

Zoning Hearing Board Monthly Minutes

June 6, 2024

In Attendance: Harry Kramer; 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-May 2,2024
 - a. Motion to Approve
 - i. Al Champion
 - b. Second Motion to Approve
 - i. Harry Kramer
 - c. Vote to Approve Last Month's Minutes-May 2, 2024
 - i. 4/4 Ayes
4. Continued Hearing for LL Pepper, LLC (Attn: Lawrence P. Ceresani)
 - a. Appeal Number: 2023-4084
 - b. Location: 4570 Bristol Road
 - c. Tax Parcel: 02-016-263-002
 - d. Request: Variance to allow storage containers on property closer than ten feet to any other structure, building setback.
 - e. Attorney: Andrew Stoll, Esquire
 - f. Exhibit
 - i. A7-Certificates of Service for June 6, 2024
 - ii. T2-Email to Mr. Stoll with updated site plan
 - g. Summary
 - i. Mr. Stoll summarized testimony recorded at the April Zoning Board Meeting. He stated Mr. Ceresani is planning to move the storage containers to comply with the Board's recommendations. An updated site plan was submitted to Ken Farrall. The updated site plan was emailed to Ken Farrall from Mr. Stoll and moved onto the record as Exhibit T2. Al Champion inquired if an ordinance existed regarding the number of storage containers on a property. Ken Farrall responded that the property is maxed out with the number of containers. Mr. Ceresani agreed to conditions recommended by the Board. The conditions agreed upon are not having more than 18 containers on the property, the location of the containers will remain as represented on the site plan submitted and marked as Exhibit T2, and He will obtain all permits necessary. No further questions or comments from the Board. No one from the audience came forward in favor or opposition of the request.
 - h. Motion to Close Hearing
 - i. Motion to Close
 1. Al Champion

- ii. Second Motion to Close
 - 1. Harry Kramer
 - iii. Vote to Close Hearing
 - 1. 4/4 Ayes
 - i. Motion to Approve variance to allow storage containers on property closer than 10 feet to any other structure, building setback with the conditions to not having more than 18 containers on the property, the location of the containers will remain as represented on the site plan submitted and marked as Exhibit T2, and will obtain all permits necessary.
 - i. Motion to Approve with Conditions
 - 1. Al Champion
 - ii. Second Motion to Approve with Conditions
 - 1. Harry Kramer
 - iii. Vote to Approve variance to allow storage containers on property closer than 10 feet to any other structure, building setbacks with the conditions to not having more than 19 containers on the property, the location of the containers will remain as represented on the site plan submitter and marked as Exhibit T2, and will obtain all permits necessary.
 - 1. 4/4 Ayes
- 5. Continued Hearing for Perryville Hospitality, LLC
 - a. Appeal Number: 2023-4175
 - b. Location: Lincoln Highway
 - c. Tax Parcel: 02-001-035
 - d. Request: Variances from lot size, woodland disturbance, steep slop disturbance, loading and unloading space, sign size to construct a self-storage facility. A special exception from the building height
 - e. Attorney: Edward F. Murphy, Esquire
 - f. Summary
 - i. Application was withdrawn without prejudice. No action is required.
- 6. Continued Hearing for Umar Farooq
 - a. Appeal Number: 2023-4509
 - b. Location: 2309 Brown Avenue
 - c. Tax Parcel: 02-036-283
 - d. Request: Variance for lot area, off street parking and fence height and location for garage to be converted to single family residence
 - e. Attorney: Bryce McGuigan, Esquire
 - f. Exhibits
 - i. A1-Application with Attachments
 - ii. A2-Certificates of Service
 - iii. A3-Amended Application
 - iv. A4-Certificates of Service for June 6, 2024 Hearing
 - v. A5-Letter with site plan
 - vi. A6-Continuance with Waiver from April
 - vii. A7-Authorization of Representation for Anila Dean

- viii. B1-Letter to the Applicant
 - ix. B2-Proof of Publication in the Bucks County Courier Times
 - x. B3-Proof of Posting on the premise.
- g. Summary
- i. Attorney, Bryce McGuigan, stated the record was originally opened in February; however, applicant was not present. He proceeded with a summary of the property. The garage was converted into a living space (bedroom, kitchenette, sitting area) two (2) years ago without the proper permits. No longer needs a variance for off street parking. The property was purchased fourteen (14) years ago. The garage conversion happened during the present ownership. Applicant was looking to transform the building into something that was like the surrounding area. The fence is six (6) feet instead of four (4) feet due to safety reasons. The properties are two (2) separate lots with utilities shared with the main house. Mr. McGuigan stated the applicant did not know permits were needed. Al Champion stated he did not accept the Applicant did not know permits were needed. He wanted to ask for forgiveness instead of being denied. Al Champion also stated the applicant owns approximately fifteen (15) other properties in the Township and that he knows the process since he has been in front of the Board before. Al Champion mentioned the fence obstructs the Right-of Way and causes a site issue. Joanne Redding and Al Champion both foresee future issues with this structure. Anila Dean was sworn in, adopted the testimony, and answered questions from Mr. McGuigan regarding the property. She was given an authorization from Applicant to be a representative for him. Al Champion mentioned the properties are deeded together. Mr. McGuigan argued that even though the properties are deeded together but are not merged. Tom Panzer intervened and stated that the Board is having an issue that the parcels are not merged when the share utilities. Mr. McGuigan stated a subdivision could not be done. Al Champion suggested the Applicant investigate merging the properties together. Mr. McGuigan requested a brief continuance to collaborate with the Applicant to get into compliance and will sign all waivers.
- h. Motion to Continue Hearing to August 1, 2024
- i. Motion to Continue
 - 1. Harry Kramer
 - ii. Second Motion to Continue
 - 1. Al Champion
 - iii. Vote to Continue Hearing to August 1, 2024
 - 1. 4/4 Ayes
7. Continued Hearing for Tom Hughes—Squire Home Builders, LLC
- a. Appeal Number: 2024-0493
 - b. Location: Kay and Cedar Avenues
 - c. Tax Parcel: 02-007-116-001
 - d. Request: Variance for lot area, front yard setback and driveway width

- e. Attorney: Michael Meginniss, Esquire
- f. Summary
 - i. Mr. Meginniss requested a Continuance to August 1, 2024. Hearing will be readvertised.
- g. Motion to Continue Hearing to August 1, 2024
 - i. Motion to Continue
 - 1. Harry Kramer
 - ii. Second Motion to Continue
 - 1. Al Champion
 - iii. Vote to Continue Hearing to August 1, 2024
 - 1. 4/4 Ayes
- 8. Hearing for Carrabba's Italian Grill LLC, a Florida limited liability company
 - a. Appeal Number: 2024-0863
 - b. Location: 3210 Tillman Drive
 - c. Tax Parcel: 02-035-001-006
 - d. Request: Variance for lot width for Carrabba's Restaurant.
 - e. Attorney: Lauri G. Golden, Director, Senior Real Estate Council and Andrew Stoll, Esquire
 - f. Exhibits
 - i. A1-Certificates of Service/Notice to Property Owners
 - ii. A2-ZHB Application
 - iii. A3-Deed for subject property
 - iv. A4-Owner's Authorization
 - v. A5-Aerial Photo
 - vi. A6-1990 Subdivision Plan
 - vii. A7-ZHB Decision from hearing in December 1995
 - viii. A8-ZHB Decision from hearing July 1996
 - ix. A9-Memorandum of Lease from September 1996
 - x. A10-1997 subdivision plan
 - xi. A11-Minor Subdivision Plan prepared by First Order, LLC, last revised April 22, 2024
 - xii. A12-Letter from Solicitor dated February 1, 2024, confirming approval of Minor Subdivision Plan for recent subdivision application.
 - xiii. B1-Letter to the Applicant
 - xiv. B2-Proof of Publication in the Bucks County Courier Times
 - xv. B3-Proof of Posting on the Premise
 - g. Summary
 - i. Mr. Stoll gave a summary of the property. The applicant is looking to purchase the lot from the Leasor. Mr. Stoll reviewed the exhibits. A plan for subdivision was never recorded. Applicant is just trying to get everything recorded. Jamie Butler was sworn in and adopted the summary as testimony. He has been involved with this property since 1995. Al Champion asked Ken Farrall if impervious issues were covered in the previous decisions. Ken Farrall stated no changes have been made to the property

and this application is strictly administrative for purchasing purposes. No further questions or comments from the Board. No one from the audience came forward in favor or opposition of the request.

- h. Motion to Close Hearing
 - i. Motion to Close
 - 1. Harry Kramer
 - ii. Second Motion to Close
 - 1. Al Champion
 - iii. Vote to Close Hearing
 - 1. 4/4 Ayes
 - i. Motion to Approve variance for lot width for Carrabba's Restaurant
 - i. Motion to Approve
 - 1. Harry Kramer
 - ii. Second Motion to Approve
 - 1. Al Champion
 - iii. Vote to Approve variance for lot width for Carrabba's Restaurant
 - 1. 4/4 Ayes
9. Hearing for Munz Construction
- a. Appeal Number: 2024-1547
 - b. Location: 3260 Sarmiento Drive
 - c. Tax Parcel: 02-089-724
 - d. Request: Variance for side yard setbacks and impervious coverage for an accessory structure.
 - 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. Steve McGill was sworn in. Mr. McGill stated he was the estimator for the construction company hired to build an addition. The company went through the necessary permit process and obtained all the necessary permits. During the construction, the company came across two (2) non-conforming structures. The structures were a trellis and a shed. He is seeking the variances to come into compliance for his client. An updated site plan was submitted and has been working with the Township. Laura Hinkle, owner of the property, was sworn in. She authorized Mr. McGill to speak on her behalf. Ken Farrall was sworn in and explained pervious verse impervious regarding the property. The structures have been on the property between ten (10) and fifteen (15) years. Mr. Farrall stated he has not received any complaints, concerns, or questions about water issues. No further questions or comments from the Board. No one from the audience 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. Harry Kramer
 - iii. Vote to Close Testimony
 - 1. 4/4 Ayes
 - h. Motion to Approve variance for side yard setbacks and impervious coverage for an accessory structure with the condition that all necessary permits be obtained according to the site plan.
 - i. Motion to Approve
 - 1. Al Champion
 - ii. Second Motion to Approve
 - 1. Harry Kramer
 - iii. Vote to Approve variance for side yard setbacks and impervious coverage for an accessory structure with the condition that all necessary permits be obtained according to the site plan.
 - 1. 4/4 Ayes
10. Hearing for Ron and Maria Morris
- a. Appeal Number: 2024-1557
 - b. Location: 1544 Lavender Road
 - c. Tax Parcel: 02-032-164
 - d. Request: Variance to add addition to the existing garage greater than the required 25% of the principal structure for an in-law suite,
 - 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. Ron Morris was sworn in. He stated he is requesting to expand the garage by 10 feet for wheelchair and/or walker accessibility to convert garage into an in-law suite. He is aware no kitchen is allowed and has no intention to use the garage as rental property. The Board stated they understand the Applicant has no intention, but future owners may attempt to use the space as rental space. Ken Farrall stated filing Notarized letter from the Applicant agreeing on the garage not having a kitchen and will not be used as a rental will prevent future attempts. The Board felt more comfortable recording this agreement as a deed restriction. Applicant also agreed to the condition of not exceeding 46% as documented on the site plan. No further questions 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. Harry Kramer
 - iii. Vote to Close Testimony
 - 1. 4/4 Ayes
 - h. Motion to Approve variance request to add addition to the existing garage greater than the required 25% of the principal structure for an in-law suite with the conditions to have a deed restriction, not have a kitchen, not to be converted into a duplex—only acceptable use is as an in-law suite, and not to exceed 46%.
 - i. Motion to Approve
 - 1. Al Champion
 - ii. Second Motion to Approve
 - 1. Harry Kramer
 - iii. Vote to Approve variance request to add addition to the existing garage greater than the required 25% of the principal structure for an in-law suite with the conditions to have a deed restriction, not have a kitchen, not to be converted into a duplex—only acceptable use is as an in-law suite, and not to exceed 46%.
 - 1. 4/4 Ayes.

11. Correspondence

- a. No meeting in July
- b. Premier
 - i. Billboard is being moved to a different location. Stipulation to be signed and filed.
- c. B & A
 - i. Commonwealth upheld the ZBH decision. Next step is 30-days from May 20, 2024 B & A can file a request for the decision to be heard by the Supreme Court. The Township sent an eviction notice to B & A. The notice is giving B & A 90 days to vacate and re-locate in a properly zoned area before Township moves in and boards up the property.

12. Adjournment

- a. Motion to Adjourn
 - i. Harry Kramer
- b. Second Motion to Adjourn
 - i. Al Champion
- c. Vote to Adjourn
 - i. 4/4 Ayes