH IT.

GERARD DIVITA- STATED THAT IT HAS OUTSIDE DRIVE THRU. IT IS REPLACING THE TREVOSE BRANCH.

GEORGE SEYMOUR – THEY'RE CLOSING THE ROCKHILL DRIVE LOCATION?

GERARD DIVITA – YES, THEY BELIEVE THE NEW LOCATION IS A BETTER LOCATION FOR MEMBERS TO UTILIZE IT.

GEORGE SEYMOUR – STATED THAT ANOTHER CREDIT UNION IS ACROSS THE STREET.

GEORGE SEYMOUR – ASKED HOW MANY PARKING SPOTS ?

MR. MEGINNIS – 155 PARKING SPOTS
MICHAEL BRILL – TRUMARK EMPLOYEES GOING TO UTILIZE THE PARKING LOT TOO?
MR. MEGINNIS – YES THE BALANCE OF 46 PARKING SPACES IS GOING TO ALLOW THAT.
KEN FARRELL – STATED THAT HE REVIEWED AND IT'S COMPLIANT.

JOANN REDDING – ASKED IF ANYBODY IN THE AUDIENCE WOULD LIKE TO SPEAK FOR/AGAINST THIS APPLICATION? NOBODY
JOANN REDDING – ASKED FOR A MOTION TO CLOSE TESTIMONY.

MOTION : MOTION TO CLOSE TESTIMONY
MOTION MADE BY : MICHAEL BRILL
SECONDED BY : GEORGE SEYMOUR

VOTE : AYES : JOANN REDDING , GEORGE SEYMOUR, MICHAEL
NAYS : NONE
ABSENT : ALBERT CHAMPION , MARC BOURNE
ABSTAIN : NONE
MOTION CARRIED : 3-0

MOTION : MOTION TO APPROVE VARIANCE FOR SIDE YARD SET BACK TO CONSTRUCT A BANK APPEAL # 2019 – 2887 PROPERTY LOCATED AT 3240 TILLMAN DRIVE.
MOTION MADE BY : MICHAEL BRILL
SECONDED BY : GEORGE SEYMOUR

VOTE : AYES : JOANN REDDING , GEORGE SEYMOUR, MICHAEL
NAYS : NONE
ABSENT : ALBERT CHAMPION , MARC BOURNE
ABSTAIN : NONE
MOTION CARRIED : 3-0

MATTHEW MCHUGH -LET THE RECORD STATE THAT HE IS GIVING A COPY OF THE DECISION TO THE APPLICANT.

ITEM 9 : HEARING FOR SOUCHAY CHAREUNSACK APPEAL # 2019 – 2811

LOCATION: 2155 RIVER ROAD

TAX PARCEL : 02 – 064 – 126

REQUEST : VARIANCE TO CONSTRUCT A SINGLE FAMILY DWELLING IN A FLOOD PLAIN.

MATTHEW MCHUGH STATED THAT HE RECEIVED A REQUEST FOR A CONTINUANCE FOR THIS APPLICATION TO OCTOBER 3rd, 2019.

MOTION : MOTION TO APPROVE CONTINUANCE FOR SOUCHAY CHAREUNSACK APPEAL # 2019 -2811 FOR 2155 RIVER ROAD A VARIANCE TO CONSTRUCT A SINGLE FAMILY DWELLING IN A FLOOD PLAIN.
MOTION MADE BY : MICHAEL BRILL
SECONDED BY: GEORGE SEYMOUR

VOTE : AYES : JOANN REDDING , GEORGE SEYMOUR, MICHAEL BRILL
NAYS : NONE

ABSENT : ALBERT CHAMPION, MARC BOURNE
ABSTAIN : NONE
MOTION CARRIED : 3-0

ITEM 10 : EXTENSION REQUEST FOR DAUPHINE BUILDERS APPEAL # 2013 -340

LOCATION : 1282 BYBERRY ROAD

TAX PARCEL : 02 – 0333 -108

REQUEST : EXTENSION OF TIME FOR THE PREVIOUSLY GRANTED VARIANCES.

MATTHEW MCHUGH RECEIVED CORRESPONDENCE FROM APPLICANT ASKING THAT THE BOARD GRANT THE CONTINUANCE FOR THIS APPLICATION.

MOTION : MOTION MADE TO GRANT CONTINUANCE FOR APPEAL # 2013 -340 TO THE NOVEMBER 7th MEETING.

MOTION MADE BY : GEORGE SEYMOUR

SECONDED BY: MICHAEL BRILL

VOTE : AYES : JOANN REDDING , GEORGE SEYMOUR, MICHAEL BRILL

NAYS : NONE

ABSENT : ALBERT CHAMPION, MARC BOURNE

ABSTAIN : NONE

MOTION CARRIED : 3-0

ITEM 11 : CORRESPONDENCE

ITEM 12 : ADJOURNMENT

MOTION : MOTION MADE TO ADJOURN MEETING .

MOTION MADE BY : MICHAEL BRILL

SECONDED BY: GEORGE SEYMOUR

VOTE : AYES : JOANN REDDING , GEORGE SEYMOUR, MICHAEL BRILL

NAYS : NONE

ABSENT : ALBERT CHAMPION, MARC BOURNE

ABSTAIN : NONE

MOTION CARRIED : 3-0

MEETING ADJOURNED.

MINUTES SUBMITTED BY : DONNA SPONHEIMER – SMITH

The minutes are not verbatim , they're a synopsis of the meeting.

