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BOROUGH OF CHESTER HEIGHTS  
BOROUGH COUNCIL

- - -

re: Amendment to the Zoning Ordinance  
Ordinance No. 223

- - -

Chester Heights, Pennsylvania  
Monday, February 2, 2026

- - -

Hearing in the above matter held at  
Chester Heights Borough Office, 53 West Baltimore  
Pike, Chester Heights, Pennsylvania, on the above  
date beginning at 7:00 p.m. and stenographically  
recorded by Maria Lairdieson O'Neill, Registered  
Professional Reporter and Notary Public.

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BEFORE: TIMOTHY HUDAK, President  
NATALIE YOUNG, Vice President  
JEFFRY DURST  
MARTA DRISCOLL  
JONATHAN LAWLOR  
SANGEETHA PATEL  
ALBERT COCHRANE  
MAYOR JEANNE L. MONTGOMERY  
ALEX BAUMLER, ESQUIRE, Solicitor

- - -

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rio22rpr@comcast.net

1                   MR. HUDAK:  Instead of doing public  
2   comment, we're going to -- I'm just going to move  
3   the zoning hearing amendment up.  It's an  
4   amendment to the Zoning Ordinance, Ordinance No.  
5   223.

6                   Do I have a motion to open this hearing?

7                   MS. YOUNG:  I'll move to open the  
8   hearing.

9                   MR. HUDAK:  Do I have a second?

10                  MS. DRISCOLL:  I'll second.

11                  MR. HUDAK:  Thank you.  Any discussion?  
12   All in favor.

13                  (Collective aye.)

14                  MR. HUDAK:  I'll turn things over to  
15   Solicitor Baumler.

16                  MR. BAUMLER:  Thank you, President  
17   Hudak.  Yes, we're officially on the record.

18                  So, as alluded to, this is a Zoning  
19   Ordinance amendment.  It is Ordinance No. 223.  I  
20   will read you the title of it.

21                  So this is an ordinance of the Borough  
22   Of Chester Heights, Delaware County, Pennsylvania.  
23   This amends Part 2, general legislation, Chapter  
24   185, also commonly known as the Zoning Ordinance  
25   Article -- looks like it's 27, general regulations

1 of the Borough Of Chester Heights Code Of  
2 Ordinances, to add regulations concerning swimming  
3 pools and for uses not otherwise provided for.

4 This also repeals all inconsistent  
5 ordinances or parts thereof, and provides a  
6 severability clause and an effective date.

7 So what all that legal jargon means  
8 essentially is that this is an amendment to the  
9 Borough Zoning Ordinance which will accomplish two  
10 things. Primarily it amends Chapter 185 to  
11 install pool fence regulations.

12 The ordinance has been provided in the  
13 public packet, so I won't go through each of the  
14 points on it.

15 But essentially it defines swimming  
16 pools, and then it requires that all swimming  
17 pools, whether above ground or in-ground  
18 installed, must be fenced in.

19 There are specific fence regulations for  
20 barriers surrounding the pools for those that are  
21 attached in part to a home, those for above-ground  
22 swimming pools.

23 And it also states -- and this is an  
24 additional requirement on top of being able to  
25 provide a barrier that sits on top of the swimming

1 pool itself.

2 So although the Uniform Construction  
3 Code says that a barrier is sufficient, this  
4 ordinance is adding extra provisions that say a  
5 barrier is not sufficient in the Borough Of  
6 Chester Heights unless it's also contained with a  
7 fence surrounding that swimming pool.

8 The second piece of the ordinance is  
9 just kind of a clean-up or a catch-all provision.  
10 That's what's known as a use that's not provided  
11 for. This language is not in the Zoning  
12 Ordinance, so we thought it was pertinent to add  
13 it at this time.

14 And basically what this says is if we  
15 get an application in for zoning relief or for  
16 land development or conditional use, which would  
17 be heard before you as the Borough Council, what  
18 it does is we don't have to guess where this use  
19 would go.

20 It basically says if it's a use that's  
21 just not in the books, if it's novel, if it's  
22 something you guys haven't encountered yet in the  
23 language of the Zoning Ordinance, that will be  
24 permitted by a special exception application to  
25 the Zoning Hearing Board.

1           Just by way of background, to give just  
2   an example, some of the new things that are popped  
3   up since the Zoning Ordinance was last amended  
4   were short-term rentals, also known as Airbnbs or  
5   Vrbos. Right. There's no specific language in  
6   that.

7           So if somebody wants to come in and  
8   operate their property as a short-term rental,  
9   they will have to go to your Zoning Hearing Board  
10   to get a grant of special exception to use the  
11   property in that matter.

12           So it's just a catch-all, like we say,  
13   but it also future-proofs any kind of use, because  
14   new uses are popping up all the time.

15           So with that being said, this is just a  
16   public hearing. The purpose of the court reporter  
17   here is to listen to and entertain public comments  
18   regarding the ordinance.

19           So if there's anybody in the audience  
20   that has a public comment and would like to make  
21   it on the record, raise your hand and speak if  
22   you'd like to. Anybody?

23           Okay. With that I would just make a  
24   motion to close the hearing.

25           MR. HUDAK: All right. Do I have a

1 motion to close the hearing?

2 MS. YOUNG: So moved.

3 MS. DRISCOLL: Second.

4 MR. HUDAK: Any -- hearing any  
5 discussion.

6 All in favor.

7 (Collective aye.)

8 MR. BAUMLER: That concludes the hearing  
9 on the public ordinance. Are you guys going to  
10 vote on it now or are you going to wait?

11 MR. HUDAK: We can vote on it now.

12 MR. BAUMLER: Okay.

13 MR. HUDAK: Do I have a motion to  
14 approve Ordinance 223 as just described by  
15 Solicitor Baumler?

16 MS. YOUNG: Yes. I'll make an  
17 ordinance -- motion to approve the Ordinance 223  
18 as previously described.

19 MR. LAWLOR: I will second that motion.

20 MR. HUDAK: Hearing any discussion.

21 All those in favor.

22 (Collective aye.)

23 MR. HUDAK: Any opposed? All right.

24 Thank you very much.

25 (The hearing concluded at 7:06 p.m.)

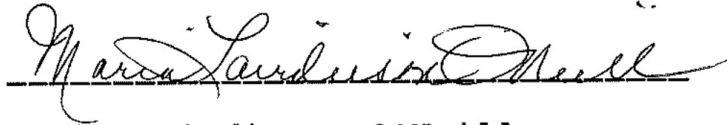
1 I HEREBY CERTIFY that the  
2 proceedings and evidence are contained fully and  
3 accurately in the stenographic notes taken by me  
4 upon the foregoing matter on Monday,  
5 February 2, 2026, and that this is a correct  
6 transcript of same.

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Maria Lairdieson O'Neill

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Registered Professional Reporter

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Notary Public

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