

## **Zoning Hearing Board Monthly Minutes**

### **September 11, 2024**

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

1. Open meeting with the Pledge of Allegiance
  - a. Led by Al Champion
2. Statement of Rules and Procedures
  - a. Issued by Tom Panzer, Esquire
3. Approval of Last Month's Minutes-August 1, 2024
  - a. Motion to Approve
    - i. Harry Kramer
  - b. Second Motion to Approve
    - i. Tony Cascerceri
  - c. Vote to Approve Last Month's Minutes--August 1, 2024
    - i. 3 / 4 Ayes
      1. Harry Kramer
      2. Al Champion
      3. Tony Cascerceri
    - ii. 1 / 4 Abstained
      1. Joanne Fields
4. Hearing for Alan Rivera and Megan Rodriguez Rivera
  - a. Appeal Number: 2024-1851
  - b. Location: 4127 Spruce Avenue
  - c. Tax Parcel: 02-005-343
  - d. Request: Variance for fence in 25 ft clear site triangle and 6 ft fence in front yard
  - e. Exhibits
    - i. A4-Hand drawn site plan
    - ii. A5-Revised plan
  - f. Summary
    - i. Tom Panzer summarized last month's hearing. Applicants stated changes were made according to the updated site plan. A four (4) foot picket fence will be erected along Spruce Avenue. The first panel of privacy fence will be four (4) feet. Tom Panzer requested clarification about the transitioning from four (4) to the six (6) feet panel fencing. Township agreed to work with the applicant regarding the site triangle. No further questions or comments from the Board. No one from the audience came forward in favor or opposition of the applicants' request.
  - g. Motion to Close Testimony
    - i. Motion to Close
      1. Harry Kramer
    - ii. Second Motion to Close
      1. Tony Cascerceri
    - iii. Vote to Close Testimony

1. 4/4 Ayes
  - h. Motion to Approve variance request for a fence in the front yard with the condition to work with the township to ensure compliance.
    - i. Motion to Approve
      1. Harry Kramer
    - ii. Second Motion to Approve
      1. Joanne Fields
    - iii. Vote to Approve variance request for a fence in the front yard with the condition to work with the township to ensure compliance.
      1. 4/4 Ayes
  - i. Motion to Deny fence within the site triangle.
    - i. Motion to Deny
      1. Harry Kramer
    - ii. Second Motion to Deny
      1. Joanne Fields
    - iii. Vote to Deny fence within the site triangle.
      1. 4/4 Ayes
5. Continued Hearing for First Choice Renovation & Development LLC
  - a. Appeal Number: 2024-2346
  - b. Location: 4582 Belmont Avenue
  - c. Tax Parcel: 02-018-048
  - d. Request: Variances for front yard setback, woodlands disturbance, steep slope disturbance to construct a single-family dwelling
  - e. Attorney: Michael Meginniss, Esquire—Begley, Carlin, & Mandio
  - f. Summary
    - i. Mr. Meginniss came forward to inform the Board that the Engineer just sent him notification that he is not available. The Board stated no more continuances will be granted. If more time is needed then Applicant needs to withdrawal their request, resubmit to be relisted. The Board also stated they would waive the readvertisement mandate since there is only four (4) Board members available this evening instead of the panel of five (5) members.
  - g. Motion to Continue Hearing to October 3, 2024
    - i. Motion to Continue
      1. Harry Kramer
    - ii. Second to Continue
      1. Tony Cascerceri
    - iii. Vote to Continue Hearing to October 3, 2024
      1. 4/4 Ayes
6. Hearing for Rhonda Payne Harmon, Esquire
  - a. Appeal Number: 2024-2419
  - b. Location: 1385 Chancellor Circle

- c. Tax Parcel: 02-031-051
  - d. Request: Variance for maximum impervious surface to place a shed on the property
  - 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. Applicant was sworn in. Ms. Harmon stated she has a pool but no shed on the property. She now needs a shed for medical equipment for her sick brother whom she cares for and for the pool equipment. Previous impervious variance granted was 48%. A shed on the property will bring the impervious surface to 50% per Kenneth Farrall. Al Champion questioned which material will be for the foundation. The applicant stated decking will be used as a foundation. She also stated that she would like to place the shed closer to the lot line. Request was made in the application for two (2) feet. No issue with rain run-off that Ken Farrall is aware of. Al Champion asked about stone being used as a foundation. The Applicant stated she will do whatever is necessary. Ken Farrall agreed with placing the decking over the stone and stated the Township is willing to collaborate with the applicant on doing this. No further questions and/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 Testimony
      - 1. Harry Kramer
    - ii. Second Motion to Close Testimony
      - 1. Tony Cascerceri
    - iii. Vote to Close Testimony
      - 1. 4/4 Ayes
  - h. Motion to Approve variance for maximum impervious to place a shed on the property with the condition of adding eight (8) inches of clean stone and a variance for a two (2) foot side lot lines to be reviewed with the Township.
    - i. Motion to Approve
      - 1. Harry Kramer
    - ii. Second Motion to Approve
      - 1. Tony Cascerceri
    - iii. Vote to Approve the variance request for maximum impervious to place a shed on the property.
      - 4/4 Aye
7. Hearing for David Gill, Jr.
- a. Appeal Number: 2024-2506
  - b. Location: 1111 Gravel Pike

- c. Tax Parcel: 02-030-051
  - d. Request: Variance for pool to be constructed less than 10 feet from detached garage and a front yard setback.
  - e. Summary
    - i. Applicant requested a Continuance to the October Hearing date due to difficulty with Certification of Service Timeline.
  - f. Motion for Continuance to October 3, 2024.
    - i. Motion to Continue
      - 1. Harry Kramer
    - ii. Second Motion to Continue
      - 1. Joanne Fields
    - iii. Vote to Continue Hearing to October 3, 2024
      - 1. 4/4 Ayes
8. Hearing for John Kutschera, Jr.
- a. Appeal Number: 2024-2723
  - b. Location: 3208 State Road
  - c. Tax Parcel: 02-068-045
  - d. Request: Variance for front yard setback to construct new single-family dwelling
  - 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. Jennifer and Jason Hathaway were sworn in. Mr. and Mrs. Hathaway expressed their desire to construct a new family single-family dwelling. They would like to construct where the bump-out of the original home is located. The plan is to tear down the original structure and rebuild according to the original footprint that is handicap accessible for her father. The builder will take over regarding the permits. No questions or comments from the Board. The floor was open for Public Comment. Ms. Donna Hunnel came forward in favor of the request. She stated that she did the same thing, using the original footprint. No other audience members came forward in favor or opposition of the request.
  - g. Motion to Close Testimony
    - i. Motion to Close
      - 1. Tony Cascerceri
    - ii. Second Motion to Close
      - 1. Harry Kramer
    - iii. Vote to Close Testimony
      - 1. 4/4 Ayes

- h. Motion to Approve variance for front yard setback to construct new single-family dwelling with the condition to rebuild within original existing footprint and obtain all permits.
  - i. Motion to Approve
    - 1. Tony Cascerceri
  - ii. Second Motion to Approve
    - 1. Harry Kramer
  - iii. Vote to Approve variance for front yard setback to construct new single-family dwelling with the condition to rebuild within original existing footprint and obtain all permits.
    - 1. 4/4 Ayes
- 9. Hearing for Carl Ruland—Fritz’s Bakery
  - a. Appeal Number: 2024-2767
  - b. Location: 4201 Neshaminy Blvd #112
  - c. Tax Parcel: 02-001-055-001
  - d. Request: Variance to allow increase of square footage for sign
  - e. Attorney: Christopher Steward, 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. The Applicant is now represented by Christopher Steward, Esquire. Mr. Michael Paladino, Owner of Neshaminy Shopping Center, came forward and was sworn in. Mr. Paladino stated Fritz’s Bakery wants to expand into what was the Saint Jude Store. This will make Fritz’s the largest bakery in Bucks County. The sign size that has been presented is 122 square feet. The Township only allows for fifty (50) square feet. Tom Panzer states the ordinance states fifty (50) square feet per tenant. The sign presented is smaller than the Saint Jude Shop sign that was there previously. Mr. Paladino stated the sign would be consistent with the other store facades. The sign will not be facing any street. It will face the interior of the shopping center. The bakery will have 35 employees working in 1800 square feet of space. No questions or comments from the Board. No one from the audience came forward in favor or opposition of the request.
  - h. Motion to Close Testimony
    - i. Motion to Close
      - 1. Tony Cascerceri
    - ii. Second Motion to Close
      - 1. Harry Kramer
    - iii. Vote to Close Testimony
      - 1. 4/4 Ayes

- i. Motion to Approve variance request to allow increase of square footage for sign, not to exceed 199 square feet.
  - i. Motion to Approve
    - 1. Tony Cascerceri
  - ii. Second Motion to Approve
    - 1. Harry Kramer
  - iii. Motion to Approve variance request to allow increase of square footage for sign, not to exceed 199 square feet.
    - 1. 4/4 Ayes.

10. Hearing for 850 Highland LLC

- a. Appeal Number: 2024-2767
- b. Location: 863 Bristol Pike & 859 Highland Avenue
- c. Tax Parcel: 02-029279; 02-029-084; 02-029-278.
- d. Request: Variance for lot area, impervious surface coverage, front, side, & rear yard setbacks to subdivide lots.
- e. Attorney: Micheal J. Meginniss, Esquire—Begley, Carlin & Mandio
- f. Summary
  - i. The Applicant prefers to be heard in the presence of a five-member board and requested a Continuance to the October 3, 2024 Hearing.
- g. Motion to Continue Hearing to October 3, 2024
  - i. Motion to Continue
    - 1. Harry Kramer
  - ii. Second Motion to Continue
    - 1. Tony Cascerceri
  - iii. Vote to Continue Hearing to October 3, 2024
    - 1. 4/4 Ayes

11. Correspondence

- a. NONE

12. Adjournment

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