

CHESTER BOROUGH
LAND USE BOARD
October 10, 2019

The meeting of the Chester Borough Land Use Board was held at the municipal building located at 50 North Road on October 10, 2019.

Opening Statement

Acting Chairman Donald Storms called the meeting to order at 7 p.m. Adequate notice of this meeting was given as required by the “Open Public Meetings Act” as follows: notice was sent to the Observer-Tribune and Daily Record, posted on the bulletin board in the Borough Municipal Building and filed with the Borough Clerk.

Salute to the Flag

The salute to the flag was led by Acting Chairman Storms

ROLL CALL

Present:

Donald Storms
Kerry Brown
Edd Creter
Anita Rhodes
Chris Heil
Jennifer Cooper
Adam Sorchini, Alternate #2
Michael Ferrone, Alternate #3

Absent:

Kenneth Kasper, Chairman
Mayor Janet Hoven
Stan Stevinson
Steven Bolio, Board Engineer
David Banisch, Board Planner

Also Present:

Richard Marcickiewicz, Board Attorney
Sarah Jane Noll, Secretary

Minutes – July 16, 2019 and August 8, 2019

The minutes of July 16th and August 8th were approved as corrected.

Public Hearing:

2019-04 William Curl: 7 Ammerman Way, Block 106, Lot 19, R-LD

Variance application (rear yard setback) to construct a deck with a roof and hot tub.

Derek Curl was present along with his architect Shawn Scott who had prepared the plans. Richard Marcickiewicz had reviewed the notices and found them to be in order.

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Mr. Curl advised that he wants to extend the existing deck. Mr. Marcickiewicz asked for the applicant to provide more information to the board. Mr. Curl advised that the existing deck is only 8' deep and is not wide enough to entertain on. The ordinance requires 75' rear setback and the existing setback is 51.57'. He would like to extend the deck with a roof over it. The addition would reduce the rear setback to 47.13'. All other setbacks are conforming with the exception of the front which does not apply. The existing deck stops at the line of the house. The addition would go up to the existing retaining wall. The patio for the hot tub exists now but they do propose to change the pavers to concrete. Mr. Marcickiewicz explained that the solid slab which the hot tub is on, is an accessory structure and it is in compliance with the setbacks for an accessory structure which is 20'. There is a shed in the rear which was put in by the prior owner. It is not shown on the survey and the applicant was asked for the setbacks for the shed to the property lines. Mr. Curl testified that it originally was a doll house and he closed it in. It will need a variance and will need to be shown on the plan and more specifically identified. Mr. Marcickiewicz advised that the notice allows the board to consider this additional variance. The shed is 6' x 8'. It was not on the reference survey so it is not shown on the plan submitted. The applicant calculates that the shed is about 10' from the property line and is catty corner to the rear and side property line. They did not have the survey with them. Mr. Marcickiewicz asked if the plans could show the shed and its setbacks. It was explained that this would be contained in the resolution and he will need the information prior to the meeting at which the board will adopt the resolution. Several board members spoke to the subject of the shed and also suggested additional screening be planted to give privacy to the hot tub. He was asked to show the plantings that will make up the screen and identify and stagger them. The height of the plantings should be shown. Kerry Brown asked the number to be required. The board did not know this. They are not providing any stormwater measures for the water from the additional roof area. Mrs. Rhodes questioned why they are not putting the water underground. The applicant explained that there are no existing drywells to take the water runoff from the deck roof. Mr. Marcickiewicz questioned the applicant. The applicant testified that the aesthetics will be enhanced and that the property would be better utilized. Mr. Marcickiewicz asked the board how they want the resolution drafted and how they want to proceed. Kerry Brown suggested that the applicant show the number of plantings and details on species and height. It was agreed that the architect would put his estimate of the setback distances for the shed on the plan rather than having to hire a surveyor. Anita Rhodes asked if there are other homes in the area with a deck with a roof. The board members named several homes in the area with roofs over the deck. The board decided that they do not have to go before the shade tree commission. Anita Rhodes advised that she will get some members of the Commission together quickly to make a suggestion on the number and species of the plantings. This will be done within the next several days.

Public Portion – The meeting was opened to the public and closed since there was no one in the public.

Jennifer Cooper moved to approve the variance and it be continent on the plan showing the number; size and species of the plantings and that the shed be located on the plan showing its size and the distances from the property lines; Edd Creter seconded the motion which was passed by the following roll call vote:

AYES: Jennifer Cooper; Edd Creter; Donald Storms; Kerry Brown; Anita Rhodes; Chris Heil; Adam Sorchini and Michael Ferrone.

NAYS: None

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Adjourn: A motion was made and seconded to adjourn the Land Use Board meeting at 7:45 p.m.

Sarah Jane Noll
Secretary of the Chester Borough
Land Use Board