

TOWNSHIP OF LOWER MAKEFIELD  
ZONING HEARING BOARD  
MINUTES – FEBRUARY 4, 2020

The regular meeting of the Zoning Hearing Board of the Township of Lower Makefield was held in the Municipal Building on February 4, 2020. Mr. Zamparelli called the meeting to order at 7:45 p.m. He announced that there are only four members present at this time so that if there is a tie vote, the Application would be Denied.

Those present:

Zoning Hearing Board:                      Anthony Zamparelli, Chair/Temporary Secretary  
   Pamela VanBlunk, Vice Chair  
   Peter Solor, Member  
   Matthew Connors, Alternate Member (joined  
   meeting in progress)  
   Michael Tritt, Alternate Member

Others:    James Majewski, Director Planning & Zoning  
   Barbara Kirk, Township Solicitor (left meeting  
   in progress)  
   Adam Flager, Zoning Hearing Board Solicitor  
   John B. Lewis, Supervisor Liaison

REORGANIZATION OF THE BOARD

Mr. Flager asked for nominations for Chair of the Zoning Hearing Board for 2020. Ms. Lee moved and Mr. Solor seconded Anthony Zamparelli as Chair. There were no further nominations, and the Motion carried unanimously.

The meeting was turned over to Mr. Zamparelli who moved to nominate Pamela VanBlunk as Vice Chair of the Zoning Hearing Board for 2020. Mr. Solor seconded. There were no further nominations, and the Motion carried unanimously.

Ms. Lee moved to nominate Anthony Zamparelli as Interim Secretary of the Zoning Hearing Board for 2020 pending additional permanent Board members. Mr. Flager stated there are two Alternate Members who he believes will become permanent Members; but since they are not as of this time, they are going to temporarily fill this position until there are two other permanent members. Mr. Solar seconded. There were no further nominations, and the Motion carried unanimously.

APPOINTMENT OF SOLICITOR

Mr. Zamparelli moved, Ms. VanBlunk seconded and it was unanimously carried to appoint Flager & Associates as Zoning Hearing Board solicitor for 2020.

APPOINTMENT OF COURT REPORTER

Mr. Zamparelli moved, Ms. VanBlunk seconded and it was unanimously carried to appoint Donna D'Angelis Court Reporting as Court Reporter for 2020.

APPEAL #19-1846 – MARIA JIMINEZ GALVIS C/O JOHN CARMONA  
TAX PARCEL #20-033-001  
236 OXFORD VALLEY ROAD

Mr. Bryce McGuigan, attorney, was present with Mr. John Carmona who was sworn in.

Mr. McGuigan stated they are requesting Variances for the property at 236 Oxford Valley Road. He stated Mr. Carmona is the representative of the owner of the property, Ms. Jiminez. He stated the property presently consists of a single-family detached dwelling with certain improvements including a pool in the back yard, surrounding concrete walkways, a rear addition to the residence, and a concrete slab in the back yard that has been used as a basketball court.

Mr. McGuigan stated the Application relates to some of that work that has already been performed, namely the additional concrete walkways beside the pool, the rear addition, and the concrete basketball court in the back yard.

Mr. McGuigan stated this work was previously performed by a contractor that Mr. Carmona and his wife hired from New Jersey, an individual by the name of Villalobos with KGK Construction. Mr. McGuigan stated as the Board will hear, this person led his clients to believe that he had obtained the necessary Permits; however, he had not.

Mr. McGuigan stated the pool was previously built by a different contractor, and that pool was approved by the Township so that is not an issue today. Mr. McGuigan stated his clients felt that they were getting the same process in this instance as they did with the pool; however, that did not happen.

Mr. McGuigan stated as a result of the work was done, they are now requesting two Variances. He stated the first is to permit a side yard setback of 5' where 15' is required, and 10' was the pre-existing, non-conformity. He stated the second Variance being requested is to permit an impervious ratio of up to 47% where the maximum permitted under the Ordinance is 30%.

Mr. McGuigan stated also present this evening is their engineer, Vincent Fioravanti who was just recently retained. He stated there had been a prior professional who had been retained and who had done some work throughout the process who was an architect; however, he had a sudden unavailability, so Mr. Fioravanti was retained just recently to come to the Hearing and do some work on the project. Mr. McGuigan stated Mr. Fioravanti has not had a chance yet to do a formal survey, and they will be using some of the numbers that were calculated by the Township as well as by the Applicant's architect.

Mr. Flager marked the Exhibits as follows: The Amended Application was marked as Exhibit A-1. The Site Plan was marked as Exhibit A-2. The impervious surface breakdown was marked as Exhibit A-3.

Mr. Flager stated there had been a previous Application which is no longer before the Zoning Hearing Board, and it is just the Amended Application that is before the Board. He stated he understands that originally there was going to be just one Variance; however, as they had proceeded, they realized that they needed two Variances which is why there is an Amended Application.

The Proof of Publication was marked as Exhibit B-1. The Proof of Posting was marked as Exhibit B-2. The Notice to the neighbors was marked as Exhibit B-3.

Mr. McGuigan stated he had two additional Exhibits to present this evening, and he provided these to the Board.

Mr. Flager marked the color photograph with the overhead view of the subject property as Exhibit A-4. A Plan was marked as Exhibit A-5.

Ms. Kirk stated she is present on behalf of the Township who seeks to participate.

Mr. Carmona stated he lives at 236 Oxford Valley Road with his mother-in-law, his wife, his 11-year old son, and his 21-year old daughter. Mr. McGuigan asked Mr. Carmona his relationship with Ms. Jiminez, the owner of the property; and Mr. Carmona stated she is his mother-in-law. Mr. McGuigan asked Mr. Carmona if he has Power of Attorney for her, and Mr. Carmona stated he does which is why he is present.

Mr. McGuigan asked Mr. Carmona if the work they are discussing today was work that he and his wife had done, and Mr. Carmona agreed. He stated his wife's name is Diana Antero. Mr. McGuigan asked who was primarily in charge of getting that work done, and Mr. Carmona stated it was his wife.

Mr. McGuigan asked if Ms. Antero is present today, and Mr. Carmona stated she is not as she is in Florida on a pre-planned trip. Mr. McGuigan asked Mr. Carmona if he was familiar with the work, and Mr. Carmona agreed.

Mr. McGuigan stated he had previously mentioned Villalobos with KGK Contractors from Trenton, and he asked Mr. Carmona if that is who he and his wife hired to do the work; and Mr. Carmona agreed. Mr. McGuigan asked Mr. Carmona if as part of his work was he tasked with getting the required Permit and approvals, and Mr. Carmona stated he was. Mr. McGuigan asked Mr. Carmona if he ever had a conversation with him about getting those Permits, and Mr. Carmona stated he did not. Mr. McGuigan asked Mr. Carmona if he ever talked to Mr. Carmona or his wife about this; and Mr. Carmona stated when the pool was done that contractor did all the Permits, and they thought this contractor would do the same thing. Mr. McGuigan asked if this was the same contractor who did the pool, and Mr. Carmon stated a different contractor did the pool.

Mr. McGuigan asked Mr. Carmona if the contractor for the work they are present for this evening ever told him or his wife that he got the Permits; and Mr. Carmona stated he did, and he had no reason not to believe that.

Mr. McGuigan asked Mr. Carmona when was the first time that he found out that he did not get the required Permits, and Mr. Carmona stated it was when the Township came to inspect the pool. He stated the Township sent them a letter. Mr. McGuigan asked Mr. Carmona if he then tried to find Villalobos from KGK; and Mr. Carmona stated he did, but he was unable to find him. Mr. McGuigan stated Mr. Carmona also hired a consultant, and Mr. Carmona agreed he hired Lee Vasquez. Mr. McGuigan asked if Ms. Vasquez tried to find him, and Mr. Carmona stated he could not find him.

Mr. McGuigan asked what work KGK did, and Mr. Carmona stated they did the concrete area surrounding the pool, the basketball court, and the rear addition to the home. Mr. McGuigan asked why they got a rear addition to the home, and Mr. Carmona stated it is a living room. Mr. Carmona stated they also got additional walkways around the pool although the pool itself was previously done.

Mr. McGuigan showed a slide of the overhead view of the property. He showed the walkways around the pool, the basketball court, and the rear addition.

Mr. McGuigan asked Mr. Carmona why they put a basketball court in the back yard; and Mr. Carmona stated there are no playgrounds around the area, and he did it for his 11-year old son. Mr. McGuigan stated people put a basketball net in their driveway or near the street, and he asked Mr. Carmona if he could have done that. Mr. Carmona stated he could not since it is a “highway” in front, and Oxford Valley Road is a very busy street.

Mr. McGuigan stated he understands Mr. Carmona now knows that he needed Variances to perform the work that was done, and Mr. Carmona agreed. Mr. McGuigan stated Mr. Carmona also knows that it was a mistake not to make sure that he got the required Variances before starting the construction, and Mr. Carmona agreed.

Mr. McGuigan stated the first Variance is for impervious surface; and the maximum allowed is 30%, and according to the calculations that the Township and the architect did, there is approximately 44%.

Mr. McGuigan asked Mr. Carmona when the work was done, and Mr. Carmona stated it was about one and a half years to two years ago. Mr. McGuigan asked Mr. Carmona if he has had any flooding problems in his back yard in that time, and Mr. Carmona stated he has not. Mr. McGuigan asked if any of his neighbors complained of any flooding or water run-off, and Mr. Carmona stated they have not.

Mr. McGuigan stated Mr. Carmona hired Mr. Fioravanti to look into these issues, and Mr. Carmona agreed. Mr. McGuigan stated even though there have not been any flooding issues, Mr. Fioravanti will be recommending that they install a stormwater management system, and Mr. Carmona agreed and added that he would be willing to do that. Mr. McGuigan stated he understands that Mr. Carmona is willing to do whatever the Township requests in order for him to remedy any potential run-off, and Mr. Carmona agreed.

Mr. McGuigan stated the setback issue involves the right side of the home. Mr. McGuigan stated the corner of the house where the fence starts is about 10', and Mr. Carmona agreed. Mr. McGuigan stated at the end of the addition where it gets close to the fence it is 5', and Mr. Carmona agreed.

Mr. McGuigan stated the Township Ordinance requires a minimum of 15'. Mr. McGuigan asked Mr. Carmona if the contractor ever told him that there was a setback issue when he was building the rear addition, and Mr. Carmona stated he did not. Mr. McGuigan stated the reason why they are close to the property line is because the property gets narrower as it goes to the back yard, and Mr. Carmona agreed. Mr. McGuigan asked Mr. Carmona if the neighbors on that side ever complained to him about this issue, and Mr. Carmona stated they have not. Mr. McGuigan asked if anyone has complained about this issue, and Mr. Carmona stated they have not. Mr. McGuigan stated there is a fence on that side of the property so there is a buffer, and Mr. Carmona agreed.

Mr. McGuigan asked Mr. Carmona if he has spent thousands of dollars on all the work he had done to his home that relates to this Application, and Mr. Carmona agreed. Mr. McGuigan asked what would happen to that money if Mr. Carmona were to remove all of that work, and Mr. Carmona stated it would be gone.

Mr. McGuigan asked Mr. Carmona if any of his neighbors have complained about the work he had done on the property to date, and Mr. Carmona stated they have not. Mr. McGuigan asked Mr. Carmona if he feels leaving the improvements on his property will negatively impact anyone, and Mr. Carmona stated he does not. Mr. McGuigan stated removing them would have a large negative impact on Mr. Carmona, and Mr. Carmona agreed.

Mr. McGuigan stated Mr. Carmona never found out about the Permit issue until the Township told him about it, and Mr. Carmona agreed.

Mr. Zamparelli stated Mr. Carmona did get a Permit for the pool, and Mr. McGuigan agreed. Mr. Zamparelli asked if the same contractor did the rest of the work, and Mr. McGuigan stated it was a different contractor. Mr. Zamparelli stated even though the neighbors have not complained, there are still rules. He stated nothing was inspected anything so they do not know how the work was done, and they never got any Permits. Mr. Zamparelli stated he feels the contractor knew that he should have gotten the Permits, so that makes him wonder what kind of construction he did.

Ms. VanBlunk stated the required setback is 15', and the Testimony was that the house was 10', and the addition was 5'. She asked if the house was already non-conforming or was there a Variance issued for that. Mr. Majewski stated the house was built around 1951, and the Ordinance that was in place at that time required a 10' minimum setback and 26' total so that side of the house was most likely compliant at that time and is an existing non-conformity.

Mr. Solor asked if any inspections have been done to date relative to the addition or utility work, etc., and Mr. Carmona stated there have not with regard to the addition. Mr. McGuigan stated they recognize that any approval being requested today would be conditioned upon complying with the stormwater management procedures and the other Township Codes.

Mr. Tritt asked if there were engineering drawings done for the foundation of the addition, any of the walkways, or any of the other paved areas. Mr. McGuigan stated unfortunately if there were drawings, they do not have them. He stated they attempted to find the contractor that his clients hired, but they have not been able to find the contractor, and his clients do not have copies. Mr. Tritt asked Mr. Carmona how much he spent in total on the improvements, and Mr. Carmona stated it was approximately \$11,000 to \$12,000. Mr. Tritt asked if that was for the addition and all the concrete work, and Mr. Carmona stated that was just for the concrete work. Mr. Carmona stated the addition was about \$20,000.

Mr. Tritt asked if he had a written Contract with the contractor, and Mr. Carmona stated it was a verbal contract. Mr. Tritt asked Mr. Carmona if he paid \$30,000 for work with a verbal contract, and Mr. Carmona agreed. Mr. Carmona stated it was someone he knew who recommended the contractor, which was why they hired him.

Mr. Tritt asked if there are any architectural drawings, framing, or any details on the addition. Mr. Carmona stated he would have to ask his wife but they did have a blueprint. Mr. McGuigan stated he himself has not been supplied with blueprints. Mr. Carmona stated he would have to ask his wife since he was “on the road” as he drives tractor-trailers, and his wife does the contracts. Mr. Tritt asked if there are any pictures such as progress photos which were done during the construction, and Mr. Carmona stated there are not. Mr. McGuigan stated there are “after-the-fact” photos, but none in progress.

Mr. Zamparelli stated they are making it very difficult for the board to understand whether the work was done properly since there are no drawings or pictures. Mr. Zamparelli stated Mr. Carmona has indicated that his wife may have more information; however, she is not present. Mr. Zamparelli asked Mr. Majewski what they could do in this case to check how the work was done. Mr. Majewski stated with regard to the basketball court, they could dig along the edge to ascertain how thick the concrete is and whether there was stone underneath it.

He stated for the other patio areas, a similar type of investigation would be done. He stated for the addition, they would need to have building drawings that demonstrate compliance with the applicable Building Codes, and they would need to perform all of the necessary inspections. Mr. Majewski stated he is not sure whether the walls are now covered up with drywall, and Mr. Carmona stated they are. Mr. Majewski stated they would need to get beneath the drywall and remove sections to determine whether or not all the building systems – the framing, plumbing, electrical, mechanical – are in compliance with all the Township Codes. Mr. Zamparelli asked Mr. Carmona if this is something he would be willing to provide, and Mr. Carmona agreed.

Mr. Tritt asked if the addition is on a slab or on a foundation, and Mr. Carmona stated it is on a foundation. Mr. Tritt asked if there is a crawl space or a full basement underneath, or is it slab on grade. Mr. McGuigan asked Mr. Carmona if there is a basement or crawl space under the area of the rear addition, and Mr. Carmona stated it is just a concrete slab. Mr. Tritt stated they could dig that.

Mr. Zamparelli asked about the plan for mitigating the 50% additional impervious surface, and Mr. McGuigan stated they will have a plan although it has not been done yet. He stated they are working with the numbers and “semi-survey” that was done by the architect; however, Mr. Fioravanti would like to do his own survey, and then Mr. Fioravanti will be able to have a firm plan. Mr. McGuigan noted Exhibit A-4 which is the project that Mr. Fioravanti will testify to tonight, and he will be more equipped to answer questions about the stormwater run-off program that they would be putting into place. Mr. Zamparelli stated that would have to be submitted to the Township engineer to make sure that the calculations have been done correctly, and Mr. McGuigan stated they understand that. Mr. McGuigan stated they will also work with the Township on the inspection of the rear addition along with the concrete work that was done; and any approval they are requesting, they would make that contingent upon satisfying the Township’s stormwater management program along with any other inspections.

Ms. VanBlunk asked what the basketball court is made out of, and Mr. Carmona stated it is concrete.

Mr. Zamparelli stated he assumes that Mr. Carmona does not want to remove anything; and Mr. McGuigan stated if possible his client would prefer not to remove anything, however, they are very understanding, and if something “has to go it has to go,” and Mr. Carmona is aware of this. Mr. Zamparelli stated generally the rule is if there should be a hardship, and a basketball would not be

a hardship. He stated he is not sure how much that would reduce the impervious surface, and it could be only 400 to 500 square feet. Mr. Zamparelli stated they would need more information as to how much would need to be removed in order for them to be in compliance versus the installation of the impervious surface mitigation system.

Mr. Connors joined the meeting at this time.

Mr. McGuigan stated he understands that based on prior measurements by the architect, who is not present this evening, the basketball court would be approximately 500 square feet which would be approximately 4%. Mr. McGuigan stated Mr. Fioravanti will testify that the stormwater management system that they are proposing would be more than adequate to accommodate up to 47% impervious surface which is higher than the measurements by the Township and the Applicant's architect.

Mr. Zamparelli asked for further information about the setback issue, and it was shown on the plan the area where it is 10' and then narrows back to 5'. Mr. Majewski stated the property narrows as you go from the front to back, and as you go back it gets closer to the property line.

Ms. Kirk stated she understands that the house is owned by Mr. Carmona's mother-in-law, Ms. Jiminez; and Mr. Carmona agreed. Ms. Kirk stated she understands that Mr. Carmona's wife secured the contractor to do the work, and Mr. Carmona agreed. Ms. Kirk stated there is no written contract as to the scope of the work that was to be performed, and Mr. Carmona stated there is not.

Ms. Kirk asked Mr. Carmona when he moved into the property with his family, and Mr. Carmona stated it was about four to five years ago. Ms. Kirk asked if the pool was already there at the time they moved in; and Mr. Carmona stated it was not, and they built the pool. Ms. Kirk asked when they put the pool in did the contractor they hired get Permits, and Mr. Carmona stated they did. Ms. Kirk asked Mr. Carmona if he remembers when they got the Permit that there was something to be posted in a window to advertise that the work was being done, and Mr. Carmona agreed. Ms. Kirk stated when they did not have that type of posting for this work, did he not think something was wrong; and Mr. Carmona stated he trusted the contractor.

Ms. Kirk asked the size of the addition, but Mr. Carmona stated he did not know the measurements. Ms. Kirk asked if it consists just of a bedroom, and Mr. Carmona stated it is a living room and a bathroom.

Ms. Kirk stated when they had the pool installed a number of years ago was there a walkway around the pool, and Mr. Carmona stated there was. Ms. Kirk asked the size of that walkway, and Mr. Carmona stated it was approximately 3'. Ms. Kirk asked the size of the new walkway around the pool, and Mr. Carmona stated it is "maybe 5'." Ms. Kirk asked if it is almost double what was there before; however, Mr. Carmona stated he does not want to tell the measurements because he really does not know the measurements.

Ms. Kirk asked if there are any pictures of the way the property looked before the work was done, and Mr. Carmona stated his wife should have that. Ms. Kirk asked why Mr. Carmona's wife is not present today, and Mr. Carmona stated she is in Florida. Ms. Kirk asked if she was not in Florida when this matter was first scheduled months ago, and Mr. Carmona stated she was. He stated she is sick and has a thyroid problem and goes to Florida every month. Ms. Kirk stated she has all the information, and Mr. Carmona does not have any of the information; and Mr. Carmona agreed.

Ms. Kirk asked the size of the concrete basketball court, and Mr. McGuigan stated he believes that the measurements show that it was approximately 500 to 525 square feet. Ms. Kirk asked who took those measurements, and Mr. McGuigan stated it was their architect, Julius Hengeli. Mr. Zamparelli stated the measurements shown on what the Board received show it is 20' by 27'. Mr. Solor stated that would be 540 square feet. He stated it is also showing a 4' addition for the walkway on the drawing.

Ms. Kirk stated Mr. Carmona had stated that he learned of the issues when the Township came out to inspect the pool, and Mr. Carmona agreed. Ms. Kirk asked why the Township was just now coming out to inspect the pool if the pool had already been installed years ago. Mr. Carmona stated after the pool was installed was when they got the other contractor. He stated the pool was installed approximately two years ago. Mr. McGuigan stated the pool was installed in 2017. Ms. Kirk stated in 2017 the pool was installed by a different contractor who got the necessary Permit that was posted in the window as required. Mr. Carmona stated the contractor did it, and there "were some papers in the back." Ms. Kirk stated Mr. Carmona is stating that in 2019 the Township came out to inspect the pool two years after it was installed. Mr. Carmona stated this has been going on for a year because the Township issued them a letter and that is when they "started having the lawyers."

Mr. Majewski stated the Applicant got a Permit for the pool and a small piece of concrete around the edge of it which complied with the Ordinances. He stated then the pool contractor called in the inspections for the pool, and at that time is when the Township discovered the additional work that had been done without benefit of a Permit. Mr. Majewski stated that was sometime approximately in late 2018, and they have been working through this for a year to get to this point.

Mr. Zamparelli asked if the additional work Mr. Majewski is referring to is the 4" thick concrete, the gazebo, the basketball court, etc.; and Mr. Majewski stated it is those areas Mr. Zamparelli described as well as the addition and also an additional 4' of concrete around the pool decking. Mr. Connors stated the 4' around the deck was originally Permitted as part of the pool, and Mr. Majewski stated he is not sure about the dimension of the 4' but he believes that there was more than coping. Mr. Solor stated according to the drawing it seems that there was 3' and then they added 4' more.

Ms. Kirk stated Mr. Carmona has been trying to work with the Township since the pool inspection on trying to resolve the issues. Ms. Kirk asked Mr. Carmona if he has removed any of the additional impervious coverage, and Mr. Carmona stated they have not. Ms. Kirk stated everything is exactly the same as it was when they had it built, and Mr. Carmona agreed.

Ms. Kirk stated Mr. Carmona has tried to get in touch with the contractor but was not able to find him, and Mr. Carmona agreed. Ms. Kirk asked if he has undertaken any efforts to institute a lawsuit against the contractor to recover any monies, and Mr. McGuigan stated there has been no conversation about filing a lawsuit against that individual. Ms. Kirk stated Mr. Carmona handed "this person" \$30,000 to do this work, and there is no written document to show what was to be done; and Mr. Carmona agreed.

Mr. Zamparelli stated he is concerned about all of the extra concrete work, the basketball court, and the gazebo, etc. which is a lot of impervious surface; and he feels it should go as none of those are needed. He stated with regard to the extra sidewalk and the addition, he would consider this with the other Board members. He stated he also is not sure that he believes everything about the Permit part.

Mr. Vincent Fioravanti was sworn in and stated his practice has been in Southampton since 1990. He stated he came into this project at the very last minute approximately a week or two ago. He stated he walked the property and saw what the issues were, and he was asked to address this from a stormwater perspective.

Mr. Fioravanti noted the two Exhibits which were presented – Exhibits 4 and 5. He showed the GIS from Bucks County which is the same as the overhead view with “different layers turned on.” He stated the contour lines can be seen, and he likes to look at overall drainage patterns. He stated the site was part of a Subdivision from 1951/1952, and was not part of the townhouse community next to it. He stated in red writing it indicates “Site” which is the second lot in the center which is the subject property. He stated the drainage patterns around it can be seen. He stated behind the property there is twelve acres of open space that typically drains from south to north on this Exhibit and then it breaks right and left. He stated the drainage from the subject property goes toward Oxford Valley Road and down to Brock Creek and then into the Delaware River. Mr. Fioravanti noted the red drainage flow areas which is the general direction of the drainage across the property, into the property from off site, and from the property onto the “adjoiner,” and down to the roadway.

Mr. Fioravanti stated he also drew small green circles around the corner of the property, and this is the area where they could install a drainage system which would be an underground seepage or a Best Management improvement to capture the water from the additional impervious. He stated the maximum impervious allowable is 30%; and it has been indicated that they are at 47%, although he still wants to survey the property to see what it really is. He stated the stormwater system would mitigate the extra 17% of impervious to bring it back to 30%. Mr. Fioravanti stated in this case it is about 2,800 square feet of paving.

Mr. Fioravanti noted Exhibit A-4 where he showed graphically where he could put an underground stormwater system. He stated he also went to the site when it was raining, and he feels they could capture the run-off from the paved areas upstream, and he could also put more along the side where the driveway is in the front if needed. He stated he believes that he can capture 2,800 square feet of paving with a seepage system in the area shown. He stated it is sized for 2” of run-off. He stated according to the Stormwater Ordinance, if the new paving is between 1,000 and 5,000 square feet, you are required to have water quality improvements, and you are not required to have peak flow retention in the storm system. He stated 2” of run-off over 2,800 square feet would fit in a seepage bed the size shown, and he has dimensions included and typical details.

He stated they will also have to do soils testing to see if the soils will perc there and what is the water table. He stated if it is not suitable for infiltration, there are a number of other things that they can do with a stormwater system including rain gardens and re-use. He stated the Township engineer would have to review it, and a Conservation District Permit would have to be applied for in order to construct it. He stated the survey would be the first step, and they would measure everything and get all of the elevations. Mr. Fioravanti stated he feels that they can mitigate the run-off from the additional impervious back down to 30%, and that could be a Condition of any approval the Zoning Hearing Board would grant. He stated if anything would have to come out, that would be up to the Zoning Hearing Board's discretion; however, in terms of mitigating all of the run-off and the stormwater, they can handle it.

Mr. Zamparelli stated what Mr. Fioravanti is talking about now is based on all of the elevations being correct. Mr. Fioravanti stated he did go to the site, and the GIS from the County is "pretty good." He stated they are 5' contours that he is showing, and he knows that the area drains that way. He stated on any property you could be off 6" or 8" in certain areas, and in terms of stormwater and drainage, that could be a "big deal" so they would have to survey the property; however, in general it flows from south to north and the GIS on the County Website is good. Mr. Fioravanti stated he knows that it flows in that direction, and he was out to the property when it was raining; however, they would still need to survey it.

Mr. Majewski stated the Township would need to have surveyed information to ascertain whether or not the flow patterns are as described.

Mr. Fioravanti stated once they surveyed the property, if he found that there was a low spot or a part of the deck was pitched in the wrong direction from the pool, they would have different collection lines and would make sure that the Township engineer could be shown that they can capture the water. He stated this is why they have to do a detailed topography of the area.

Mr. Zamparelli stated it sounds like a lot of speculation tonight based on everything being discussed being correct. He stated he is not sure what the Board can do at this point since nothing has been verified. Mr. Fioravanti stated while he does have to do a survey, his Testimony is that if stormwater management back to 30% would be a requirement, they would be able to do that. He stated that would be subject to the Township engineer's review.

Mr. Zamparelli asked Mr. Fioravanti if they were to remove the basketball court and three of the other concrete areas, would it drastically effect the design; and Mr. Fioravanti stated it would enable him to have a smaller system. Mr. Zamparelli stated he does not see that those areas are needed.

Ms. Kirk stated Mr. Fioravanti indicated that the proposed stormwater drainage system he designed would help to mitigate 47% impervious surface, and she asked if that is based on Mr. Fioravanti's visual inspection of the property. Mr. Fioravanti stated it was based on his review of the documents that were already printed up. He stated there were some that had 44%, and there were some calculations that had 47% so he took the worst case of 47%. He stated he did go to the site and looked at the aerial, and you can see that all those improvements are there and how they drain. He stated he did not do any measurements, and he was just going by what had already been published.

Ms. Kirk stated the reason she was asking was because the Amended Application makes reference to impervious surface of 44%, and she wants to clarify if they are actually looking at a possibility of impervious surface coverage that will be higher than 44%. Mr. McGuigan stated the 47% that Mr. Fioravanti is referencing was from the architect who initially calculated these numbers, and he reached 47% including the surface area of the pool. He stated when you take out the surface area of the pool which should not be part of the calculations, it led to 44%. He stated in an abundance of caution, Mr. Fioravanti had used the 47%. Mr. Fioravanti stated he just used that for the sizing of the system.

Ms. Kirk stated when Mr. Fioravanti did his visual inspection, he was only focusing on the type of stormwater drainage facility that could be constructed to mitigate the increased impervious surface, and Mr. Fioravanti agreed. He added that he was looking to see how the property was graded, and there was an opportunity to go out when it was raining. He stated he also looked over the fence and around the area to see where the stormwater flows were going, and they do corroborate with the GIS from the County.

Ms. Kirk stated Mr. Fioravanti did not do an inspection as to the structural integrity of the concrete basketball slab, and Mr. Fioravanti stated he did not. Ms. Kirk stated he did not look at the structural integrity of the additional walkway around the pool, and Mr. Fioravanti stated he did not. Ms. Kirk stated he did not do any inspection as to the structural integrity or foundation for the addition, and Mr. Fioravanti stated he did not. Ms. Kirk stated Mr. Fioravanti's services are limited strictly to trying to reduce the impervious surface, and Mr. Fioravanti stated it is to mitigate any adverse impacts from the impervious.

Ms. Kirk stated Mr. Fioravanti indicated that he is proposing a seepage bed, and she asked how deep it would be. Mr. Fioravanti stated there are some different designs which were shown on the Plan. He stated it would basically be 3' to 4' wide, 3' to 4' deep, and then the appropriate length to get the right volume. He stated they typically put it another foot underground and soil above; however, he still has to do soils testing on the property to see where the water table is, and he would then adjust the design. He stated the Township engineer would want to look at this as well.

Ms. Kirk asked what would be done if the soil testing comes back to the point where it is not feasible to install a seepage bed, and other than rain gardens what would be the other options. Mr. Fioravanti stated there are a lot of other options, and the one they were thinking of would be re-use where you would use the seepage bed, line it, and control the volume of water that they capture and then re-use it. He stated there is a lot of landscaping on the property, and they could have drip lines and lawn irrigation so that they would re-use the water. Ms. Kirk asked what he would do to prevent any issues with the water standing too long in the seepage bed as that could be a problem. Mr. Fioravanti stated if there is no perc and the groundwater is high, they would have to line the seepage bed lined so that it intercepts the amount of water you are supposed to control. He stated they are supposed to take off 2" from the impervious surface, and that comes out to be approximately 1,200 cubic feet of water which is 3,000 gallons of water. He stated it would flow over the bed, go into the trench, is separated from the groundwater, and is almost like a tank. He stated they would have then have floats and pumps, pipes, drip lines, and sprinkler heads; and they could irrigate with it. Ms. Kirk asked if there could be more impervious surface issues involved in the installation of an alternative type of seepage bed. Mr. Fioravanti stated what he is describing is a standard BMP for groundwater re-use and it is the Township Ordinance in 6.5.2 in the Appendix of the Ordinance. He stated you are encouraged to re-use the run off; and he would use it for landscaping, irrigation, lawn sprinkling, etc.

Ms. Kirk asked Mr. Fioravanti if he did any type of preliminary inspection or testing of the soil when he was on the site, and Mr. Fioravanti stated he did not. Ms. Kirk asked if he knows if it is clay, and Mr. Fioravanti stated he does not know.

Mr. Solor stated he understands that there has been work done recently across the road from this property for two big developments including Caddis Health Care, and he asked Mr. Fioravanti if he looked at any of their soil borings or analysis; and Mr. Fioravanti stated he has not. Mr. Fioravanti asked how they came out, and Mr. Solor stated there was a shallow water table and not much

infiltration. Mr. Fioravanti stated DEP is finding that for the last couple of years there has been a big push toward seepage beds and infiltration, and you start to find a lot of areas with a high water table and the area is not percing so well after so many years. He stated while seepage beds were always preferred because they are easy, there are other BMPS that can be used; and that is why they have to do the soil testing first. He stated they would have to do something that would be permitted in the Ordinance and reviewed by the Township engineer.

Mr. Zamparelli stated he still feels they should be removing some of the areas, and he feels that the Board would react more favorably to that; and he is not hearing that they would be removing anything. He stated he feels that there is a lot there that is not needed.

Mr. McGuigan stated if the Zoning Hearing Board is willing, they could have another Continuance so that Mr. Fioravanti can perform some of the soil testing and develop a plan based on that and present it to the Township engineer. Mr. McGuigan stated he could also speak to his client to see if they can reach an agreement as to certain items that they might be able to remove in order to make the impervious percentage more palatable.

Ms. VanBlunk stated she would be in favor of that, adding as it stands now, what they are requesting is very high. She stated since she has been on the Board, she does not recall the Board approving impervious surface that high.

Mr. McGuigan requested a Continuance of the Hearing.

There was discussion as to when Mr. Fioravanti could complete the soils testing. Mr. Fioravanti stated he would need to contact a soils scientist to get them to the site, and he would also have to do the topographic survey. He stated he feels they would need four weeks to get the work done, and he would ask if they could have a postponement of two months.

Ms. Kirk asked if this is the intention, that they have Mr. Carmona's wife present at the next Hearing along with any blueprints or other documents that were referenced that she allegedly has so that there could be additional questions answered that the Board raised. Mr. McGuigan stated they will make sure that she is present and that she brings any relevant documents that she has in her possession that has not already been supplied to his office.

Mr. Tritt asked that they also put together As-Builts for the addition with the foundation, the framing, mechanical, electrical, and plumbing that was put in; and have this done by a licensed architect. Mr. McGuigan stated they will do that.

Mr. Solor asked if the Township would do an inspection of the addition, and Mr. Majewski stated that would be done by the Building Code officials. He stated they would first need to see any Plans for the addition so that they can ascertain whether it is complying with the Building Codes. He stated they could also go out and do a cursory inspection to see if there are any major issues that they see before they go into detailed inspections.

There was no one in the audience wishing to speak on this matter.

Mr. Fioravanti stated if they are going to have to have an architect do an As-Built of the building addition, that is an additional person that they would need to bring on board. Mr. Tritt asked Mr. Fioravanti if he is going to do the structural engineering, and Mr. Fioravanti stated he will just do the site engineering and survey and stormwater management. Mr. Tritt stated they will need an architect and a structural engineer.

After discussion it was agreed to Continue the matter to April 21, 2020. Mr. Zamparelli stated at that time they should bring in all the necessary required documents and Plans, photographs, and Mr. Carmona's wife will be in attendance.

Mr. Solor moved, Ms. Lee seconded and it was unanimously carried to Continue the matter to April 21, 2020.

APPEAL #19-1854 – PENNSYLVANIA AMERICA WATER COMPANY  
TAX PARCEL #20-034-044-001 & 20-034-045-002  
1145 EDGEWOOD ROAD

Mr. Roger Phillips, engineer, and Mr. Scott Thomas, Pennsylvania American Water were sworn in.

Mr. David Jones, attorney, was present. He stated they are present with a proposed project to be done at the treatment plant at 1145 Edgewood Road. He stated the property consists of 7.13 acres, and it is an existing water treatment plant. He stated

they are requesting a Special Exception to have a utility at this location as well as a Variance from the impervious surface requirements. He stated the Application had originally indicated it was a modification from 24% to 28%, but they realized that there was a rounding area, so they are asking for 29%; and he asked that they formally amend the Application.

Mr. Jones stated they put the request in for the Special Exception in an abundance of caution. He stated he was present two months ago with Pennsylvania American, and at that time the Board recognized them as a utility. He stated he would be willing to go through the requirements for a utility if the Board wants him to do so; but if they want to move on to the Variance request in the interest of time, they could do that as well.

Mr. Flager marked the Exhibits as follows: The Application was marked as Exhibit A-1. The Site Plan was marked as Exhibit A-2. An attached letter describing the relief requested was marked as Exhibit A-3. The December 20<sup>th</sup> letter from Gannett-Fleming to Jim Majewski was marked as Exhibit A-4. The Proof of Publication was marked as Exhibit B-1. The Proof of Posting was marked as Exhibit B-2. The Notice to the neighbors was marked as Exhibit B-3.

Mr. Jones stated he also has a copy of the presentation, and this was marked as Exhibit A-5.

Mr. Jones asked if the Board would like him to go through the requirements for the utility or rely upon the decision the Board issued two months ago recognizing Pennsylvania American as a utility, and Mr. Zamparelli asked that they go through the requirements.

Mr. Jones stated Pennsylvania American Water Company has been providing potable water to the residents of Lower Makefield Township for many years. The existing water plant has been there and was most recently upgraded in 1995. He stated they provide public drinking water as well as fire protection services throughout most of the Township.

Mr. Jones stated the requirements are set forth in Section 200-68.A30, and they feel that they are essential to serving the residents of Lower Makefield Township in providing them water. He stated they have no public business office, storage yard, or storage buildings associated with this project; and except for the Variance they are requesting from impervious surface, they will meet the other requirements set forth in the Zoning Ordinance. He stated there is nothing to be installed within the Township or PennDOT right-of-way;

and in fact, they are not going to be outside of any of the required setbacks. He stated the required buffer yard will be installed, and the project will be built to a minimum lot area necessary to accommodate the building buffer area parking and it will be at least 50' from the property lines. He stated the buffer yard is the last requirement. He stated they also believe that it meets the general requirements to the extent that this proposed project will not impact the surrounding neighborhood. He stated the use of the property is not going to change. He stated as Mr. Phillips will testify to, there is not going to be much of an impact to the actual site at all. He stated there will be no additional traffic and no changes to the driveway on Edgewood Road. He stated there will be no additional sewer or water capacity necessary although they can provide the necessary water capacity where required. He stated all of the lighting will be contained on the site, and it will be screened by the vegetation on site as well. Mr. Jones stated they also meet any requirements set forth in the Subdivision and Land Development Ordinance for projects of this magnitude. He stated there will be no additional parking required, and their requirements for parking can be met on their off-street existing parking area. He stated except for the Variance requested, they will meet all of the other general requirements set forth in the Ordinance.

Mr. Zamparelli asked the size of the building, and Mr. Phillips showed a slide of the existing facility as it sits today. He stated the green area is part of the proposed project. He stated in the top right corner of the property in the green box is the carbon storage and feed building, and there will be some additional paving that will be added to that so that deliveries can be made to that building. He stated on the lower right portion of the existing building is where the construction of the carbon contact tanks and other process equipment will be. He stated there will be a UV and chemical building in the middle of those two areas adjacent to the existing building. He stated UV is ultra-violet light for disinfection. He stated there will also be a sludge-thickener tank on the bottom left corner of the property.

Mr. Phillips stated the project basically involves additional disinfection of the existing process that is there now. Mr. Zamparelli asked if that will contribute to any more or less odor, and Mr. Phillips stated there will be no odor since it is a water treatment plant. Mr. Phillips stated there is also no increase in capacity. He stated this is a modification of the disinfection system that is currently in place. He stated currently in place now, disinfection is done with chlorine and some ammonia; and the chlorine comes in large tanks which is under pressure, and it is a chlorine gas that is injected into the process. He stated that is being converted over to sodium hypochlorite which in layman's terms is bleach. He stated the bleach that can be bought at the grocery store is a 5%, and this will be 10%. He stated what they are proposing is a much safer and much more reliable process.

Mr. Phillips stated there will also be an ultra-violet system, and an ultra-violet light will also be treating the water for disinfection.

Mr. Zamparelli asked if this is a fenced-in area; and Mr. Phillips stated everything is fenced in now, and it will remain so. He stated there is very stringent security at the treatment plant.

Mr. Connors asked if all the processes will take place within a building. Mr. Phillips stated on the bottom far right there are two exposed tanks that sit outside. He stated they are open-top, concrete tanks; and other than that, everything is contained inside the building

Ms. Kirk stated the utility as a water treatment facility will continue in full operation, and Mr. Jones agreed. Ms. Kirk stated the new buildings will house the new disinfecting materials, and Mr. Phillips agreed as well as the addition process that is associated with that. Ms. Kirk asked if by using these new disinfecting materials, are they eliminating the use of chlorine and ammonia; and Mr. Phillips agreed. He added that it is chlorine and ammonia gas that they are eliminating. Ms. Kirk asked if that chlorine and ammonia is stored as a gas form at the property presently, and Mr. Phillips agreed. Ms. Kirk asked how the chemicals will be stored at the property with the new treatment process. Mr. Phillips stated it is a liquid, and it will come in a tank. He stated it is not a gas; and part of the reason for doing this is removing all of the gas for safety purposes.

Ms. Kirk stated when they met with the Planning Commission they discussed a containment area and trench, and she asked where that will be located. Mr. Phillips showed on the Plan, the area for deliveries now; and that is where the deliveries will be made. He stated in the area there will be a drain installed that will go to a chamber area so that any time if there is a spillage, it will be captured in there, and it will not run off of the site. Ms. Kirk asked if there is a spillage which is captured in that area, how does the spillage get removed. Mr. Thomas stated they would call someone to get it, and there are professionals that would come in and remediate that if that were to happen. Ms. Kirk asked if the containment area will be wholly enclosed to avoid any seepage into the ground and the surrounding area. It was noted that while it will not be enclosed in a building, it is the parking area; and it will be contained to that specific area and will not run out of the area. Mr. Jones stated the area will be paved.

Mr. Connors asked how they are monitoring the stormwater, and Mr. Phillips stated they are mitigating stormwater in accordance with the Township's Code. Mr. Connors stated he meant with regard to the pit since if a storm comes in,

the pit will fill up with water; and he asked the process for which that would be removed. Mr. Thomas stated the way it is designed, there is an automated valve in there, and the valve normally stays open so whenever there is no truck there, water will drain into that trench and go through the stormwater system. He stated when a delivery is made a valve automatically closes so that if a spill occurs from the delivery truck it is captured. He stated once the delivery has been completed their own operator will have to do a visual inspection before that valve is manually reopened. Mr. Connors stated there is therefore an operation for deliveries and safety, and Mr. Thomas agreed.

Mr. Jones stated Mr. Phillips was referring to the parallel area to the east of the area fronting the Railroad tracks.

Ms. Kirk asked how the new proposed buildings will be visually buffered from the roadway. Mr. Phillips stated there are existing trees there now which buffer the buildings, and the buildings will not be encroaching anywhere into the setback of the buffer that they currently do now. Ms. Kirk stated they will not be as visible from Mill Road. Mr. Phillips stated the design of the buildings are similar in architecture to what is there now, and they meet the Ordinance as to height and coverage.

Ms. Kirk stated there is a Residential house on the corner of Edgewood and Mill Roads, and she asked if anyone from Pennsylvania American Water Company has talked to those residents about the proposed additions. Mr. Phillips stated he is not aware of that; however, he knows that they have been notified in accordance with the notification process. Ms. Kirk asked if they have received any complaints or communications from the residents stating that they are opposing the proposed additions, and Mr. Phillips stated he is not aware of any.

Mr. Zamparelli asked if the DEP or EPA will get involved in this matter; and Mr. Phillips stated they do, and there is a myriad of Permits that have to be acquired with the Zoning Hearing Board approval being just a small part of the whole process.

Mr. Zamparelli stated Mr. Connors had asked about a leak, and he asked if there is a device to let someone know that there is a leak. Mr. Phillips stated it would not be a leak, rather it would be a spill during delivery. Mr. Phillips stated someone from the Water Company would be there when a delivery is being made, and as Mr. Thomas described there is a process for closing and opening the valve during the delivery. Mr. Phillips stated part of the Permit that is filed has spill mitigation containment plans and operation plans that are part of the process.

Mr. Zamparelli asked if there is a plan to do any mitigation for the extra impervious surface, and Mr. Phillips stated they are able to meet the Township's Ordinance. He noted on the upper left of the Plan where there is a pipe and two chambers, and those are two underground detention and infiltration basins that will be installed that will meet the Township's Ordinance. Mr. Zamparelli asked Mr. Majewski if that is correct, and Mr. Majewski agreed. Mr. Phillips stated that has not been reviewed yet since they were waiting to submit the Land Development Plan until they got a Decision from the Zoning Hearing Board this evening; but they have designed it to meet the Ordinance. Mr. Majewski stated he believes that the soils are suitable for infiltration. Mr. Phillips stated infiltration testing has been done already, and it exceeded the requirements.

Mr. Solor stated there were no calculations on that on what the Zoning Hearing Board received, and Mr. Phillips stated that is part of the Land Development process which will be forthcoming.

Mr. Connors asked if they are capturing roof run-off, and Mr. Phillips stated they are.

Ms. Kirk asked if there will be removal of any existing trees, and Mr. Phillips stated there will. Ms. Kirk asked the number; and Mr. Phillips stated while he does not know the number, it shows on the Exhibit red X's which is the area of trees to be removed, and he believes that it is 14% which is well within the Code requirement for removal of trees for this property. Ms. Kirk asked if any replacement trees will be planted, and Mr. Phillips stated there are none planned at this time. Ms. Kirk stated that will probably have to be considered at the time of the Land Development Application. Mr. Phillips stated he does not believe that this would be required as part of the Land Development. Mr. Majewski stated they do require that trees over 10" in caliper or larger that are removed be replaced so they would either need to add replacement trees, request a Waiver, or pay a Fee-in-Lieu of the trees to be planted elsewhere. Mr. Phillips stated they will address that at the Land Development stage. Mr. Jones stated he understands that the trees are "scrub" trees, and they are not large caliper trees.

Mr. Flager asked if the stormwater remediation is bringing it back down to 24% or back to 18%; and Mr. Phillips stated what it is doing is meeting the Code, and he believes it would be 24%. He stated the Code requirement has them take it from existing to proposed and addressing that increase, and that is what they are doing. Mr. Majewski stated the prior Zoning Hearing Board Application and Land Development Plan did address the stormwater run-off for the entire facility so

it was addressed previously. Mr. Phillips stated there is an existing basin on the site that is not being modified. It was noted that there is a Note on the Plan that says “future tank,” and Mr. Phillips stated the future tank is included in the square footage and everything else that they are including, but they are not constructing it at this time.

There was no one in the audience wishing to comment on this matter, and Testimony was closed.

Mr. Zamparelli moved, Mr. Connor seconded and it was unanimously carried to approve the Special Exception and the Variance for increased impervious surface subject to installation of additional stormwater facilities to the Township’s approval.

Ms. Kirk left the meeting at this time.

APPEAL #20-1855 – ANDREW SCHEURER  
TAX PARCEL #20-055-025  
1525 DERBYSHIRE ROAD

Mr. Andrew Scheurer, Ms. Juliette Scheurer, and Mr. Joel Petty, architect, were sworn in.

Mr. Flager marked the Exhibits as follows: The Application was marked as Exhibit A-1. The Site Plan was marked as Exhibit A-2. The Proof of Publication was marked as Exhibit B-1. The Proof of Posting was marked as Exhibit B-2. The Notice to the neighbors was marked as Exhibit B-3.

Mr. Petty stated the Scheurers are proposing an addition to the rear of their property. He stated the existing impervious coverage is at 30.3 now, and they are proposing an addition that will increase the impervious to 33.1. He stated they would meet all other Zoning criteria within the Ordinances of the Township other than the proposed increase in impervious surface. Mr. Petty stated the building envelope is noted on the Site Plan for setbacks, and they meet the requirements as far as building height.

Mr. Scheurer stated their house does not have a dining room, and they would like to have one.

Mr. Zamparelli asked what they will do to reduce the impervious surface to bring it back. Mr. Petty stated they discussed some things they could do to either reduce the coverage or the ideal approach which would be a seepage bed calculated to offset not only the coverage of the addition but also the existing coverage in impervious coverage to get the site mitigated under the 30% which would be allowable. Mr. Petty stated he has calculations for a seepage bed which would be roughly 10' by 7' by 3' deep bed that would offset 10 cubic feet more and would get them underneath 30% coverage. He stated that would be the ideal scenario to mitigate the coverage and also get the existing non-conformity back to 30% of lot coverage. Mr. Majewski asked if those calculations seem correct, and Mr. Majewski stated he has not seen those calculations. Mr. Petty stated he has documentation that he could submit. Mr. Majewski stated they would have the Township engineer review that to make sure that it is satisfactory.

Mr. Flager marked the document provided this evening as Exhibit A-3.

Mr. Zamparelli stated this would bring them down to 30% if the calculations are correct. Ms. VanBlunk stated with the seepage bed, she felt that they were going to try to bring it down below 30%. Mr. Petty stated he would need to offset 200 cubic feet of water volume, and this would allow for 210 so they would be slightly under 30%. Mr. Zamparelli stated this will have to be submitted to the Township engineer.

Ms. Katie Affigato, 1529 Derbyshire Road, was sworn in. Ms. Affigato stated they moved into 1529 Derbyshire Road in June, 2000; and by September of 2001, it was noted at a Township Board meeting that there were flooding conditions on Derbyshire Road, and they had to close the road multiple times. She stated that situation was at some point resolved; however, there were still lot of flooding issues in the yards, and it is a very wet area. Ms. Affigato stated from 2001 to 2009 she did a lot of landscaping in the back of their property to slow the water coming down. She stated by the summer of 2009 it was so bad that they sent a letter to the Township asking for help because they were re-doing Derbyshire Road. She stated she had hired Marrazzo North to do drainage systems on her property, and they coordinated with the Township and put storm drains along the road in the front. She stated finally she does not have to be home in heavy rain to deal with the water issues. She stated she wants to make sure that any work done on nearby properties has proper safeguards in place that would prevent a situation that would result in excess water flowing back toward her property since

the system is at maximum capacity. She stated she takes a lot of water from the house between them which flows into her yard. She stated the drains that they have in place are handling it; however, she does not feel they can handle more.

Mr. Petty stated all the roof leaders from the addition would be going into the seepage pit.

Ms. Affigato stated she does not know how all the yards are graded, but she wanted to say she is concerned about “big impervious surface.” She stated she is not opposed to what they are doing, but she wants to make sure that there is a plan in place that works.

Mr. Zamparelli stated what they are indicating is that they are going to put a seepage bed in, and the roof leaders will go into that seepage bed; and Mr. Petty agreed. Mr. Zamparelli stated Ms. Affigato will not see any additional water than what she sees right now.

Mr. Solor stated while it is not required by the Code, the design storm is more than the 2” so that if they wanted to add an extra layer of insurance, they could make it larger although there is no requirement in the Code for that.

Mr. Scheurer stated they want to make sure that this does not create any water issues for themselves or their neighbors.

Mr. Majewski stated he has had the opportunity to check the calculations by Mr. Petty, and they are correct.

Ms. VanBlunk moved, Mr. Connors seconded and it was unanimously carried to grant the Variance increasing the impervious surface to 33.1% as long as they take the appropriate stormwater remediation as approved by the Township to bring it down to 30% or below.

There being no further business, Ms. VanBlunk moved, Mr. Solor seconded and it was unanimously carried to adjourn the meeting at 9:15 p.m.

Respectfully Submitted,

Anthony Zamparelli, Chair/Secretary

