

Chester Township Zoning Commission Meeting Minutes

| Wednesday, March 2, 2022 7:00 PM |

Meeting Called to Order by Mr. Oswick at: 7:07 pm

Roll Call

Members present: Mr. Chess, Mr. Kats, Mr. Lauro, Mr. Nastasi, Mr. Oswick, Mr. Peto

Members absent:

Admin present: Ms. McCarthy

Pledge of Allegiance

Mr. Oswick led the Committee in reciting the Pledge of Allegiance.

Public Comment and Questions

None

Item 1. Approval of Minutes

- Move to approve the minutes of the February 23, 2022 meeting as amended.
Moved by Mr. Chess; Seconded by Mr. Lauro
Motion passed by unanimous vote with Mr. Peto abstaining

Item 2. Accessory Buildings

- Mr. Oswick welcomed Mr. Ziganti, chairperson of the BZA to the meeting.
- Mr. Nastasi reviewed/summarized the concern of the committee about the cap size of an accessory building. He also summarized the concern that a 15' tall roof height would not work well on a 2,500 square foot building.
- Mr. Bart Ziganti presented his thoughts on accessory buildings based on previous presentations of the BZA to the Zoning Commission members. He asked how building heights were calculated. Mr. Nastasi said same as the principal structure.
- Mr. Kats asked Mr. Ziganti how the 35' height of a structure is measured. Is it ridge to grade? Mr. Ziganti explained there are different calculations. Mr. Kats wanted to know why different calculations. Mr. Ziganti explained as pitch changes, distance increases, height changes as walls get further out. Mr. Kats asked if that is too high or too low. Mr. Ziganti said too high – For example if matching accessory building to house, if it has a second floor, then you are looking at it differently than the Zoning Inspector. Group discussed why it is looked at differently. No firm resolution was determined. Mr. Kats asked Mr. Ziganti what his recommendation was for both being measured the same way. Mr. Ziganti replied he wants more concrete direction. Mr. Nastasi said Steve Averill used an averaging method. It was thought that Mr. Averill measured off the eave. Mr. Ziganti again said he wants clear direction.
- Mr. Ziganti referred to ZR 5.01.03 – being 20' from principal building and BZA receives many requests to put the accessory building right next to the house. He suggested that those requests might first have approval of fire and safety based on drawings.
- Group discussion on requirement of 15' from the face of principal building. For example, is the porch on the front of the accessory building and does it include the over hang when determining the square footage of the building and distance from the principal structure?

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- Mr. Ziganti asked if an accessory building may be built on a lot without a house? Group discussion began. Group determined that perhaps use the phrase, “principal structure.”
- Group discussion then turned to rear and side yard variances. Mr. Nastasi asked Mr. Ziganti about a recap of the most issues coming before the BZA. Mr. Ziganti said the biggest problem BZA has is when a property owner wants to put an accessory building in the back yard – this raises concerns about septic and leach field. Mr. Peto clarified rules on sewer pipes leaving the house and what could be built on top of those lines.
- Mr. Ziganti said the two biggest reasons residents have to come in front of the BZA are size and location of a proposed accessory building. The BZA resolves these appeals through compromise and consensus.
- Mr. Kats asked if Mr. Ziganti had anything else. Mr. Ziganti responded that he thought 5,000 square feet may be over generous for an accessory building – even on a larger lot that may allow it. Property owners may make an appeal if they want a bigger building. Group discussion ensued.
- Mr. Ziganti brought up Zoning Resolution, Section 12.02.05 referencing supplemental conditions on a structure. For example, if a structure is already built – the BZA could make owner responsible to put up screening. Mr. Ziganti would like to see Section 12.02.5 strengthened. For example, the property owner in above example will maintain that screen for as long as the structure is there. Mr. Nastasi suggested this may be an ORC issue. We need to get an opinion from the current prosecutor. Mr. Ziganti also reminded the group that the 1280 square feet reference currently in the ZR is a “total” square footage. If they have a chicken coop, that square footage would be included in the total of a new accessory building. Mr. Ziganti also asked if a concrete patio pad or attached awnings are counted in the square footage calculation. Group consensus is that neither of those count in the square footage, but a porch attached to an accessory building counts in the total of square footage. Mr. Nastasi said the group should consider these items when determining final verbiage.
- Enforcement of these determinations is important and needs to be enforced by the Zoning Inspector.

Item 3. Selection of ZC members to attend BOT meetings

- The members of the Zoning Commission agreed that the following members would be responsible to attend the first Board of Trustees meeting of a month. At that meeting the ZC member would provide the BOT with a brief summary of what the ZC is working on and any issues/concerns that have arisen.
 - March 10 Mr. Peto
 - April 7 Mr. Nastasi
 - May 5 Mr. Chess
 - June 2 Mr. Kats
 - July 14 Mr. Lauro
 - August 11 Mr. Oswick

New Business

None

Public Comment and Questions

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Correspondence Received

Open Items

Meeting Called to Close at: 8:33 pm

Approved by:

Chester Township Zoning Commission March 16, 2022

Final Review by: _____
Jon Oswick, Chair