TOWNSHIP OF LOWER MAKEFIELD

ZONING HEARING BOARD

MINUTES – AUGUST 15, 2023

The regular meeting of the Zoning Hearing Board of the Township of Lower Makefield

was held in the Municipal Building on August 15, 2023. Mr. Solor called the meeting

to order at 7:30 p.m.

Those present:

Zoning Hearing Board: Peter Solor, Chair

 James Dougherty, Vice Chair

 Judi Reiss, Secretary

 Matthew Connors, Member

 Christian Schwartz, Alternate Member

Others: Dan McLoone, Planner

 Barbara Kirk, Township Solicitor

 Adam Flager, Zoning Hearing Board Solicitor

Absent: Mike McVan, Zoning Hearing Board Member

 James McCartney, Supervisor Liaison

OTHER BUSINESS

Mr. Solor stated Appeal #Z-23-2019 was originally scheduled for tonight.

Mr. Flager stated that Appeal will be moved to the first meeting in September.

APPEAL #Z-23-2020 – DANIEL KOSTINSKY

Tax Parcel #20-008-043

0 DELAWARE RIM DRIVE, YARDLEY, PA 19067

Mr. Daniel Kostinsky and Mr. Thomas Borghetti, engineer, were sworn in.

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 Post-Construction

Stormwater Management Plan narrative 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.

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Mr. Kostinsky stated his home is in the 60/70% completion phase of construction.

He stated he and his fiancée purchased the property from a gentleman who had

hoped to develop the property for his family, but he moved. Mr. Kostinsky

stated the property came with very specific site difficulties as far as fitting

everything in. He noted the back of the yard on the Site Plan and noted the

location of the septic “micro-mound” system, and they cannot put anything on

top of that. He stated there is also stormwater infrastructure in the back right

corner and that will consist of an infiltration berm as well as a bed for detention.

He stated the majority of the back yard cannot be used, and they cannot use

the right side as there are septic tanks, a well, and propane tanks there.

Mr. Kostinsky stated they are asking for the Board to approve some Zoning

relief for a few things. He stated the first is a front yard setback. He stated

the way the property is located, it has a primary frontage on Delaware Rim

Road with a secondary frontage, since it is a corner property, on Dell Drive,

which is a dead-end street. He stated they do not have any neighbors that

are beyond that as the street dead-ends right next to them.

Mr. Kostinsky stated they are looking to put in a pool, and the only place it

could be placed would be “tucked away” on the left side of the back yard

split between the house and the driveway so that you could access the pool

deck from a gate along the driveway. He stated they are requesting a Variance

for a reduced front-yard setback. He stated there is a 40’ requirement on the

side, and they are requesting to reduce it to 6.9’.

Mr. Kostinsky stated the second request is to put a fence within the setback.

He showed the location of the fence on the Plan. He stated they need a

Variance for this from the side property line.

Mr. Kostinsky stated they are also requesting a Variance for impervious surface.

He stated they are requesting to go to 21.8%, and under the Code they are

allowed 18% for this lot. He stated they are therefore requesting a 3.8%

increase.

Mr. Kostinsky stated the way the project was designed when it was Permitted

as a new construction home, the stormwater infrastructure was sized with the

anticipation that in the future, they would seek to build a pool. He stated

their engineer sized the system to accommodate this additional impervious

surface with the caveat being that they would agree to mitigate any new

impervious surfaces down to the required maximum of 18%. Mr. Kostinsky

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stated they can do that from within the existing Plan since it was properly

designed from the start. He stated the Stormwater narrative discusses this,

and he assume the Building Department will look at that. He added that their

engineer did speak to the Building Department, and he believes they agreed

that there is no other place to put the pool.

Mr. Kostinsky stated as he was preparing for tonight’s Hearing, he realized

today that because they do not have a Permit for the Pool, no one thought

about where to put the pool equipment, and he is sure that will be a question

that might arise. Mr. Kostinsky noted on the Plan the corner of the pool deck

and stated it does not really have an exact connection to the existing walkway,

and there might be 6” in between; and as part of the request he would ask to

be permitted to be able to accommodate about 20 to 25 square feet for the

pool pad which ideally he would like to place in the back left corner where the

concrete “wash-out” is although he is not sure that would not trigger a Variance

for a setback for that. He stated he is open to whatever makes sense, although

he would not want to run hundreds of feet of lines if he does not have to.

He stated he would also like to connect the walkway to the pool deck.

Mr. Kostinsky stated the engineer has indicated that they may be able to

request 22% impervious which would accommodate about an additional 40

square feet which would allow them to get the pad in without having to make

adjustments or put it in a “weird place,” and also to connect the walkway to

the pool deck for practicality purposes. He stated they believe it might be able

to be done under the de minimus statute.

Mr. Kostinsky stated he is open to the Board’s suggestions as it was their dream

to build a home in Bucks County with a pool to be enjoyed by a future family.

Mr. Borghetti stated to accommodate the additional impervious the actual

facility did not have to change at all in terms of the size of the berms, the

structure, and the pipes. He stated they did have to add a pool drain on the

southern side of the pool with a pipe that would go to the swale they had

already designed to get to the infiltration berm.

Mr. Dougherty stated he understands that the stormwater management

system was already sized to include the pool and even the pool equipment

pad. Mr. Borghetti stated it was sized to include extra impervious; and when

they include the design for the pool and add those numbers in, all of the

calculations still worked for the stormwater that was provided.

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Mr. Dougherty asked what is the maximum impervious surface that the

stormwater management system can mitigate right now. Mr. Borghetti stated

the maximum they have looked at is the 22%. Mr. Solor stated the question is

what was it sized for, and Mr. Borghetti stated as designed today, they have

only seen it work for 22%. He stated they did not run the numbers for 23% but

it was extremely close with 22%. Mr. Dougherty stated he understands that as

designed it can manage 22% back down to 18%, and Mr. Borghetti agreed.

Mr. Solor asked Mr. McLoone how this sized detention basin ended up on a

single Residential property, and he asked if it is just for this property alone.

Mr. McLoone stated he believes it was because of where the property is

located in general because there are a lot of wetlands and other resource-

protected land near it. He stated he believes that they were overcompensating.

Ms. Reiss asked if there is a small creek, and Mr. Kostinsky stated that there

is a small creek that is located behind their property line. He stated the

neighbor has a small waterway on the side of his house, and all of the rain

water from the street drains to a catch basin which deposits into his neighbor’s

waterway which takes it back to the creek.

Mr. Kostinsky stated the way he is managing stormwater is both permeable

paving at the driveway for all the roof leaders for the most part, and then the

sheet drainage is running to the berm. Mr. Kostinsky stated it is already installed,

and it does a good job. He stated nothing gets the berm because it is a big hill in

the back yard all around.

Mr. Solor asked how the pervious paving is accounted for in the calculations,

and Mr. Kostinsky stated he understands that for the overall 22% that they

are mitigating, they are utilizing both the berm and detention area and also

the permeable paving. He stated he does not believe that anything from the

pool deck is utilizing the permeable paving because it does not go in that

direction, and they have the drainage that slopes toward the detention area.

He stated he believes that the permeable pavers that are specified and are in

the process of installation are just for the roof leaders; and that is how they

have it constructed, and there is a pipe around the landscaping and the house,

and they have the roof leaders leading to a 4” pipe that empties out into the 3’

of stone they have under the driveway.

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Mr. Dougherty asked Mr. Flager if there is an issue from an advertising stand-

point because it came before the Board with 21.8% proposed, and now it will

be 22% because of the future pool equipment pad. Mr. Flager stated this

could be a revised request, and if it is being increased it is .2%; and he feels

the advertising was fine since ultimately they are still putting people on notice

that they are going over. He stated the fact that it would be .2%, he feels

would be a de minimus change in that so he does not feel we would have to

re-advertise to go up to 22%.

Mr. Solor asked Mr. McLoone the need for the Variance for the side yard

setback, and Mr. McLoone stated he believes that it is for the deck; however,

Mr. Solor stated the deck does not extend there and it stops 30’ short.

Mr. Kostinsky stated he understands that they technically have front yard

setbacks in two locations. He stated they have a 40’ front setback along the

actual front of the house, but also on the left side of the house because that

is typically how corner lots typically work where there are two front yard

setbacks. He stated both the pool and the decking are within that front yard

setback of 40’. He noted the dashed line that runs through the pool steps are

within the pool, and that is the 40’ marker. Mr. Solor stated the side yard

setback would be coming off of Dell Drive, and Mr. Kostinsky stated while he

is calling it a side yard, the Code considers a front yard even though it is on

the side. Mr. Connors stated it is 40’ on both.

Mr. Connors asked if the decking that has been referred to is an actual deck

or is it a patio at grade. Mr. Kostinsky stated it will probably be concrete,

but they put an aesthetic paver/porcelain paver on top of it, or they may

do stamped concrete. He stated it is impermeable.

Mr. Connors stated he does not believe that requires a setback if it is at grade.

Mr. McLoone stated he agrees that is correct. Mr. Dougherty stated we would

not therefore be rendering a decision on the setback, and Mr. Connors stated

he does not believe that they need a Variance for the setback based on what

he is seeing on the Plan. Mr. Kostinsky stated it was explained to him that you

cannot have a pool or decking within a front yard setback; and since Dell Drive

is considered a front yard, they would need the Variance. Mr. Connors agreed

that is a front yard because it is a corner lot.

Mr. Connors stated there is a 6’ pool fence on Dell Drive that appears to be

on the property line, and Mr. Kostinsky agreed that is how it is currently drawn.

Mr. Connors stated in the past, the Board has been unwilling to grant Variances

on dual-frontage lots without some setback. He asked Mr. Connors to describe

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the fence that he is looking to install. Mr. Kostinsky stated on the drawing it is

specified as a vinyl fence, but that was not his intention. He stated he is doing a

black steel fence that has see-through pickets, spaced 4” apart which he feels

will match nicely with the home design. He stated putting the pool where it is

proposed will allow for safety, and he also did not want to get the pool too

close to the channel drain that is on the edge of the pool deck. Mr. Kostinsky

stated he is proposing a 6’ high, see-through fence. He stated while there is

no one to block the view from other than the neighbor across who they are

friendly with. Ms. Reiss stated Dell Drive is not a regular street. Mr. Kostinsky

stated they are the only driveway there. Ms. Reiss stated she is not even sure

why it is there. Mr. McLoone stated it is a stub road. Ms. Reiss stated you

would not be able to build back there. Mr. Kostinsky agreed that you could

not build there because of the stream. Mr. McLoone stated it could eventually

be made a paper road, and then Mr. Kostinsky and his neighbor could have

more property.

Mr. Solor stated fronting Delaware Rim, it is showing a fence extension there;

and he asked if that is part of this and is it a concern extending into the setback

of Delaware Rim. Mr. Kostinsky stated they are not putting a fence there, and

he showed on the Plan where the fence is going. Mr. Solor stated that is there-

fore a non-issue.

Mr. Solor asked Mr. McLoone if the Township has done any “cross check on the

narrative” and calculations; and Mr. McLoone stated when the Permit was

submitted for the new home, the stormwater was calculated and was accurate

for the amount it is able to mitigate to 22%.

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

Mr. Dougherty moved and Ms. Reiss seconded to approve the Appeal subject

to mitigating the proposed 22% impervious back to 18%. Included in that 22%

is a future pool equipment pad. The only caveat of this approval is the Town-

ship engineer needs to verify that the pool equipment pad does not push the

impervious past 22%.

Mr. Solor asked that the approval also include approval of a front yard setback

on Dell Drive reduced to 6.9’ and that the fence will be a steel picket fence 4”

on center.

Mr. Dougherty and Ms. Reiss were in favor of the additions to the Motion,

and the Motion carried unanimously.

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APPEAL #Z-23-2023 – CHRISTOPHER HEINTZ

Tax Parcel #20-024-180

1543 CANDACE LANE, YARDLEY, PA 19067

Mr. Flager marked the Exhibits as follows: The Application was marked as

Exhibit A-1. The Plans were marked as Exhibit A-2. The Zoning information,

the impervious calculations, was marked as Exhibit A-3. The Impervious

Surface Breakdown Calculations and Stormwater Management Small Project

Volume Control 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. Christopher Heintz and Ms. Victoria Heintz were sworn in.

Mr. Heintz stated they are looking to build a rear patio on the back of their

house. He stated it will impede on their impervious surface. He stated they

are currently at the limit with nothing out back, and anything they would do

outside for a porch or a patio is going to increase the impervious surface.

He stated they have a deck, but they do not like it; and they want to do a

stamped concrete patio. He stated they are full sun in the back all summer

long, and there is no shade, so they want to build a porch that covers about

two-thirds of the patio. He stated they are asking for approval to increase

the impervious surface.

Mr. Heintz stated he did include a proposal for stormwater management

digging a trench filled with stone for run-off. He stated they also have a

retention basin behind them. He stated also last summer he put in a

retaining wall along the back of the property that has eighteen ton of

stone behind it as well. He stated he assumes that would collect most

of the water that is going to run off. He stated their back yard is not

exactly level and it does slope so that the water does run to the back of

the property as designed per the Plans when the house was built.

Mr. Heintz stated their impervious surface currently is 28% which is allowable,

and they are asking to go up to 34.3%, adding about 950 square feet of patio.

Mr. Heintz stated he spoke to Mr. McLoone about the retaining wall, and he

had indicated that is usually not taken into consideration; but he is asking if

he could get a “little bit of lenience” for not making the trench so big to fill

with stone in the back yard. He stated he does have pictures of the retaining

wall to show all the stone that is in there.

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Ms. Kirk stated in looking at the impervious surface calculations, the retaining

wall is not included, and the impervious calculations will be higher depending

upon the size of the retaining wall. Mr. Heintz stated he believes that it was

in the calculations, and Mr. Solor agreed it is shown as 124 square feet.

Mr. Solor asked Mr. McLoone what triggers a rear yard setback. He stated

Mr. Heintz is asking for a roof over the patio, and he asked if that triggers the

back yard setback. Mr. McLoone stated the Plan indicate “open porch,” and

decks can go into the rear yard setback. Mr. Solor stated it says “covered,”

which he assumes it is a roof, and he asked if that triggers a rear yard setback

issue. Mr. Heintz stated he was under the impression that if it is open on

three sides, it does not impede on the setback. Mr. McLoone stated if it is

open on three sides, he does not believe that it would be fully covered, and

he does not think it would require a setback. Mr. Solor asked what would

trigger that. Mr. McLoone stated he thinks it would need to be fully enclosed

and part of the dwelling such as an addition.

Mr. Dougherty asked what is allowable in this District, and Mr. McLoone stated

it is 28%. Mr. Dougherty asked Mr. McLoone if he reviewed the Stormwater

Management Plan and asked if it mitigates it back to 28.6%, and Mr. McLoone

stated it does.

Mr. Solor stated the proposal is to mitigate it back to 28.6% and not back to

28%, and Mr. Heintz agreed. Mr. Solor stated it was noticed that they are

trying to rely on some of the tree coverage for volume reduction, and the

Board typically is not in favor of that. Mr. Heintz stated he just added them

because they are in the yard, and he would agree to make the trench bigger

if that is required. Ms. Reiss stated trees have a natural life, can be diseased,

hit by lightning, and the next person who moves in may take them out.

She stated they cannot count them as a permanent way of ameliorating water

problems.

Mr. Dougherty stated Mr. Heintz had earlier asked for a little leeway regarding

the retaining and the 18 ton of loose stone, but there is not an engineering

report that would be part of the stormwater management with an engineer

indicating that it would mitigate a certain amount of run-off. He stated since

that was not provided, he would not be willing to grant leeway on that.

He stated since a seepage bed is going to be installed, he feels that it should

be done right the first time; and Mr. Heintz stated he would agree to that.

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Mr. Connors stated that stone would probably not get the water back into the

ground like they would want in a seepage bed.

Mr. McLoone stated the seepage bed would only need to be 3’ longer to mitigate

the full 158 cubic feet.

Mr. Solor asked Mr. Heintz if he talked to the neighbor in back, and Mr. Heintz

stated they do not have any neighbors behind them. He stated there is a farm

behind them. He stated he believes that the retention basin is more for the

run-off from the farm water.

Ms. Kirk noted the blue-shaded area on the Plan, and she asked Mr. Heintz if

that is the proposed concrete patio. Mr. Heintz stated the blue-shaded area is

the covered part of the patio. Ms. Kirk asked if the section next to it that was

noted as “open patio” is also concrete, and Mr. Heintz agreed it would be

stamped concrete. Ms. Kirk asked if the deck that they have now covers all of

that area, and Mr. Heintz stated it does not. Ms. Kirk asked how much larger

is the concrete patio going to be than the existing deck, and Mr. Heintz stated

the deck is now is 12 by 16, and it will probably be close to 700 square feet

bigger.

Ms. Kirk stated looking at the plan from the blue-shaded area to the dark-shaded

area, she asked if that is a concrete walkway; and Mr. Heintz agreed. Ms. Kirk

stated there is also a little section jutting out that says: “Proposed rear walk,”

and she asked if that exists, and she asked the purpose of that little bit if there

is going to be a walkway connecting the dark-shaded area to the blue-shaded

area. Mr. Heintz showed his driveway on the Plan, and when you back out of

the garage you can turn and then go straight. Ms. Kirk asked what the area

noted as “Proposed Rear Walk” is, and Mr. Heintz stated he believes it means

a piece that he showed on the Plan. Ms. Kirk asked if that is existing, and

Mr. Heintz stated there are pavers there but they are going to remove it to

make an area grass and then put in the concrete walkway. Ms. Kirk asked if

that concrete walkway was included in the calculations with the deck, and

Mr. Heintz agreed.

Ms. Kirk asked Mr. Heintz who engineered the stormwater trench being

proposed, and Mr. Heintz stated he came up with it. Ms. Kirk asked Mr. Heintz

if he knows if anyone has reviewed the dimensions of the stormwater trench

as being capable to reduce the stormwater on the property back to the 28.6%.

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Mr. Heintz stated he did show it to his architect who did the Plans, and he

indicated that it would. Ms. Kirk asked if in the event that the Township

engineer reviews the Stormwater Plan and ascertains that it is not large enough

to hold the additional stormwater run-off, would Mr. Heintz be agreeable to

modifying the trench to meet the Township engineers’ requirements; and

Mr. Heintz stated he would be. Ms. Kirk stated she understands that this is

going to be a stone trench, and Mr. Heintz agreed. Ms. Kirk asked where it is

proposed to be placed, and Mr. Heintz showed on the Plan where it is proposed

to be located. Ms. Kirk asked if that is the lowest level grading of the property.

Mr. Heintz stated the lowest level would be the wall, and this would be “inside

the wall.” Ms. Kirk stated it will be between the retaining wall and the proposed

patio area, and Mr. Heintz agreed. Mr. Heintz stated this is where the property

slopes; and if water were running, it would run across the top of that first before

getting to the wall.

Ms. Kirk asked Mr. Heintz if they have constructed any features on the property

since they purchased it, and Mr. Heintz stated he has not. Ms. Kirk asked if the

shed was there, and Mr. Heintz agreed.

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

Mr. Solor moved, Mr. Dougherty seconded and it was unanimously carried to

approve the increase to 34.3% proposed impervious surface to be mitigated

back to 28.6% using an infiltration trench to the satisfaction of the Township

engineer.

APPEAL #Z-23-2024 – RENEE RODRIGUEZ

Tax Parcel #20-039-174

1632 S. CRESCENT BLVD, 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 Calculations and Stormwater Management Small Project Volume

Control 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.

Ms. Renee Rodriguez and Mr. Dominic Donahue were sworn in.

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Mr. Donahue stated they want to have a shed placed in their yard. He stated

with the property lines and back quarter where it is supposed to be would put

their shed in the middle of their yard. He stated they are looking for a Variance

to move it to the side of the property, off the left corner of the house about 35’

in so it is not in the middle of their property.

Ms. Kirk stated the side where they want to place the shed to the rear is to the

left of the house, and Mr. Donahue agreed. He showed the location on the Plan.

He stated it is an 8 by 16 shed; and if they had to go to 10’ they would need 36’

at a location he showed on the Plan which would put the shed at a location he

showed on the Plan which would cause them to lose that whole section of the

property.

Ms. Kirk asked how close to the side property line are they proposing, and

Mr. Donahue stated they are open to it; and if it has to be 10’ off the property

line, they would do that, but they would like to set it back closer, and he asked

if they could go 5’ which would be a little better so that they would still have

room for their kids and the dog to play. Ms. Kirk stated they are proposing

about 5’ off the property line, and Mr. Donahue agreed. He added that it is

about 45’ from the corner of the house to a location he showed on the Plan

which is about where they would like to put the shed.

Ms. Kirk stated it appears that the shed will add about 128 square feet to

what is on the property, and Mr. Donahue agreed. Ms. Kirk asked if they

put anything else down since they bought the property other than the shed,

and Mr. Donahue stated they did not. Mr. Donahue stated the only thing

they put up since they bought the property was a fence for which they got

a Permit.

Ms. Kirk asked if they did any stormwater management calculations for water

run-off, and Mr. Donahue stated he just did what was in the “workbook.”

He stated the second time they went through it, they “saw about the trees,

but they heard tonight about the trees.” He stated the shed will be placed on

a stone pad. He stated the shed is 8 by 16, and they were going to do a 10 by

20 pad. Ms. Kirk stated that will increase the impervious surface because

that was not calculated. Mr. Donahue stated it will just be a stone pad – not

concrete. Ms. Kirk asked what type of footers will be put under the shed; and

Mr. Donahue stated they were trying to figure that out, but it would be stone

if that is what they can do.

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Ms. Kirk asked if they are open to installing a stormwater drainage pit if proposed

by the Township engineer, and Mr. Donahue agreed. Ms. Kirk asked if there is a

section in the rear corner of the property or behind the house where they would

not have any issues. Mr. Donahue stated they are up on a little bit of a hill.

Ms. Kirk stated she understands that this is not the Applicants’ fault, but the

maximum coverage for that area is 18%, and they are already over it by 21.7%.

She asked if they would be willing because of the situation with stormwater

and the flooding that has been going on to install a drainage pit sufficient to

have a net effect of bringing it back to 18%. Ms. Kirk stated she does not know

what size that would be. Mr. McLoone stated he did the calculation that would

bring it back to the existing which would be 2 by 4 by 8, but he does not know

what it would be to get it back to 18. Mr. Solor stated it would probably be

pretty significant if that is what is required for .7%, and it would probably be

four to five times that.

Mr. Dougherty asked if he had discussions with the three neighbors who

border that side property line, and Mr. Donahue stated they did not.

Mr. Dougherty asked if there was a reason they did not, and Mr. Donahue

stated there was not a reason. Mr. Dougherty stated a lot of times when

someone is going to build something that is inside the setback, they check

with their neighbors to see how they feel about it.

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

Mr. Dougherty stated he is trying to determine what a reasonable setback is.

He stated he sees that they have a highly-irregular shaped lot, but added

no one made them buy the lot.

Ms. Kirk asked the width of Mr. Donahue’s lawn mower, and Mr. Donahue

stated it is 50” or 51”. Ms. Kirk stated she would suggested that it be set at

a sufficient amount of space in order to be able to mow behind there and

maintain it. Mr. Solor stated that would be 5’.

Mr. Connors asked if there is a fence there, and Mr. Donahue stated that there

is a fence which is 1’ in off the property line. Mr. Connor stated if they approved

it at 6’, that would give them 5’ between the rear wall and the fence. Mr. Donahue

stated they would be fine with that.

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Mr. Solor stated he assumes they would be talking about a dry well for this size

change. Mr. McLoone asked if a dry well would be preferred over a seepage

pit, and Mr. Solor stated it could be a seepage pit. Mr. Connors stated it may

be best to allow the Applicant to deal with the Township to come up with an

plan as it may be easy to pipe the roof into a stone pit with some PVC.

Mr. McLoone advised Mr. Donahue that he could come into the office to

work with him on this if the Variance is approved.

Mr. Dougherty moved, Ms. Reiss seconded and it was unanimously carried to

approve the Appeal wherein the side setback of the shed will be 6’, no closer,

and wherein the stormwater management is going to be mitigated from

22.47% back to 21.7% subject to approval of the Township engineer.

There being no further business, Ms. Reiss moved, Mr. Connors seconded and

it was unanimously carried to adjourn the meeting at 8:25 p.m.

 Respectfully Submitted,

 Judi Reiss, Secretary