

March 11, 2021

The Regular meeting of the Chester Borough Land Use Board was held remotely on March 11, 2021.

Opening Statement

Chairman Kenneth Kasper called the meeting to order at 7:08 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](https://zoom.us) and to join:

[HTTPS://US02WEB.ZOOM.US/WEBINAR/REGISTER/WN_L1DY4TXARMG42UWCW_PCIW](https://us02web.zoom.us/webinar/register/wn_l1dy4txarmg42uwcw_pciw)

WEBINAR ID: 847 3733 2914

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:

Mayor Janet Hoven, Class I
Kerry Brown, Class II
Kenneth Kasper, Class IV
Anita Rhodes, Class IV
Donald Storms, Class IV
Chris Heil, Council Representative, Class III
Edd Creter, Class IV
Adam Sorchini, Class IV
Michael Ferrone, Class IV
Stan Quintana, Alternate #1
Jasen Rothamel, Alternate # 2

Absent:

Paul Ferriero, Board Engineer
Steven Bolio, Board Engineer
David Banisch, Board Planner
Amanda Wolfe, Esq.

Also Present:

Steven K. Warner, Esq., Board Attorney
Sarah Jane Noll, Recording Secretary

Larison's Corner LLC - Block 101, Lots 12.07, Preliminary and Final Subdivision and Preliminary and Final Major Site Plan – The application was carried to the meeting date of April 8, 2021 without further notice.

Minutes – The minutes of the February 11, 2021 were approved as corrected. Donald Storms and Jason Rothamel abstained.

The minutes of the February 25, 2021 LUB meeting were approved as read. Donald Storms abstained.

Public Hearing:

Buckley – 46 Budd Avenue, Block 125, Lot 6 – Variance application to extend pre-existing non-conforming front porch within the front yard setback.

Mr. Warner found the notice to be in order and determined that the Board has jurisdiction to hear the case.

James and Elisa Buckley were present with their architect William Byrne. James & Elisa Buckley and William Byrne were sworn in by Board Attorney Steven Warner.

Mr. Buckley advised that they have lived at 46 Budd Ave for 5 years having moved from Randolph, New Jersey. In anticipation of making improvements to their home, they hired William Byrne. The vestibule at the front of the house needs significant repair and they decided to replace it with a covered/open porch.

Mr. Byrne was accepted as an expert witness and testified to the proposed improvement which will replace the vestibule with a full and open porch measuring 10' across the front of the house.

The following exhibits were entered into evidence:

A-1 - architectural plan consisting of 2 pages- page one (1) is the floor plan and page two (2) is a depiction of front, side, and rear of the house with the requested addition.

A-2 – Survey of property dated December 27, 2007.

Mr. Byrne explained that the property goes to the center line of Budd Ave. It was determined that the proposed front porch needs approval of a variance. The house is 30'1" to the road right of way and the proposed porch will be 23'5" to the road right of way. The ordinance requires a setback of 50'. The properties in the area have similar setbacks. According to Mr. Byrne, the request is not inconsistent with the setbacks of the homes in the area. The present steps are to remain. The zoning official stated that measurement does not include the steps, but the measurement is taken from the edge of the porch. It was suggested that if the variance were granted, the number of steps should be limited to 3 to grade, and the porch is not to exceed 10' in width across the front of the house. William Byrne advised that the porch stops 1.5' from the end of the house. The roof on the porch will be same texture as the roof on the house. The application was presented to the Historical Committee who had no problem with the proposed addition.

There were no questions by the Board Members.

CHESTER BOROUGH

LAND USE BOARD

March 11, 2021

The applicant's agreed to Mr. Warner's suggestion that a condition of approval be that the porch is not to be closed in.

The Public Portion was opened to the public by a motion of Michael Ferrone and a second by Chris Heil.

Mr. Warner swore in Ms. Prach, resident/owner of 51 Budd Ave. Ms. Prach expressed her support for this project. She felt that it was attractive, and that the proposed porch fits in with the other homes on Budd Ave.

Since there were no other questions or testimony from the public, the public portion was closed by motion by Janet Hoven and Chris Heil.

The board entered into deliberations by motion by Edd Creter and seconded by Chris Heil.

Michael Ferrone moved to grant the variance with the condition that the porch is not to be closed in; Edd Creter seconded the motion which was approved by the following roll call vote:

AYES: Janet Hoven, Kenneth Kasper, Kerry Brown, Edd Creter, Chris Heil, Anita Rhodes, Michael Ferrone, Adam Sorchini, Donald Storms.

NAYS: None

Resolution:

Manjit Bajwa - 128 Main Street Block 123, Lots 1 & 2 Application for Preliminary and Final Major Site Plan Approval with Variances - B-1 Zone

Edd Creter moved to adopt the resolution granting preliminary and final major site plan with variances, Kerry Brown seconded the motion which passed by the following roll call vote:

AYES: Janet Hoven, Chris Heil, Kerry Brown, Ken Kasper, Don Storms, Anita Rhodes, Edd Creter, Adam Sorchini and Michael Ferrone

NAYS: None

COMMUNICATION/DISCUSSION ITEMS

Public Portion – Since there was no public, a motion to open and close the meeting to the public was made and seconded.

Adjournment - There being no further business, the meeting was adjourned at 7:45 by motion of Kerry Brown and seconded by Anita Rhodes.

Sarah Jane Noll
Recording Secretary