

TOWNSHIP OF LOWER MAKEFIELD  
ZONING HEARING BOARD  
MINUTES – MARCH 1, 2022

The regular meeting of the Zoning Hearing Board of the Township of Lower Makefield was held in the Municipal Building on March 1, 2022. Mr. Zamparelli called the meeting to order at 7:30 p.m.

Those present:                   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 #22-1949 – ERIC RUDOLF  
Tax Parcel #20-050-089  
46 W CROWN TERRACE, YARDLEY, PA 19067  
(Continued from 2/15/22)

Mr. Zamparelli stated this matter was Continued from the last meeting. Mr. Rudolf was not present at this time.

APPEAL #22-1950 – DAVID & JAMIE LYONS  
Tax Parcel #20-039-303  
365 RAMSEY ROAD, 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. David Lyons was sworn in and stated they want to put a pool in the back yard. He stated they are at 18% impervious, and they need to go to 21%.

Mr. Zamparelli asked the plan to mitigate the 3%, and Mr. Lyons stated they are eventually going to do landscaping including trees. He stated the pool contractor had indicated that if they needed to do stormwater management that would be an option. Mr. Zamparelli stated when it is over 1%, this Board consistently wants to see a seepage pit or dry well. Mr. Lyons stated he will have to talk to the pool contractor about that. Mr. Zamparelli asked Mr. Lyons if he is willing to install that mitigation in order for the Variance to be approved. Mr. Lyons asked if the landscaping would not be enough, and Mr. Zamparelli stated it would not.

Mr. Majewski stated there was an error in their calculations, and they are proposing 20.3% impervious surface as the proposed construction is 321 square feet, and they added in the 115 square feet that they are over currently to that to arrive at the 21.1%. He stated the actual number is 20.3% as proposed with all the impervious shown on the Plan. Mr. Zamparelli asked what they are at now, and Mr. Majewski stated they are at 18.6%. The request is still over 1%.

Mr. Majewski stated if they were to do an infiltration trench, a representative size would be 3' deep by 3' wide by 15' long which would be adequate to address the increase in stormwater run-off.

Mr. Zamparelli stated the Board's concern is that trees could die and not be replaced, or a subsequent property owner could take them down.

Mr. Connors asked Mr. Lyons if he would be willing to install the infiltration basin, and Mr. Lyons stated he would if that is the only way they can get the pool. Mr. Lyons asked if there is another way to go about it, and Mr. Zamparelli stated some impervious surface could be removed to reduce the calculation; however, Mr. Lyons was not interested in doing that. Mr. Zamparelli stated they can still plant the trees, and Mr. Lyons stated that they are still going to plant the trees.

Mr. Lyons asked the size that would be necessary, and Mr. Majewski stated a representative size would be 3' wide by 3' deep by 15' long and that could be varied by size and shape provided they arrive at the proper cubic footage. Mr. Lyons stated he will discuss this with the pool contractor.

There was no one from the public wishing to speak on this matter.

Mr. Solor moved, Mr. Connors seconded and it was unanimously carried to approve the Variance to increase the impervious coverage from 18% to 20.3% with mitigation using infiltration back to 18% to the satisfaction of the Township engineer.

APPEAL #22-1951 – JOHN & LISA BRUNET  
Tax Parcel #20-047-051  
61 BLACK ROCK ROAD, 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 and Stormwater Management Controls was marked as Exhibit A-3. The NDS Flow-Well Calculator was marked as Exhibit A-4. 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. Brunnet was sworn in and stated he is looking to add a small amount of impervious surface. He is currently at 21.2%, and he is looking to go to 21.8% in order to add a small kitchen addition and mud room as well as a 10' by 20' storage shed. He stated the other part of the Application is asking for permission to build 6' closer to the rear property line. He stated he is currently at a 60' rear setback, and is asking to go to 54'.

Mr. Zamparelli stated the increase in impervious is not even 1%. Mr. Solor stated it appears that they are mitigating it back even farther; and Mr. Brunnet agreed adding that they tried to be thorough with regard to the Stormwater Management Plan and go over and above. He stated there will be four different groundwater recharge pits.

Mr. Solor asked if the property is in the floodplain, and Mr. Majewski stated it is not located within the floodplain, and they are about 4 ½' higher than the one hundred year flood.

Mr. Dougherty asked Mr. Majewski if he checked the impervious numbers to see what the effective will be with the stormwater management. Mr. Majewski stated it is a significant reduction. Mr. Lyons stated with the stormwater management it will take it to approximately 14%.

There was no one from the public wishing to speak on this matter.

Mr. Solor stated it appears that they will be moving the existing non-conforming shed, and Mr. Brunnet agreed.

Mr. Connors moved, Mr. Dougherty seconded and it was unanimously carried to approve as submitted subject to review and approval by the Township engineer.

APPEAL #22-1952 – PATRICK & VICTORIA KOBOL  
Tax Parcel #20-022-045  
1301 YALE DRIVE, YARDLEY, PA 19067

Mr. Flager marked the Exhibits as follows: The Application was marked as Exhibit A-1. The Site Plans were marked as Exhibit A-2. 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.

Ms. Victoria Kobol and Mr. Fahs, pool contractor, were sworn in.

Mr. Fahs stated they are proposing a swimming pool and have a seepage pit shown on the Plan to handle the additional impervious surface. The pit is 3' deep, 6' wide, and 26' long.

Mr. Zamparelli asked Mr. Majewski if the numbers are correct; and Mr. Majewski agreed, adding that the seepage pit will control more than the increase in run-off and would bring it back to 18%.

Ms. Solor asked if the equipment pad will be at the approved setback. Mr. Majewski stated that is typically required to be 5' from the property line. Mr. Fahs agreed it will be 5' from the property line.

There was no one from the public wishing to speak on this matter.

Mr. Connors moved, Ms. Reiss seconded and it was unanimously carried to approve as submitted subject to review by the Township engineers.

March 1, 2022

Zoning Hearing Board – page 5 of 6

APPEAL #22-1949 – ERIC RUDOLF  
Tax Parcel #20-050-089  
46 W CROWN TERRACE, YARDLEY, PA 19067  
(Continued from 2/15/22)

Mr. Rudolf was still not present at this time.

Mr. Flager stated the Board could decide to Continue the matter again or vote on the merits this evening.

Mr. Majewski stated at the last meeting the Board had indicated that they wanted Mr. Rudolf to contact the adjoining neighbor, and that neighbor did stop into the Township Office today and stated he was not in favor of the Variance; and that may be why Mr. Rudolf did not attend this evening.

Mr. Zamparelli stated that neighbor also had some kind of structure adjacent to Mr. Rudolf's property.

There was no one from the public wishing to speak to this matter at this time.

Mr. Connors moved, Mr. Solor seconded and it was unanimously carried to Continue the Appeal to March 15, 2022.

There was further discussion about what other Appeals may be on the March 15 Agenda. Mr. Majewski noted there was one Appeal scheduled; however he has since reviewed the impervious calculations and went out on site, and it appears that there is an issue which could require re-advertisement so that it would may be able to be heard on March 15. Given this information, Mr. Solor suggested that the Rudolf Appeal be Continued to April 5 in case the March 15 meeting does not need to be held.

Mr. Solor moved, Mr. Connors seconded and it was unanimously carried to Continue Appeal #22-1949 to April 5.

Mr. Flager stated the Board can vote on the Appeal at that time even if Mr. Rudolf does not show up.

March 1, 2022

Zoning Hearing Board – page 6 of 6

There being no further business, the meeting was adjourned at 7:55 p.m.

Respectfully Submitted,

Matthew Connors, Secretary