



## WARRINGTON TOWNSHIP ZONING HEARING BOARD MINUTES FOR THE FEBRUARY 22, 2021 MEETING

A meeting of the Warrington Township Zoning Hearing Board was called to order at 7:00 p.m. on February 22, 2021 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	Present
Kevin Lawlor, Alternate Member	Excused
Thomas E. Panzer, Esq., Solicitor	Present
Roy W. Rieder, P.E., Zoning Officer	Present
Christian R. Jones, Deputy Zoning Officer	Present (via remote access)

**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-

### Approval of Minutes

#### January 25, 2021

Mr. Gordon made a motion, seconded by Mr. Chess, to approve the minutes; the motion passed 5-0.

### NEW BUSINESS

#### HEARING #1

#### WT ZHB #20-28: Application of John and Carolyn Shimp

**Subject Property:** 1841 Acorn Way, Warrington, PA

**TMP #:** 50-50 055 076

**Zoning:** R2 Cluster

Mr. Paul Kohner, Esq., represented Mr. and Mrs. Shimp. The applicant is currently near the maximum allowable impervious area and is requesting a variance to allow impervious area of 30.3 percent in order to install a swimming pool. Mr. Shimp stated that the only improvement he had made was the installation of a shed in the rear of the yard in 2013. Mr. Shimp explained the grading and proposed stormwater management controls in detail.

Upon hearing all testimony, Mr. Chess made a motion seconded by Mr. Alsdorf to grant a motion on the condition that the applicant construct the plan as shown and comply with the requirements of the township engineer regarding stormwater management. The motion passed unanimously.

**Hearing #2**

**WT ZHB #20-29: Application of James Braccia**

**Subject Property: 941 Bluebell Lane, Warrington, PA**

**TMP #: 50 014 009**

**Zoning: RA**

Mr. Braccia appeared on his own behalf. Mr. Braccia is proposing to construct a garage on the property. The property is non-conforming in that it does not meet the minimum lot size of three acres. In addition, the proposed structure increases the impervious area over the maximum allowable. Mr. Braccia plans to mitigate the impervious area through the installation of a rain garden. Mr. Braccia plans to use the structure to store tools for his business which is property management.

There was confusion in reading the plans to determine the extent of the existing driveway, particularly in the manner in which the proposed extension to the driveway and the resultant total impervious area for the site. Mr. Shelly requested that the applicant revise the plans to depict the existing driveway more clearly and return in March.

Mr. Gordon made a motion to continue the hearing; Mrs. DeVito seconded. The motion passed unanimously.

**Hearing #3**

**WT ZHB #20-30: Application of Dorothy Ball**

**Subject Property: 981 L. State Road**

**TMP #: 50 004 152**

**Zoning: R3**

The application had been withdrawn prior to the meeting at the applicant's request.

**Hearing #4**

**WT ZHB #20-29: Application of GDL Farms, Corp.**

**Subject Property: 2900 W. Street Road, Warrington, PA**

**TMP #: 50 014 010 014 001**

**Zoning: IU-A1**

Prior to the beginning of the hearing, Mr. Gordon recused himself because he is a member of the board of the adjoining property which might have presented a conflict of interest.

The applicant was represented by Kimberly A. Freimuth, Esq. Due to a design error, more impervious area was shown on the plan than was allowed by zoning. Mr. Vincent Datillo, the CEO of GDL Farms Corp. testified that the facility provides personal care and memory care. He was unaware that there had been an error on the design plans. Although, the facility was constructed in accordance with the approved plans, there was a clerical error on the plans that underestimated the total amount of impervious area. After the facility was constructed, the true quantity of impervious area was discovered to exceed the maximum allowable impervious area. Review by the fire marshal did not uncover any impervious area that could be removed without jeopardizing safety.

Mr. Panzer stated that the township solicitor had submitted a letter of support from the Board of Supervisors in favor of the variance.

Ms. DeVito made a motion seconded by Mr. Chess to grant the variance with the condition that the trees shown on the plan be installed as shown. The motion passed 4-0, with Mr. Gordon having recused himself

#### **ADDITIONAL BUSINESS**

- a. Review and, if appropriate, approve the 2020 Warrington Township Zoning Hearing Board Annual Report. The Board approved the Annual Report as written.
- b. Determine a date for the December 2021 Zoning Hearing Board Meeting. The Board decided to hold the meeting on December 13, 2021

The meeting adjourned at 8:45 pm.

#### **Next Meeting**

March 22, 2021 at 7:00 pm.