

CHESTER BOROUGH  
LAND USE BOARD  
June 10, 2021

The Regular meeting of the Chester Borough Land Use Board was held remotely on June 10, 2021.

**Opening Statement**

Chairman Kenneth Kasper called the meeting to order at 7:04 p.m. Adequate notice of this meeting of the Chester Borough Land Use Board was given as required by the "Open Public Meetings Act" as follows: notice was sent to the Observer Tribune and the Daily Record, posted on the bulletin board in the Borough Municipal Building and posted on the Borough website and filed with the Borough Clerk. The Land Use Board will hold a regular meeting by web-based platform providing remote access as the meeting will be open to the public remotely. Details for public participation will be posted on the website at chesterborough.org. Public can register at Zoom.us and to join:

[https://us02web.zoom.us/webinar/register/WN\\_Xe0VnTELR6az3m9Ja-d8-A](https://us02web.zoom.us/webinar/register/WN_Xe0VnTELR6az3m9Ja-d8-A)  
**WEBINAR ID: 868 8748 2519**

In the event any member of the public cannot access the public file documents or exhibits, and/or cannot access the Zoom web-based virtual meeting room, they may contact the Board Secretary at kbrown@chesterborough.org or 908-879-3660 x 2123

**SALUTE TO THE FLAG**

**ROLL CALL**

**Present:**

Janet Hoven, Class I  
Kerry Brown, Class II  
Chris Heil, Class III  
Kenneth Kasper, Class IV  
Anita Rhodes, Class IV  
Adam Sorchini, Class IV  
Michael Ferrone, Class IV  
Jason Rothamel, Alternate # 1

**Absent:**

Donald Storms, Class IV  
Stan Quintana, Class IV  
Edd Creter, Class IV member who has resigned.  
Kyle Kopacz, Alternate # 2  
Paul Ferriero, Board Engineer

**Also Present:**

Sarah Jane Noll, Committee Secretary  
Steven K. Warner, Esq., Board Attorney  
David Banisch, Board Planner  
Steven Bolio, Board Engineer

**In the audience:**

Anthony Sposaro, Esq.

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Joseph R. Vuich, PE,  
Ken Christensen  
Scott Krumholz  
Amanda Wolfe from Steve Warner's office

**Minutes – May 13, 2021** – By motion of Kerry Brown and seconded by Michael Ferrone, the minutes of the May 13, 2021, meeting were approved.

**PUBLIC HEARING:**

**Mill Ridge Lane Property LLC and Highpoint Development, LLC (previously listed as Larison's Corner LLC) -Block 101, Lots 12.07 and 12.08 Preliminary and Final Subdivision and Preliminary and Final Major Site Plan:** Subdivision and Site Plan applications to construct 20 townhouses with site improvements **TO BE CARRIED TO THE JULY 8<sup>th</sup>, 2021, meeting without further notice.**

Anthony Sposaro, Esq. representing the applicant, gave an extension thru to the end of July 2021.

**ORDINANCE 2021-010**

An ordinance amending the Borough Code Chapter 163-70(L) Prohibited activities, for the operation of business engaged in the sale, cultivation, and/or manufacturing of marijuana within the Borough of Chester.

Steve Warner explained the ordinance. Mr. Banisch reviewed his report dated 6-10-21. The governing body has chosen to optout and can prohibit the sale, cultivation and/or manufacturing of marijuana within the borough but cannot restrict a licensed delivery service from delivering cannabis to anyone in the Borough. Mr. Banisch testified that the ordinance is not inconsistent with the Master Plan and the Housing Elements. There were no questions from the board members. Mr. Banisch advised the Board that it is not inconsistent with the Master Plan, including the Housing Elements.

A motion to open the meeting to the public was made by Kerry Brown and seconded by Anita Rhodes. Since there was no one in the public wishing to comment, Kerry Brown moved to close to the public and Anita Rhodes seconded the motion.

A motion to report to the Borough Council that the Ordinance is not inconsistent with the Master Plan was made by Michael Ferrone and seconded by Chris Heil. The motion was passed by the following roll call vote:

**AYES:** Kenneth Kasper; Adam Sorchini; Michael Ferrone; Anita Rhodes; Kerry Brown; Janet Hoven; Jason Rothamel; Chris Heil.

**NAYS:** None

## **COMPLETENESS REVIEW**

**Global Acquisitions Company LLC -2 West Main Street, Block 101, Lots 13, 14, 15, 16** -Preliminary Major Subdivision and Site Plan application to construct multiple buildings including a restaurant, CVS Drug Store, medical office building, general office building, affordable housing units, cell tower and an organic farm.

Mr. Sposaro was present representing the applicant. He advised the board of the waiver requests of the checklist items listed in Mr. Ferriero's report dated 6-9-21. Mr. Bolio addressed the checklist items and recommended that they be waived for completeness only.

Mr. Banisch asked that a full set of architectural drawings be provided to the professionals and the Board Members and for the public to view at the Borough Hall.

The board members had no questions of Mr. Sposaro.

A motion made by Michael Ferrone and seconded by Kerry Brown approving the waiver of the checklist items and deeming the application complete was passed by the following roll call vote:

**AYES:** Kenneth Kasper; Adam Sorchini; Michael Ferrone; Anita Rhodes; Kerry Brown; Janet Hoven; Jason Rothamel; Chris Heil.

**NAYS:** None

Anthony Sposaro asked if the application can be placed on the July 8<sup>th</sup> agenda for a public hearing. The request was denied since there is no report from Mr. Ferriero's office. Mr. Bolio concurred that there could not be a July hearing and that an August hearing is more reasonable. Mr. Sposaro advised that a demolition permit for the partial demo of the outer wings of the Larison's Restaurant has been filed and asked that it be considered at the same time as the public hearing in August.

## **RESOLUTIONS FOR ADOPTION**

**Bajwa Management LLC 2021-04 - 92 West Main Street, Block 101, Lot 12.02**

Amended Preliminary and Final Site Plan application to convert existing retail space and one apartment to commercial/retail/office/business space and three-2-bedroom apartments.

Kerry Brown moved to adopt the resolution as corrected; Anita Rhodes seconded the motion which was passed by the follow roll call vote:

**AYES:** Kerry Brown, Kenneth Kasper, Anita Rhodes, Michael Ferrone and Jason Rothamel

**NAYS:** None

**COMMUNICATION/DISCUSSION ITEMS** - No discussion

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**Public Comment** – Ken Christensen residing at 79 Collis Lane, asked if he could speak about Larison's Corner. Mr. Warner explained that the application discussed this evening was solely for a completeness determination and that the public will be allowed to be heard at the time of the public hearing when it takes place.

**ADJOURNMENT** – There being no further business, the meeting was adjourned at 7:55 p.m. by a motion by Mayor Hoven and seconded by Chris Heil.

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Sarah Jane Noll  
Committee Secretary