

TOWNSHIP OF LOWER MAKEFIELD  
ZONING HEARING BOARD  
MINUTES – APRIL 21, 2026

The regular meeting of the Zoning Hearing Board of the Township of Lower Makefield was held in the Municipal Building on April 21, 2026. Mr. Dougherty called the meeting to order.

Those present:

|                       |                                |
|-----------------------|--------------------------------|
| Zoning Hearing Board: | James Dougherty, Chair         |
|                       | Christian Schwartz, Vice Chair |
|                       | Mike McVan, Secretary          |
|                       | Larry Borda, Member            |
|                       | James McCartney, Member        |

|         |                                             |
|---------|---------------------------------------------|
| Others: | Dan McLoone, Planner                        |
|         | Adam Flager, Zoning Hearing Board Solicitor |
|         | Judi Reiss, Supervisor                      |

APPEAL #Z-25-48 – FELIZ/VON SPRECKELSEN  
Tax Parcel #20-021-006  
1675 YARDLEY LANGHORNE ROAD, YARDLEY, PA 19067  
(Continued from 3/17/26 Meeting)

Mr. Flager stated Board members have received an identical e-mail from a Township resident who has been advised that the Board should not receive communications about pending matters before the Board. He stated those with opinions on matters before the Board can make their comments known through public comment at a Board meeting. He stated another proper way to make opinions known is through your attorney. He stated it is not proper to reach out directly to a Zoning Hearing Board member. He stated the only way public comment is heard is if it is made at the Zoning Hearing Board meeting. He stated what is on the Record is what is in front of the Board and not an Ex parte communication that the Board has with someone. He stated the Zoning Hearing Board is a quasi-judicial body. He stated what goes in front of the Board is entered into evidence whether it is testimony, Exhibits, etc., and that is the evidence that the Board makes decisions on not e-mails.

Mr. Dougherty stated there are people in the room; and while the Board will hear public comment, there cannot be discussion of the matter since the Applicant is not present to answer questions. He stated the Board

can hear questions/comments that relate to the Continuance that has been requested by the Applicant.

Mr. Dougherty stated the Applicant (car wash) has requested a Continuance to July 21, 2026. Mr. McCartney asked how long are Continuances typically, and Mr. Flager stated this is a 90-day request. Mr. Flager stated originally they requested that it be open-ended; however, they do not usually do that. He stated when that has been done previously, when the Parties are ready they notify Mr. McLoone/Mr. Flager that they want to be put back on the Agenda. He stated the matter is then re-advertised. He stated instead of it being open-ended, it will be a 90-day Continuance understanding that July 21 is vacation season; and the Parties are agreeable to moving it to a date when there is a full Board available. Mr. McCartney asked if 90 days is reasonable and customary. Mr. Flager stated it depends on the project as sometimes only a 30-day Continuance is necessary. He added that because of the contentious nature of this Application, they recognize that a lot more work needs to be done; and this gives them more time to try to resolve some of the issues.

Mr. Dougherty stated he understands that if this needs to be pushed further because of vacations, etc. they could also withdraw the matter and re-apply since they would have to re-advertise anyway. Mr. Flager stated that was discussed with the Applicant's attorney, Ms. VonSpreckelsen, but they did not want to do that for internal reasons as they have a Lease and need to have this pending in order to comply with those terms. Mr. Flager added that when they come back, especially if the Plans have been revised, they will have to start somewhat anew since it would be difficult for everyone to remember what was heard four to five months ago. He stated their witnesses will be back especially if there are changes to the Plans to go over any changes and discuss how it differs from the old Plan so that everyone is familiar with the Plans.

Mr. Schwartz stated he assumes they will start testimony from scratch if they come back with a new Plan, and Mr. Flager agreed to some degree.

No one present in the meeting room wished to make Public Comment at this time.

Ms. Reiss stated the Board of Supervisors feels it would be more prudent to make sure that this is not scheduled during vacation time since many residents and attorneys are on vacation during this time.

Mr. Schwartz moved, Mr. McCartney seconded and it was unanimously carried to Continue the Appeal to July 21, 2026.

#### OTHER BUSINESS

Mr. McLoone stated the Board will next meet on May 5. He stated 1 Sutphin Road will be on this Agenda which is the Giagnacova matter coming back before the Board after two previous Variance requests. He stated the Plans have changed since they were last before the Board. He stated they are now asking for a Use Variance to have an additional unit in a non-conforming home as well as a rear yard setback for a home. Mr. McLoone stated he will provide the Board with the prior Decision Notices as well as the Minutes when this was heard previously when the packet is sent out to the Board.

Mr. McLoone stated two other standard matters will be heard that evening as well.

There is nothing scheduled currently for May 18, and Mr. Flager stated that meeting can probably be canceled at the May 5 meeting.

Mr. Dougherty stated his term ends on June 2 which would be the date of the first meeting in June. He asked if he should still participate at the June 2 meeting. Mr. Flager stated he will check into this with the Township, but he assumes that Mr. Dougherty would participate at that meeting.

There being no further business, Mr. Schwartz moved, Mr. McCartney seconded and it was unanimously carried to adjourn the meeting at 7:50 p.m.

Respectfully Submitted,

Mike McVan, Secretary