

CHESTER BOROUGH  
LAND USE BOARD  
April 14, 2022

The Regular meeting of the Chester Borough Land Use Board was held on April 14, 2022

**Opening Statement**

Vice Chairman Donald Storms called the meeting to order at 7: 05 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.

**SALUTE TO THE FLAG**

**ROLL CALL**

**Present:**

Janet Hoven, Class I  
Margaret Nordstrom, Class II  
Chris Heil, Class III  
Donald Storms, Class IV  
Anita Rhodes, Class IV  
Michael Ferrone, Class IV  
Jason Rothamel, Alternate # 1 came into the meeting at 7:15 p.m.

**Absent:**

Kenneth Kasper, Class IV  
Stan Quintana, Class IV  
Adam Sorchini, Class IV  
Kyle Kopacz, Alternate # 2  
Paul Ferriero, Board Engineer  
Amanda Wolfe, Esq.

**Also Present:**

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

**Minutes:**

**March 24, 2022** – By motion of Michael Ferrone and seconded by Chris Heil the minutes of the March 24, 2022, meeting was approved as read.  
**Donald Storms abstained**

**PUBLIC HEARING:**

**Chester Town Center (Former Larison’s Turkey Farm) -Global Acquisitions Company LLC -2 West Main Street, Block 101, Lots 13, 14, 15 &16**

CHESTER BOROUGH

LAND USE BOARD

April 14, 2022

Preliminary Major Subdivision and Site Plan application to construct multiple buildings including a restaurant, CVS Pharmacy, medical office building, general office, affordable housing units, cell tower and an organic farm.

**Application deemed complete June 10, 2021. The applicant had granted an extension of tolling time through April 30, 2022.**

Mr. Sposaro was present and asked that the application be carried without further notice to May 12, 2022. The extension was granted until the end of May 2022.

**Old Chester Road Associates – 191 Main Street, Block 110, Lot 44**

Minor Site Plan and Variance Application to enlarge an existing freestanding sign.

Board Attorney Steven Warner found that the notice to be sufficient and properly noticed and advised the Board that they have jurisdiction to hear the application.

The Board professionals were sworn in.

**Completeness**

The Engineering report dated March 24, 2022, and prepared by Paul Ferriero was addressed by Steve Bolio who reviewed the request for the following checklist waivers: Items 6, 9, 12, 13, 18, 20, 22, 23, 24, 26, 29, 30, 31, 33, 34, 37, 38, 39, 41, 46, and 55. Engineer Bolio recommended a waiver of these items based on the scope of the application.

By motion of Janet Hoven and seconded by Margaret Nordstrom, the Board voted to waive the requested checklist items and found the application to be complete.

Anthony Sposaro, Esq. was present representing the applicant.

Receipt of the report dated April 14, 2022, prepared by David Banish, Board Planner was acknowledged by Mr. Sposaro.

Mr. Sposaro addressed Mr. Ferriero's report of March 24, 2022. Item 9 regarding sight distance from the Collis Lane exit lane looking east along Main Street was addressed. Mr. Sposaro asked that the engineers deal with this and if the sign must be relocated, it will be. He will provide a copy of their property deed to confirm whether there are any sight easements that may affect the property. He has no objection to the rest of that report and will make the necessary additions or corrections.

William Byrne, Architect was sworn in by Mr. Warner and was accepted as a professional architect and planner. His license is in order.

- Jason Rothamel came into the meeting at 7:15 p.m.

Mr. Byrne reviewed the application which requires a variance for a freestanding sign that is proposed at 40 s.f. and to replace a 26 s.f., 2-panel, internally illuminated freestanding

CHESTER BOROUGH

LAND USE BOARD

April 14, 2022

sign. The proposed sign consists of three panels with ground-mounted lighting. The existing brick monument base will be reused for the proposed new, taller sign which is to be located on the Main Street front yard of the office building. The property is located at the corner of Main Street and Collis Lane. The existing sign advertises two tenants and has an overall height of 5'-6". The new sign will advertise three tenants in the building and has an overall height of 7'-7". The brick monument base is 24,375 s.f. and will be used for the replacement sign. It is 2'2" high x 11'3" wide and includes the address of the property: '191 Main Street'.

Mr. Sposaro questioned the witness. The property is in the Office Transitional Zone in which signs are not permitted. Mr. Byrne testified that it is not inconsistent with other signs in the zone and that 90% of the signs on Main Street are like what is proposed. He said that the special reasons to grant the variance are well supported.

**Board questions.**

Board members questioned the color of the lights and the hours that they will be on. The applicant stipulated that they would be shut down one (1) hour after closing. Members questioned the reason for replacing the existing sign and commented that the monument base makes it high. Mr. Sposaro stipulated that if the sign must be relocated, they will remove the base.

Robert Berlant, owner of the property with his office located at 2 North Road was sworn in and testified to the front and rear façade signage. Mr. Berlant stipulated to the measurements in Mr. Banisch's report.

Anita Rhodes advised that the approved landscaping be re-established to what was originally approved by the Board. Mrs. Rhodes will look for the original plans. Mr. Berlant spoke of additional trees that he has planted in the rear of the property and the planting of a ground cover on the berm. He agreed to meet and work with the Shade Tree Commission to come to a consensus as to the required plantings. Mayor Hoven pointed out that the LUB never reviewed the second sign on the building nor was a permit for it ever issued. David Banisch asked for dimensions of the two signs on the building. Mr. Sposaro advised that his client is not prepared to give testimony on the building signs this evening. There was discussion regarding the wall mounted signs. The applicant stipulated that the front wall mounted sign will be removed and that they will meet with the Shade Tree Commission on landscaping to be required. They agreed to the recommended illumination and hours.

Jamie Byrne – 10 Main Street, Chester was reminded that she had been previously sworn. She testified that she had prepared the drawings.

The review by the Historic Preservation Commission was discussed. Mr. Sposaro objected to this review. A pole of the Board was taken, and it was the consensus of the Board not to require that review.

**PUBLIC PORTION**

CHESTER BOROUGH

LAND USE BOARD

April 14, 2022

The public portion of comments regarding the application was opened and closed by motion of Chris Heil and seconded by Margaret Nordstrom since there was no one in the public.

The time that Mr. Rothamel came into the meeting was discussed and it was decided that he was present during the testimony of the applicant.

Mr. Warner reviewed the three (3) variances being sought by the applicant which are for: variance for a 79.9 square foot freestanding monument sign, whereas the total area of a freestanding sign in the O-T Zone, with three (3) tenants, is 18 square feet, pursuant to Section 163-89. B. (4) of the Land Development and Procedures Ordinance of the Borough of Chester and a variance for sign height of 7 feet, 7 inches, whereas signs located in the O-T Zone shall not exceed 5 feet in height, pursuant to Section 163-89. B.(3)(e) of the Ordinance.

Chris Heil moved to approve the variances sought for the sign with the conditions that the LUB had discussed; Margaret Nordstrom seconded the motion which was passed by the following roll call vote:

AYES: Michael Ferrone; Chris Heil; Jason Rothamel and Donald Storms

NAYS: Margaret Nordstrom; Janet Hoven and Anita Rhodes

- Conditions of approval:
- Hours of illumination
- Sight distance
- Shade Tree review of landscaping previously approved by the LUB
- Copy of the deed.
- Landscaping to be completed within 6 months of approval.

**Communication/Discussion Items :**

It was decided that the Board will conduct one Public Hearing meeting per month with the 4<sup>th</sup> Thursday for board work.

The Land Use Ordinance #2022-01 has been adopted.

**Public Portion** – None

**ADJOURNMENT** – There being no further business, the meeting was adjourned at 8:55 p.m. on a motion by Margaret Nordstrom; seconded by Chris Heil. .

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Sarah Jane Noll  
Committee Secretary