

Zoning Hearing Board Monthly Minutes

December 5, 2024

In Attendance: Harry Kramer; Joanne Fields; Joanne Redding; 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-November 7, 2024
 - a. Motion to Approve
 - i. Harry Kramer
 - b. Second Motion to Approve
 - i. Joanne Fields
 - c. Vote to Approve Last Month's Minutes—November 7, 2024
 - i. 5/5 Ayes
4. Continued Hearing for Fred Skalka
 - a. Appeal Number: 2024-3018
 - b. Location: 5723 Kendall Court
 - c. Tax Parcel: 02-049-036
 - d. Request: Variance for shed to be 3 feet from side yard
 - 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. Mr. Skalka was sworn in. He stated his yard is small and would like to place a shed in the back corner of the yard. He is requesting a two (2) foot variance. He plans on replacing the fence and moving the gate. Al Champion and Kenneth Farrall discussed the property. Kenneth Farrall stated is okay with the placement of the shed. Mr. Skalka agreed to be consistent with the drawing submitted with the application. The Board had no further questions or comments. No one from the audience came forward in favor or objection to the applicant's request.
 - g. Motion to Close Testimony
 - i. Motion to Close
 1. Harry Kramer
 - ii. Second Motion to Close
 1. Al Champion
 - iii. Vote to Close Testimony
 1. 5/5 Ayes
 - h. Motion to Approve variance request for shed to be three (3) feet from side yard.

- i. Motion to Approve
 - 1. Harry Kramer
 - ii. Second Motion to Approve
 - 1. Al Champion
 - iii. Vote to Approve variance request for shed to be three (3) feet from side yard
 - 1. 5/5 Ayes
- 5. Hearing for Emanuel Kosacci
 - a. Appeal Number: 2024-3887
 - b. Location: 4821 Street Road
 - c. Tax Parcel: 02-004-187
 - d. Request: Variance to allow setbacks for a parking area
 - e. Exhibits:
 - i. A1-Application with Attachments
 - ii. A2-Certificates of Service
 - iii. A3-Photographs
 - iv. B1-Letter to the Applicant
 - v. B2-Proof of Publication in the Bucks County Courier Times
 - vi. B3-Proof of Posting on the premise
 - f. Summary
 - i. Mr. Emanuel Kosacci was sworn in. He is serving as a witness and counsel. The property consists of his law practice, an ultrasound facility, and an accountant's office. There is an asphalt parking lot in the rear and a gravel area which is being used as an auxiliary parking area. Without the gravel lot, there is not enough parking for all the employees and clients. The neighboring business also has a parking lot the same size as the auxiliary lot. The only difference is the other lot is asphalt covered. He explained the plan and application, the survey completed and the reason for the permit denial. Tom Panzer stated the property actually has 2 front yards. The dimensions are six (6) feet gravel to the lot line. A side bar was taken between Tom Panzer, Esquire and Kenneth Farrall. The Board discussed the dimensions and reviewed the setback line on the plan. Tom Panzer, Esquire reviewed a technicality. The applicant is not sure if Lang Street is an actual street or a paper street. Mr. Kosacci agreed to request another variance for a front yard parking. Tom Panzer, Esquire defined a paper street. The original lot has ten (10) parking spaces. The gravel area would be used for overflow parking. Mr. Kosacci is only aware of one (1) house on Lang Street. Mr. Kosacci is willing to agree to a condition/deed restriction for entrance/exit from Lang Avenue. Members of the audience were welcomed to come forward to state any concerns. Mr. Melissa Powell state the construction of the parking lot started in 2022 and is done late at night. There is already a major flooding issue in the area. She stated she is fearful the flooding issue will become worse. She mentioned an issue with lights. She reported cutting down of the trees and nothing was done. The people are using the property as a place to make a U-Turn. Anthony Delarso,

another neighbor, came forward. He, too, is worried about flooding. He gave history of the area. He feels more comfortable knowing the stone does absorb the water enough to not concern the township. Kenneth Farrall stated he opted for a variance instead of moving the stone. Kenneth Farrall also stated that Mr. Kosacci came into compliance with everything else. Joanne Redding and Kenneth Farrall discussed the parking lot area. Joanne Redding needed clarification from Mr. Kosacci about the amount of stone that was used. Mr. Kosacci stated the contractor did not have the land surveyed. The only thing discussed was the lot size being constructed. Lana Farbman, a neighbor, came forward. She does not mind the installation of the lot. She is only concerned with the water management. She stated houses are being flooded. She complained about a tow truck sitting in the present lot two to three (2-3) hour at night with the lights on. The limbs of the trees on falling onto the paper street. Tom Panzer, Esquire, stated Mr. Kosacci is not responsible for previous flooding or the trees. A permit was issued for the lot absorbing the water. Conditions, if the request is granted, will be reviewed and put into place. Dana Heron also came forward. She is worried about needing to police the area to make sure the businesses adhere to the conditions if the Board grants the request. There was an issue with another business (Al's Towing) subletting the property and they are not adhering to the conditions. Tom Panzer, Esquire reviewed what the conditions and deed restrictions would be. Karen Thackeray stepped forward to express her concerns. She stated there are two (2) sections on Lang Street. There is major water issues. She began to explain the impact to the already existing water issues when a hotel was constructed. Joanne Redding spoke up and stated that the hotel matter has no bearings on what this hearing is for. She then asked about the possibility of future issues. Tom Panzer, Esquire gave some clarification. He stated that the concern over storm water management meets the criteria and that the issue brought before the Board is because the lot was made a little too big. Kenneth Farrall also stated that the applicant is using the proper stone. Tom Panzer, Esquire reiterated that the Hotel causing issues has nothing to do with the Applicant's request. Joanne Redding added the lights are not the issue. Kenneth Farrall stated another variance needs to be added for the front yard and the need for a privacy fence to be higher than six (6) feet. Al Champion and Kenneth Farrall discussed fencing. Kenneth Farrall advised a vinyl privacy solid fencing is best.

- g. Motion to Close Testimony.
 - i. Motion to Close
 - 1. Al Champion
 - ii. Second Motion to Testimony
 - 1. Tony Cascerceri
 - iii. Vote to Close Testimony
 - 1. 5/5 Ayes

9. Adjournment
 - a. Motion to Adjourn
 - i. Harry Kramer
 - b. Second Motion Adjourn
 - i. Al Champion
 - c. Vote to Adjourn
 - i. 5/5 Ayes