

**KINGWOOD TOWNSHIP
BOARD OF ADJUSTMENT**

**June 11, 2014
MINUTES
7:30 PM**

M.L. Haring, chairperson, called the meeting to order, at 7:30 pm.

PRESENT:

D. Hewitt
M.L.Haring
P. Stepanovsky
B. Wilson, sec
C. McBride

L. Frank
C. Ostergaard, alt
J. Laudenbach
T. Ciacciarelli
T. Decker, eng

ABSENT:

D. Pierce, atty

In order to ensure full public participation at this meeting, all members of this Board, and members of the public are requested to speak only when recognized by the Chair so that there is no simultaneous discussion or over- talk, and further, all persons are requested to utilize the microphones which are provided for your use by the Township. Your cooperation is appreciated.

The 48 hour requirements of the Sunshine Law have been met. Notice of this hearing has been advertised in the Democrat. Copies of this notice were posted in the Kingwood Township Municipal Building and filed with the Municipal Clerk. The Board of Adjustment proceedings close at 10:30 pm.

MINUTES:

The May 14, 2014 minutes was approved with a motion by D. Hewitt, seconded by P. Stepanovsky. On roll call to vote.

**Aye: C. McBride, J. Laudenbach, D. Hewitt, P. Stepanovsky,
T. Ciacciarelli, M. L. Haring**

Abstain: L. Frank, C. Ostergaard

Absent: None

RESOLUTION:

None

NEW BUSINESS:

Determination of Completeness:

Bucks County Public Safety Radio Network – BL 14, L 12.01 - co-location

Nathan Fox, from Begley, Carlin & Mandio, LLP, was present. Also present was Audrey Kenny, County of Bucks 911 Director and Project Manager for the Police Radio Project. They received Mr. Deckers letter and review. Their engineer/consultant believed that because this is a co-locate that a survey would not be necessary, that was incorrect.. They believe that the survey will solve/clear up all the deficiencies and they will be back by July.

Tom Decker stated that he did submit a letter dated May 30, 2014 listing items that were not provided. He also noted that there are items that can be waived. Tom went through the variance checklist which is on page #3 and #4 and noted the following items that can be waived #13, #16 (partial waiver), #17, #19, #21, #22, #23, #24, #25 - #29 and #30 are N/A. Items that they will comply with are the following: #2, #4, #5, #6, #7, #8, #9, #10, #12, #14, #15, #18, #32 and #34. The applicant will also need to provide an affidavit of ownership from the property owner of Block 14, Lot 12.

Tom Decker stated that the Kingwood Township Committee, in April, adopted Ordinance 18-04-2014 clarifying when a site plan application is required. This application requires a site plan application. There are a couple of things the Board can do and that is to require a site plan application or another option is to grant a waiver from submitting the site plan based on the applicants merits – this is a co-location.

Nathan Fox - they would request that a waiver be granted from the site plan requirement given that it's identical to what was there prior.

P. Stepanovsky asked if there's a final from the last time?

Tom Decker – doesn't know, it pre-dates him.

Tom Decker – the amount of level of detail is probably the same as the level of detail as the variance application.

M.L. Haring – if you look at the plans there's zero change in the footprint, zero.

C. McBride – so this new ordinance is to make sure that something else hasn't happened on the property that's also different.

Tom Decker – the purpose of the ordinance revision is that there was some Grey areas as far as when a site plan was required. For example – if you had a change in use, and that change would create additional parking, but the way the ordinance was written was a little fuzzy as far as whether or not you had to come in for a site plan to demonstrate that they have sufficient parking. For example – the application we had the last time, if it went from fabrication to office and research, it would be a change in use and a change in the required parking etc. and would necessitate a site plan. What the ordinance does now is at least raises the question so that the Board can look at applications individually and say this application, because of its nature, doesn't warrant a site plan application, or there's some stuff going on here that we need a site plan. It's up to the Board as to whether or not they want to see a full blown site plan application for this.

Nathan Fox – would it be helpful if the request from the waiver of the site plan requirement be conditioned upon a satisfactory review of the survey plan that is presented with the zoning application. That gives the Board the opportunity to see that everything is as they represented.

M.L. Haring – just the plans themselves show no change to the footprint or change in the use.

Tom Decker – he would not object to issuing a waiver to the site plan requirement.

No questions from the Board for Mr. Fox.

L. Frank made a motion to determine this application conditionally complete including waivers for the following: #13, #16 (partial), #17, #19, #21, #22, #23, #24, #25, #29 & #30 (N/A) and a waiver from the submission of a site plan, seconded by D. Hewitt. On roll call to vote.

**Aye: L. Frank, C. McBride, J. Laudenschach, D. Hewitt, P. Stepanovsky,
M. L. Haring**

Nay: T. Ciacciarelli
Absent: None
Abstain: None

Everything needs to be submitted to the Board secretary by June 30th.

OPEN TO PUBLIC:

COMMUNICATIONS/REPORTS:

Barbara Wilson stated that she spoke with John Barczyk and he stated he has nothing to report in regards to Mr. Crance.

ADJOURNMENT:

C. McBride moved to adjourn, seconded by D. Hewitt. All in favor. Meeting adjourned at 8:00 PM.

Barbara Wilson
Secretary
Board of Adjustment
Kingwood Township

