

## **Zoning Hearing Board Monthly Minutes**

**August 7, 2025**

In Attendance: Joanne Redding; Joanne Fields; Al Champion; Tony Cascerceri; Tom Panzer, Esquire; and Kenneth Farrall

1. Open meeting with the Pledge of Allegiance
  - a. Led by Joanne Redding
2. Statement of Rules and Procedures
  - a. Issued by Tom Panzer, Esquire
3. Approval of last month's Minutes—July 9, 2025
  - a. Motion to Approve
    - i. Joanne Fields
  - b. Second Motion to Approve
    - i. Al Champion
  - c. Vote to Approve last month's Minutes—July 9, 2025
    - i. 4/4 Ayes
4. Continued hearing for ADE LLC
  - a. Appeal Number: 2025-1700
  - b. Location: 987 & 1001 Bristol Pike
  - c. Tax Parcel: 02-029-202 & 02-029-304
  - d. Request: Use variance to permit apartments in a G-C Zoning District. Variance for impervious coverage (non-conforming) and from providing a loading and unloading zone.
  - e. Attorney: Bryce H. McGuigan, Esquire—Begley, Carlin, & Mandio LLP
  - f. Exhibits
    - i. A3—Photograph Packet
      1. Pages 1-4: revised plans
      2. Pages 5-7: Photographs of property in its present state
      3. Pages 8: Side of the property with the dumpster
      4. Page 9: The exterior of the property
      5. Pages 10-13: Neighboring properties
  - g. Summary
    - i. The concept that was initially stated at a previous hearing has not changed. The applicant took the Board's recommendations and redesigned the plan. The entire first floor will be used for commercial use. The top two (2) floors will be for residential luxury apartments. There will be 24 parking spaces provided. The dumpster area has been moved to the rear of the lot. The side of the property will be lined with trees. Mr. McGuigan summarized the reasoning for the changes which were mentioned at a previous hearing. The same variances are still being requested. The Applicant was sworn in and adopted Mr. McGuigan's summarization as testimony. Al Champion asked if the applicant has any ideas as to what business type, he had in mind to rent the second commercial property. The applicant stated he would like to rent the second unit to a younger person who needs to work from home. The

building, in its present form, is old. The possible office space can be used for an attorney, architect, or engineer. Al Champion stated there is still not enough parking for the residents, restaurant customers, and the other commercial business. Mr. McGuigan stated the applicant is willing to agree to conditions regarding the future use of the property. Joann Redding reminded the Board and Applicant of the parking issue with the Waterside Café. Joanne Fields asked about seating in the restaurant. The applicant stated the restaurant will be more for carry-out. Joanne Redding wanted to know the number of tables and chairs. No clear answer was given. Al Champion stated the plan being presented does not make sense. Mr. McGuigan stated he did not have answers regarding the café because the café issues did not come up at the last hearing. Joanne Redding is suggesting requesting parking variance because of the 24 parking spaces for 2 businesses and six (6) apartments are not enough. Al Champion read aloud the parking ordinances and agreed with Joanne Redding that there is not enough parking spaces available. Mr. McGuigan requested a Continuance to the September 4, 2025 date to give time to re-examine the apartment concept. The floor was opened to the audience. Mr. James Hope came forward in favor of the application. He believes the concept would be an improvement to the property.

- h. Motion to Continue Hearing to September 4, 2025
  - i. Motion to Continue
    - 1. Tony Cascerceri
  - ii. Second Motion to Continue
    - 1. Al Champion
  - iii. Vote to Continue Hearing to September 4, 2025
    - 1. 4/4 Ayes
- 5. Continued Hearing for C & M Best Choice LLC
  - a. Appeal Number: 2025-1686
  - b. Location: 4128 Street Road
  - c. Tax Parcel: 02-001-009-001
  - d. Request: Variance to permit multiple signs to be over required 50 square feet
  - e. Attorney: Dave Shafkowitz, Esquire
  - f. Exhibits
    - i. A7-Revised sign size plane designed by BSD Design
  - g. Summary
    - i. Tom Panzer reviewed notes from the previous hearing. The ordinance was also reviewed. Mr. Shafkowitz stated the owner understands his miscalculations and described the front and side façade. Mr. Shafkowitz also compared the old design plan with the revised one. Isaac Elmakis was sworn in. He stated he prepared the revised plan and adopted Mr. Shafkowitz's summary as testimony. Al Champion stated he was happy to see a size reduction; however, still foresees future issues with the size of the front sign. Joanne Redding, as stated in the previous hearing, the front sign is

still too large and does not work. Tom Panzer asked Mr. Elmakis about the calculations of the sign and Mr. Elmakis gave clarification. It was stated that the dimensions of the letters did not change; just relocated. Tom Panzer state his understanding of the calculations differ. Joanne Redding stated the sign is too big and the lettering is huge. She once again stated it does not work. It was mentioned that the Township Zoning Officer's calculation needs to be outlined. The applicant is willing to work with the township to obtain compliance. A continuance to October 2, 2025 was requested. No one from the audience came forward in favor or opposition of the application at this time.

- h. Motion to Continue Hearing to October 2, 2025 with readvertisement
  - i. Motion to Continue
    - 1. Al Champion
  - ii. Second Motion to Continue
    - 1. Joanne Redding
  - iii. Vote to Continue Hearing to October 2, 2025 with readvertisement
    - 1. 4/4 Ayes
- 6. Continued Hearing for Robert Jo Lucus
  - a. Appeal Number: 2025-1686
  - b. Location: 525 Wicker Ave
  - c. Tax Parcel: 02-065-008
  - d. Request: Variance for side yard setback for greenhouse & deck separation less than 10 feet from garage
  - e. Exhibits
    - i. A1-Application with Attachments
    - ii. A2 Certificates of Service
    - iii. B1-Letter to the Applicant
    - iv. B2-Proof of Publication in the Bucks County Courier Times
    - v. B3-Proof of Posting on the Property
  - f. Summary
    - i. Mr. Lucus was sworn in. He stated he wanted a fence. Quinton came out and stated a variance was needed for the previously constructed green house and deck. It was stated the greenhouse was constructed ten (10) years ago and the only issue is the setback. The Board had no questions or comments. The floor was opened for public comment. Mr. Charles Schweitzer came forward in favor of the request because he has no issues.
  - g. Motion to Close Testimony
    - i. Motion to Close
      - 1. Tony Cascerceri
    - ii. Second Motion to Close
      - 1. Al Champion
    - iii. Vote to Close Testimony
      - 1. 4/4 Ayes

- h. Motion to Approve variance request for a side yard setback for a greenhouse and deck separation less than ten (10) feet from the garage as built.
    - i. Motion to Approve
      - 1. Tony Cascerceri
    - ii. Second Motion to Approve
      - 1. Al Champion
    - iii. Vote to Approve Variance request for a side yard setback for a greenhouse and deck separation less than ten (10) feet from the garage as built
      - 1. 4/4 Ayes
- 7. Continued hearing for Agnesa & Mitchel Leyzerzon
  - a. Appeal Number: 2025-1778
  - b. Location: 4726 Oak Ave
  - c. Tax Parcel: 02-005-279
  - d. Request: Variance to allow existing structure to be utilized as two (2) dwellings
  - e. Attorney: Michael J. Meginniss, Esquire—Begley, Carlin, Mandio LLP
  - f. Summary
    - i. A Continuance to October 2, 2025 was requested.
  - g. Motion to Continue Hearing to October 2, 2025 with readvertisement
    - i. Motion to Continue
      - 1. Al Champion
    - ii. Second Motion to Continue
      - 1. Tony Cascerceri
    - iii. Vote to Continue Hearing to October 2, 2025 with readvertisement
      - 1. 4/4 Ayes
- 8. Continued hearing for Francis W. Bitting
  - a. Appeal Number: 2025-1836
  - b. Location: 2183 Dunksferry Road
  - c. Tax Parcel: 02-039-152
  - d. Request: Variance for lot area, lot frontage, width, front yard setback, side yards to subdivide lot and construct a dwelling on new lot.
  - e. Attorney: Marc D. Jonas, Esquire
  - f. Exhibits
    - i. A1-Deed to the property
    - ii. A2-Zoning Certification Letter
    - iii. A3-Certificates of Service
    - iv. A4-Aerial Photos of Property
    - v. A5-Site Plan
    - vi. A6-Tax Parcel Map
    - vii. A7-List of non-conforming properties
    - viii. A8-Examples of D. LaRosa Builders Homes
    - ix. A9-Application with Attachments
    - x. A10-Certificates of Service submitted to the Board
    - xi. A11-Amended Application submitted on July 5, 2025
    - xii. B1-Letter to the Applicant

xiii. B2-Proof of Publication in the Bucks County Courier Times

xiv. B3-Proof of Posting on the Property

g. Summary

i. Mr. Jonas summarized the lots and variance needed. A summary of the application and plan submitted was given. Mr. Jonas alleged that the neighbors are in favor of the plan. Licensed Civil Engineer, Robert Cunningham, was sworn in. He reviewed and described Exhibit A4. He described the property in its present form. Mr. Cunningham reviewed exhibits A5, A6, and A7. Al Champion inquired about which other property has similar accessibility. Al Champion also mentioned that subdividing the property closes off access to an accessible road. Joanne Redding stated this is not the only property with a similar issue described by the Applicant. Al champion expressed concern for the possibility of accidents. Tom Panzer reviewed the plans and spoke on his calculations of the lot sizes if subdivided according to the plan. Per Tom Panzer's calculations, there is no need for dimension relief. Tom Panzer inquired about the size of the house on lot two (2). It was stated the house would be thirty (30) feet wide. Francis Bitting was sworn in. He stated he has been a lifelong resident of Bensalem. He completely remodeled the home and plans to reside in the house after the subdivision. He did his research regarding the value of a proposed home on lot #2. Al Champion stated the variance will create a self-inflicted issue with the two (2) lots. Mr. Bitting stated the house was what drew him to the property and made aesthetic changes only. Tom Panzer inquired about the present usage of the lot. Mr. Bitting stated he has been cutting the grass only and plans to remove the trees. No further questions or comments from the Board. The floor was open to public comment. Mr. Robert Blaszczyk came forward and stated the only accidents that happen in the area usually happen on his lawn. He also stated he likes the changes he has seen so far and only sees the property values increasing. Mr. Linden Alfred came up to let the Board know that he believes this is a great addition so far. Prior to Mr. Bitting's ownership the property was an eyesore. A majority of the area is in favor of the request.

h. Motion to Close Testimony

i. Motion to Close

1. Al Champion

ii. Second Motion to Close

1. Tony Cascerceri

iii. Vote to Close Testimony

1. 4/4 Ayes

i. Motion to Deny to permit lot 1 to be 6,663 square feet where the minimum lot area is 7500 square feet; to permit lot 2 to be 5,183 feet in size where the minimum lot area is 7500 square feet; and to permit lot 2 to have a lot width of 50 feet where 75 are required

i. Motion to deny

- 1. Al Champion
    - ii. Second Motion to deny
      - 1. Tony Cascerceri
    - iii. Vote to Deny to permit lot 1 to be 6,663 square feet where the minimum lot area is 7500 square feet; to permit lot 2 to be 5,183 feet in size where the minimum lot area is 7500 square feet; and to permit lot 2 to have a lot width of 50 feet where 75 are required
      - 1. 4/4 Ayes
  - j. Motion to Approve to permit lot 1 to retain the non-conforming front yard setback of 14 feet and to permit lot 1 to retain the nonconforming aggregate side yard setback of 13.8 feet and a side yard setback of 2.6 feet
    - i. Motion to Approve
      - 1. Al Champion
    - ii. Second Motion to Approve
      - 1. Tony Cascerceri
    - iii. Vote to Approve to permit lot 1 to retain the non-conforming front yard setback of 14 feet and to permit lot 1 to retain the nonconforming aggregate side yard setback of 13.8 feet and a side yard setback of 2.6 feet
      - 1. 4/4 Ayes
9. Hearing for Adilya Ulanova
- a. Appeal Number: 2025-2090
  - b. Location: 1018 Weybridge Court
  - c. Tax Parcel: 02-072-132
  - d. Request: Variance for building coverage & shed to be less than 10 feet from existing structure
  - e. Summary
    - i. Applicant was unable to notify neighbors in a timely manner. A Continuance was requested.
  - f. Motion to Continue Hearing to September 4, 2025 with readvertisement
    - i. Motion to Continue
      - 1. Al Champion
    - ii. Second Motion to Continue
      - 1. Tony Cascerceri
    - iii. Vote to Continue Hearing to September 4, 2025 with readvertisement
      - 1. 4/4 Ayes
10. Hearing for Robert Schiefer Jr
- a. Appeal Number: 2025-2128
  - b. Location: 231 Hemlock Ave
  - c. Tax Parcel: 02-064-084
  - d. Request: Variance for impervious coverage to construct a handicap ramp and landing
  - e. Summary
    - i. Applicant was unable to notify neighbors in a timely manner. A Continuance was requested.

- f. Motion to Continue Hearing to September 4, 2025 with readvertisement.
  - i. Motion to Continue
    - 1. Al Champion
  - ii. Second Motion to Continue
    - 1. Tony Cascerceri
  - iii. Vote to Continue Hearing to September 4, 2025 with readvertisement
    - 1. 4/4 Ayes

11. Hearing for Biplob Acharjoy

- a. Appeal Number: 2025-2183
- b. Location: 3638 Morrow Dr
- c. Tax Parcel: 02-16-263
- d. Request: Variance for rear yard setback to construct addition.
- e. Exhibits
  - i. A1-Application with Attachments
  - ii. A2-Certificates of Service
  - iii. B1-Letter to the Applicant
  - iv. B2-Proof of Publication in the Bucks County Courier Times
  - v. B2-Proof of Posting on the Premise
- f. Summary
  - i. Mr. Acharjoy was sworn in. Mr. Acharjoy stated he wants to add an addition to host community gatherings. The home in its present state does not have enough room. Joanne Redding tried to get clarification of the request. It was described that the addition will be more like a hall. Applicant's wife, Mitu Acharjoy, was sworn in and added that the house is small and needs the house to be bigger for them, their four (4) children, and her mother-in-law. Mrs. Acharjoy stated the addition would include a bedroom, bathroom, and an enclosed patio. Joanne Redding stated she has concerns with the plan and what Mr. Acharjoy stated was the construction of a hall. Al Champion stated his confusion over what is being constructed and gave the Acharjoys two (2) options: 1. Go back to the drawing board or 2. Get a decision. Their daughter, Barsana Acharjoy, was sworn in. Ms. Acharjoy stated that she would try to explain what her parents were saying because of a language barrier. Ms. Acharjoy explained that is a hall but not really. The area would be used once a month for a community gathering. Joanne Redding stated that halls cannot be in a residential area. Ms. Acharjoy stated it is more of a large living room. Joanne Redding stated she needs more clarifications, or the space needs to be smaller. Tom Panzer recommended decreasing the size then they would just need to get a permit. Tom Panzer also stated the Board is having an issue with the use of the large space. Ken Farrall offered to work with the Acharjoys to alleviate any issues if they requested a Continuance. Tom Panzer gave the Acharjoys the same options recommended by Al Champion. Mr. Acharjoy requested a Continuance to October 2, 2025. The Board opened the floor to Public Comment. Mr. Louis

Montalbano came forward stating he has no issue with the construction of the addition and he has no comment either way regarding the use.

- g. Motion to Continue Hearing to October 2, 2025
    - i. Motion to Continue
      - 1. Al Champion
    - ii. Second Motion to Continue
      - 1. Tony Cascerceri
    - iii. Vote to Continue Hearing to October 2, 2025
12. Hearing for Bristol FC LLC
- a. Appeal Number: 2025-2167
  - b. Location: 4550 Bristol Road
  - c. Tax Parcel: 02-016-263
  - d. Request: A use variance to permit an indoor soccer facility and front yard setback, building and impervious coverage and required parking
  - e. Attorney: Michael Meginniss, Esquire—Begley Carlin & Mandio LLP
  - f. Summary:
    - i. Applicant requested a Continuance to September 4, 2025.
  - g. Motion to Continue Hearing to September 4, 2025
    - i. Motion to Continue
      - 1. Al Champion
    - ii. Second Motion to Continue
      - 1. Joanne Fields
    - iii. Vote to Continue Hearing to September 4, 2025
      - 1. 4/4 Ayes
13. Hearing for Jessica Balcarrel dba Storm King Inc.
- a. Appeal Number: 2025-2370
  - b. Location: 308 Palton Road
  - c. Tax Parcel: 02-099-019
  - d. Request: Variance for rear yard setback for roof over patio
  - e. Exhibits
    - i. A1-Application with Attachments
    - ii. A2-Certificates of Service
    - iii. B1-Letter to the Applicant
    - iv. B2-Proof of Publication in the Bucks County Courier Times
    - v. B3-Proof of Posting on the Premise
  - f. Summary
    - i. Bayran Usmanove, property owner and Jessica Balcarrel, contractor, were sworn in. Ms. Balcarrel stated she was contracted to add a roof over the already existing concrete patio. The concrete patio was there at the time of purchase in 2020 and was legally permitted in 2012. Ms. Balcarrel described the roof covering. Applicant is requesting minimal relief and has no intention of increasing the patio size. Al Champion inquired about the placement of the gas fireplace since it cannot be inside the enclosure. Ms. Balcarrel stated the gas fireplace will be removed. No further questions or comments

from the Board. No one from the audience came forward in favor or opposition of the applicant's request.

- g. Motion to Close Testimony
    - i. Motion to Close
      - 1. Tony Cascerceri
    - ii. Second Motion to Close
      - 1. Al Champion
    - iii. Vote to Close Testimony
      - 1. 4/4 Ayes
  - h. Motion to Approve variance for rear yard setback for roof over patio with the condition to remove gas fireplace.
    - i. Motion to Approve
      - 1. Tony Cascerceri
    - ii. Second Motion to Approve
      - 1. Al Champion
    - iii. Vote to Approve variance for rear yard setback for roof over patio with the condition to remove gas fireplace
      - 1. 4/4 Ayes
14. Hearing for Tanmay Patel
- a. Appeal Number: 2025-2397
  - b. Location: 1745 Saint Johns Court
  - c. Tax Parcel: 02-099-019
  - d. Request: Variance for rear yard setback to construct deck
  - e. Exhibits
    - i. A1-Application with Attachments
    - ii. A2-Certificates of Service
    - iii. B1-Letter to the Applicant
    - iv. B2-Proof of Publication in the Bucks County Courier Times
    - v. B3-Proof of Posting on the premise
  - f. Summary
    - i. Tanmay Patel was sworn in. Tanmay Patel is looking to replace and extend the already existing deck. The existing deck is corroding and plans to dismantle and replace with a deck that connects with the second deck. Five (5) feet is needed. Cannot do much in the yard due to the slope. Neighbors behind them have tall trees that prevent seeing them in their yard. No question or comments from the Board. No one from the audience came forward in favor or opposition to the request.
  - g. Motion to Close Testimony
    - i. Motion to Close
      - 1. Al Champion
    - ii. Second Motion to Close
      - 1. Tony Cascerceri
    - iii. Vote to Close Testimony
      - 1. 4/4 Ayes

- h. Motion to Approve variance for front yard setback to construct a deck
  - i. Motion to Approve
    - 1. Al Champion
  - ii. Second Motion to Approve
    - 1. Tony Cascerceri
  - iii. Vote to Approve variance for front yard setback to construct a deck
    - 1. 4/4 Ayes

15. Hearing for Ionna LLC

- a. Appeal Number: 2025-2511
- b. Location: 2200 Bristol Road
- c. Tax Parcel: 02051-007
- d. Request: Variance for front yard setback, number of required parking spaces and vision obstruction to construct EV charging stations with canopy
- e. Attorney: Tylr T. Prime, Esquire
- f. Exhibits
  - i. A1-Application with Attachments
  - ii. A2-Certificates of Service
  - iii. B1-Letter to the Applicant
  - iv. B2-Proof of Publication in the Bucks County Courier Times
  - v. B3-Proof of Posting on the Premise
- g. Summary
  - i. Mr. Prime reviewed the attachments submitted with application and the reasons for the variances requested. David Lane, design manager and representative for the applicant, was sworn in. Danari Bensalem is the present owner and is involved in a pending transfer of ownership with another entity. Ionna Inc. has a lease with Danari Bensalem presently. The parking lot where CVS and ShopRite are located needs EV charging stations. Due to the charging stations, the lot will lose nine (9) parking spaces. The designs have not been finalized. The charging stations will be approximately 20 feet from the street line. The request for 17 feet is because of the PECO gas line easement. David Lane adopted Mr. Prime's summary as testimony. Discussions and concerns over the canopy ensued. Regarding the sight triangle, the canopy and trees should not be an issue. The canopy will not be as high as the trees. Ken Farrall stated it could cause an obstruction for vehicles entering and exiting the parking lot. Mr. Prime was unable to give any calculations to the Board because there is no final design. However, they would withdraw the variance request if the canopy was not needed. It was stated the project can be done without a canopy. Tom Panzer stated the Board needs more information, because at this time there was no plan. The Board needs to know where the charging stations will be and the dimensions of the charging stations. Ken Farrall explained to Mr. Prime and Mr. Lane the reasoning behind why a final plan is needed for the Board. Al Champion stated that in 17 years he never issued a variance for a vision obstruction. Ken Farrall suggested shifting the charging stations down a few

spaces to avoid the site triangle all together. A Continuance to October 2, 2025 was requested and they are willing to waive all time frames. Applicant must refine the plan to provide the Board with specific information regarding placement and dimensions.

- h. Motion to Continue Hearing to October 2, 2025, waiving all time frames.
  - i. Motion to Continue
    - 1. Tony Cascerceri
  - ii. Second Motion to Continue
    - 1. Al Champion
  - iii. Vote to Continue Hearing to October 2, 2025, waiving all time frames
    - 1. 4/4 Ayes

16. Hearing for Joseph Palladino

- a. Appeal Number: 2025-2524
- b. Location: 2519 Atlantic Ave
- c. Tax Parcel: 02-029-010
- d. Request: Variance for impervious coverage to exceed 45% for existing paver/patio
- e. Exhibits
  - i. A1-Application with Attachments
  - ii. A2-Certificates of Service
  - iii. B1-Letter to the Applicant
  - iv. B2-Proof of Publication in the Bucks County Courier Times
  - v. B3-Proof of Posting on the Premise
- f. Summary
  - i. Joseph Palladino, realtor for the property and Moleke Abidoeye, property owner, were sworn in. Moleke Abidoeye gave permission to speak on her behalf. Mr. Palladino gave a summary of the variances requested and the property. An existing patio was not permitted and not disclosed by the previous owner. They have been working with the Township. The variances are needed because it is too expensive to remove. No questions or comments from the Board. No one came forward in favor or opposition of the request.
- g. Motion to Close Testimony
  - i. Motion to Close
    - 1. Al Champion
  - ii. Second Motion to Close
    - 1. Joanne Fields
  - iii. Vote to Close Testimony
    - 1. 4/4 Ayes
- h. Motion to Approve variance for impervious coverage to exceed 45% for existing paver/patio.
  - i. Motion to Approve
    - 1. Al Champion
  - ii. Second Motion to Approve
    - 1. Tony Cascerceri

iii. Vote to Approve variance for impervious coverage to exceed 45% for existing paver/patio

1. 4/4 Ayes

17. Correspondence

a. None

18. Adjournment

a. Motion to Adjourn

i. Al Champion

b. Second Motion to Adjourn

i. Tony Cascerceri

c. Vote to Adjourn

i. 4/4 Ayes