

TOWNSHIP OF LOWER MAKEFIELD
ZONING HEARING BOARD
MINUTES – APRIL 5, 2022

The regular meeting of the Zoning Hearing Board of the Township of Lower Makefield was held in the Municipal Building on April 5, 2022. Mr. Zamparelli called the meeting to order at 7:30 p.m.

Those present:

Zoning Hearing Board: Anthony Zamparelli, Chair
Peter Solor, Vice Chair
Matthew Connors, Secretary
James Dougherty, Member
Judi Reiss, Member

Others: James Majewski, Community Development Director
Adam Flager, Zoning Hearing Board Solicitor
Fredric K. Weiss, Supervisor Liaison

APPEAL #22-1953 – SCOTT GLENNIE
Tax Parcel #20-043-072
5 SHELLEY LANE, YARDLEY, PA 19067

Mr. Flager marked the Exhibits as follows: The Application was marked as Exhibit A-1. The Site Plan was marked as Exhibit A-2. The Impervious Surface Breakdown/ Stormwater Management Project Volume Controls was marked as Exhibit A-3. The Proof of Publication was marked as Exhibit B-1. The Proof Posting was marked as Exhibit B-2. The Notice to the neighbors was marked as Exhibit B-3.

Mr. Scott Glennie and Ms. Glennie were sworn in.

Mr. Glennie stated when they purchased the property, they did not realize that they would have an issue adding onto the kitchen, dining room, and master bathroom. He stated the individual they spoke to at the Township indicated that a way to remedy the situation was to put in a stone pit for the water to run into, and he had provided them with some calculations. Mr. Glennie stated he would be willing to do this when they build the addition.

Mr. Glennie stated he spoke to the neighbor to the left of the property, and asked him if water lay anywhere on the property, since he knew the history of the house, and where would be a good place for the retainage pit. Mr. Glennie stated the

neighbor advised him that water rarely lays on the property; but if it does, it lays between his property and that neighbor's on the left hand side so he would agree to put the retainage pit on the left hand side on the property between the two properties. Mr. Zamparelli stated the Township engineer would check that.

Mr. Zamparelli asked Mr. Majewski if the impervious surface calculations are accurate, and Mr. Majewski stated they are correct.

Mr. Zamparelli stated they have not shown the actual location for the pit, and Mr. Majewski stated it will need to be shown on the Building Permit Plan. Mr. Majewski added that it will need to be a minimum of 5' away from the property line.

Mr. Glennie stated it had been recommended to them that the pit should be 5' by 6' by 3' deep. He asked if he could increase that, and Mr. Solor stated increasing the size would be looked at very favorably. Mr. Glennie stated he was thinking of going 4' wide since there is not a lot of space on that side, and he could then make it longer to make up the difference. Mr. Majewski stated the requirement is to provide a certain volume of storage and it could be virtually be any configuration that equals 33 cubic feet of controlled volume.

Ms. Kimberly Lohan, 7 Shelley Lane, was sworn in. She stated she is on the down hill side from this property, and she is concerned about the drainage as there is a fair amount of water that gathers between the properties and flows through her property. She stated she wanted to make sure that there was going to be adequate drainage created to not increase what is happening between the two properties. Mr. Zamparelli stated he is showing that a seepage pit will be installed for mitigation to take the impervious back to what it was before the addition.

Mr. Zamparelli asked Mr. Glennie if he had spoken to Ms. Lohan, and Ms. Lohan stated they had not met since she had not been home much. Mr. Glennie stated they also do not live there yet. Mr. Zamparelli asked that they meet to discuss this.

Ms. Reiss moved, Mr. Connors seconded and it was unanimously carried to approve as submitted back to the minimum Township requirement.

APPEAL #22-1954 – EDWARD & ELBA DECK
Tax Parcel #20-040-050
6 EAST SCHOOL LANE, YARDLEY, PA 19067

Mr. Flager marked the Exhibits as follows: The Application was marked as Exhibit A-1. The Site Plan was marked as Exhibit A-2. The Impervious Surface Breakdown was marked as Exhibit A-3. The Proof of Publication was marked as Exhibit B-1. The Proof of Posting was marked as Exhibit B-2. The Notice to the neighbors was marked as Exhibit B-3.

Mr. Edward Deck and Ms. Elba Deck were sworn in.

Mr. Deck stated they would like to add a shed in the back yard and increase the driveway size.

Mr. Zamparelli stated he was confused with the impervious surface calculations. Mr. Majewski stated he found some discrepancies in the calculations and was also able to find an older Permit that had some impervious surface calculations that matched closer with what he was coming up with. Mr. Majewski stated he needs to go over the numbers with the Applicant to make sure there is an accurate accounting of what is existing and what is proposed. He stated he believes the Applicants included things that were in the right-of-way and they also had the lot size larger than what it actually is based on survey information that was in the file. Mr. Majewski stated he also needs to go over with them what they need to do for stormwater management so they can present to the Board how that will be addressed.

Mr. Solor stated the proposed shed location looks like it is definitely less than 10' from the line in both directions. Mr. Deck stated it is 8' on each side since that is what he thought he read was required. Mr. Solor stated since 10' is required, that would be another Variance. Mr. Deck stated he can move it up to 10'. Mr. Dougherty stated they do have the right to request a Variance for this, and he feels that where it is shown at 8' it would not be a problem unless there is some negative Public Comment. The Applicants stated they would agree to move it to 10' and not request a Variance.

Ms. Deck stated Mike Kirk at the Township was very helpful with filing for the Variance, and they would appreciate Mr. Majewski's help.

Mr. Zamparelli stated they will need to Continue this matter.

Mr. Jeff Shanks, 2003 Yardley Road, was sworn in. Mr. Shanks stated he has lived in his home for over thirty years, and there has been an accumulation of stormwater issues in the area over that time. He stated there is no stormwater sewer in the area so everything is overland flow. He stated the drainage from this property comes his way toward Yardley Road. He stated it is fairly flat in that area, but he does have a considerable amount of drainage that comes his way. He stated there is currently pooling at the northwest corner of Townsend and East School Lane, and there is substantial ponding at the southwest corner of East School Lane and Yardley Road.

Mr. Shanks stated he is not opposed to what they want to do but he is looking for mitigation to get it back to 18%. He stated there are Turfstone permeable pavers and permeable pavement which is commonly used. He stated as noted earlier they could also develop a dry well and maybe bring some of the drainage off of the roof into a dry well, and Mr. Zamparelli stated that is commonly done. He stated he is not opposed to the development, but does not want it to create more of a problem for the neighbors.

Mr. Solor asked Mr. Majewski if there are any restrictions with the shed location along Townsend Road; and Mr. Majewski stated there are two frontages and due to the pie-shape, the location meets the requirement for the fourth of the lot furthest removed from the road even though it is up against the road.

Ms. Lynn Rich, 4 Townsend Road, was sworn in. She stated she is concerned about the water because it does pool in her front yard. She stated the subject lot is an odd lot; and she is concerned about the shed that they want to put which would be 10' by 14' which she feels is rather large and would take up a large space and she would get even more water into her front yard. She stated she did not know how tall the shed would be. She stated at the corner of Townsend and East School whenever it rains it is "terrible," and at Yardley Road and Townsend, it is "more than a puddle – it is like a pond."

Mr. Zamparelli stated they are going to do some mitigation to bring it back at least to where it is now although they do not yet know the exact plan. With regard to the height of the shed, he does not feel it will be 15' high. Ms. Rich stated it indicated it would be 10' by 14'. Mr. Deck stated it will be 10' high. Ms. Rich stated she feels that is a large shed for that area. Mr. Deck stated there is a picture of the shed he bought and is being delivered. He stated it will not be an eyesore, and it looks like a house. Mr. Solor stated if he moves it the distance required, he will not need a Variance; and it would not be a subject for the Zoning Hearing Board if he puts it at the right distance.

Mr. Zamparelli stated the shed is allowed to be 10' from the property lines. He added that he will have to address the impervious surface. Mr. Zamparelli stated 10' is not high for a shed.

There was discussion about the length of Continuance to be granted. It was agreed to Continue the matter to the next meeting on April 19; and if it needs to be re-advertised, it can be Continued to the first meeting in May on April 19.

Mr. Solor moved, Mr. Connors seconded and it was unanimously carried to Continue the matter to April 19, 2022.

Mr. Dougherty stated if they want a Variance for the shed location, this would need to be re-advertised.

There being no further business, M. Connors moved, Mr. Solor seconded and it was unanimously carried to adjourn the meeting at 8:00 p.m.

Respectfully Submitted,

Matthew Connors, Secretary