



WARRINGTON TOWNSHIP ZONING HEARING BOARD MINUTES FOR THE JULY 27, 2020 MEETING

A meeting of the Warrington Township Zoning Hearing Board was called to order at 7:00 p.m. on July 27, 2020 at the Township Building located at 852 Easton Road, Warrington PA, 18976.

Pledge of Allegiance: The meeting opened with a pledge to the flag.

Introduction of Members: The members present were as follows:

Frank Shelly, Chair	Present
Janice DeVito, Vice-Chair	Present
Richard Alsdorf, Member	Present
Dennis Gordon, Member	Present
Harry Chess, Member	Excused
Kevin Lawlor, Alternate Member	Present
Thomas E. Panzer, Esq., Solicitor	Present
Roy W. Rieder, P.E., Zoning Officer	Present
Christian R. Jones, Deputy Zoning Officer	Present

Stenographic Record: A stenographic record of the meeting will provide a record of the proceedings. Copies of the stenographic record may be purchased from Donna DeAngelis-Lehmann.

Approval of Minutes

June 22, 2020

Mr. Gordon made a motion, seconded by Ms. DeVito, to approve the minutes; the motion passed unanimously.

OLD BUSINESS

None

NEW BUSINESS

Hearing #1

WT ZHB #20-06: Application of Randy Brasof

Subject Property: 3000 Jonathan Drive, Chalfont, PA

TMP #: 50-010-013-087

Zoning: RA with TDRs

Mr. Brasof appeared on his own behalf. He stated that his widowed father is currently living in Nevada and wishes to return to this area where he had grown up. Mr. Brasof is planning to construct the apartment on the basement floor with exterior at grade access at the rear of the building. There will be interior access to the remainder of the house.

Mr. Gordon made a motion to grant a special exception with three conditions (1) the applicant must comply with the annual reporting requirements, (2) the applicant must place a deed restriction on the property that the approval is for an accessory apartment only and may never be rented to anyone, and

(3) when the accessory apartment is no longer occupied by a person related to the owners by blood, marriage or adoption, the accessory apartment must be dismantled by permanently removing the cooking appliances. Ms. DeVito seconded. The motion passed unanimously.

Hearing #2

WT ZHB #20-07: Application of Walnut Creek Acquisitions, L.P.

Subject Property: 3501 County Line Road, Chalfont, PA

TMP #: 50-004-067

Zoning: R1

Edward Murphy appeared on behalf of the applicant. The applicant is seeking a variance to allow development of a 24.447 acre tract as a Conservation Residential Development where 25 acres is the minimum acreage required. Mike Kelly, 135 Muirfield Lane requested party status. Joe Kirby 145 Muirfield Lane also requested party status; Mr. Kelly and Mr. Kirby, as principals of BFP LLC, and owners of 3467 County Line Road jointly requested party status. Party status was granted.

Chris Canavan, WB Homes and Senior VP of Walnut Creek Acquisitions, LP and Scott Mill, RLA, Van Cleef and Associates represented the applicants. The property is currently used as an active nursery and landscaping business. Mr. Canavan showed an aerial photo of the property. The center of the property is developed as a nursery and landscaping business. There are two points of access to County Line Road. PennDOT had condemned a portion of the property in April 2010 for a stormwater basin for the Route 202 widening.

Scott Mill described the PennDOT taking as being 1.987 acres, leaving 24.447 acres remaining. Measuring the area to the ultimate right-of-way line, 25.180 acres would have been available, and no variance would have been needed but for the PennDOT acquisition.

Mr. Murphy stated that if zoning relief is granted, then the applicant must begin the process of applying for a conditional use approval for a Conservation Residential Development and then the subdivision and land development process.

Mr. Kelly stated that the PennDOT did not create the problem because the applicant knew that the property was undersized when they bought the property in 2019.

After hearing the testimony, Mr. Gordon made a motion seconded by Mr. Lawlor to grant the zoning relief. Mr. Gordon, Mr. Lawlor, and Mr. Shelly voted to approve the motion; Mr. Alsdorf and Ms. DeVito dissented. The motion passed 3-2.

Hearing #3

WT ZHB #20-08: Application of North Wales Water Authority

Subject Property: 1553 Easton Road

TMP #: 50-026-091

Robert Bender and Bradley Fisher, both of North Wales Water Authority (NWWA), and Scott Mill, Van Cleef Engineering Associates, appeared on behalf of NWWA represented by Robert Gundlach and Ron Kolla. There is an existing office building and sixteen parking spaces on the site. There is one access point to Easton Road and no stormwater management. The existing house is used under a variance for office purposes. NWWA acquired Warrington Township's water system in 2019. NWWA proposes to

use the existing building as an office and construct a 10,000 sf building, widen the driveway, and establish stormwater management. The question before the Zoning Hearing Board relates to the proposed building. Mr. Gundlach stated that the applicant was withdrawing the special exception for outside storage as there would never be any outside storage of materials either before or after construction of the new building. Special exception is being requested under the 1988 decision to expand the building. In 1988, 30 percent building coverage was allowed. Applicant is proposing 30 percent total building and impervious coverage. Applicant is looking for an interpretation or a variance regarding impervious cover. The existing parking lot is about 37 feet from the property line where a 50-foot buffer is required. The applicant is seeking an interpretation that there is an existing non-conformity or a variance. The applicant is proposing 16 parking spaces where he feels 12 spaces are all that he requires.

Mr. Bender gave testimony regarding the planned operations at the location with a maximum of six personnel.

Mr. Bender stated that the building was L-shaped to minimize noise impact on neighboring properties. NWWA has employed Stampfl Associates to design the facility. Mr. Bende showed a rendering of the proposed building which will be constructed with the appearance of a Bucks County horse barn. Mr. Bender said that he expects the site to look like a horse farm so it would be pleasing to the eye.

Scott Mill described the existing uses surrounding the property to be an existing quarry on the west, an existing restaurant, four residential properties and an existing church. There is an existing structure currently used as an office. Improvements proposed include the 10,000 square foot building, widening of an existing driveway, and construction of a stormwater basin at the low point. An existing 6-space parking area in front of the existing building would provide overflow parking. The new operational building would be L-shaped and contain an additional ten parking spaces. The applicant is proposing a total of 16 parking spaces. The existing lot is about 37.5 feet from the property. The applicant is proposing a total of 30 percent of impervious area. Mr. Mill stated that there is no impervious cover limit for a public utility in the ordinance.

Mr. Mill stated that the total building coverage including the new building will be ten percent. Mr. Mill stated that the property is suitable for the proposed use due to access to the transportation network and proximity to the NWWA business office.

Following the testimony, Mr. Gundlach requested a continuance until August 24 to enable NWWA to have the opportunity to present their proposals formally to the Warrington Township Planning Commission and obtain their comments and recommendations.

Mr. Gordon made a motion to continue the meeting to August 24, 2020. Ms. DeVito seconded. The motion passed unanimously.

The meeting adjourned at 9:45 pm.

Next Meeting

August 24, 2020 at 7:00 pm.