

MINUTES
ZONING HEARING BOARD
Brett Besyk
10/22/2025

Zoning Hearing Board met October 22, 2025, at 7:30 p.m. to hear the Appeal or Application of Brett Besyk, 131 Moss Lane requesting a variance to construct an oversized accessory structure (garage) as well as a Special Exception to operate a business at his residence. The Applicant was requesting a 25-foot rear yard variance as set forth in Richland Township Zoning Ordinance Section 240-38A.(3) and/or special exception to operate a home business. This hearing was conducted in the Richland Township meeting room, 322 Schoolhouse Road, Johnstown, PA 15904.

PRESENT

Bill Patrick
PJ McGowan
Mark Rychak
Pat Wess

Eric D Hochfeld, Solicitor
Kimberly Stayrook, Secretary
Ashley Hamilton, Court Stenographer

ABSENT

Rodney Kniss

CALL TO ORDER/PLEDGE OF ALLEGIANCE TO THE FLA

Mr. Patrick called the hearing to order at 7:30 pm. with the Pledge of Allegiance To The Flag.

Mr. Hochfeld noted that this hearing is two-fold. Mr. Besyk is requesting permission to construct an oversized accessory structure on his property, approximately 3,619 sq. ft. and permission to conduct a home occupation.

Mr. Besyk stated that he wanted to let the Board know he did not want to run his construction business out of his home.

Mr. Hochfeld began the hearing by listing exhibits. Board Exhibit #1 was the appeal application with attachments dated 9/23/25. Exhibit #2 was the Richland Township Zoning Ordinance, by reference, and Board Exhibit #3 was the posting of the municipal building, the property involved. Exhibit #4 was the advertisement in the Tribune-Democrat and Exhibit #5 notification of this hearing to adjoining property owners via first class mail.

Court Stenographer Ashley Hamilton swore in the following:

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Mr. Besyk stated that he would like to construct an oversized garage for his own personal use. He does own a construction business, however the purpose for the garage is to store his truck trailer, vehicles, etc. His home and garage will not be used for his construction business. He has employees and has owned his business for over 25 years. He goes to residential homes and businesses to generate work and do the construction. He is located on a private lane that is gravel. The garage will have no plumbing.

Mr. Besyk stated he will finish construction of the exterior, which will be a pole building and metal roof. The building is proposed to be approximately 3 - 20' long doors, barn style design. There will be no utilities right now. He owns quads, and cars, etc. that he would like to be able to store inside out of the weather.

Mr. Patrick, Board member asked if there was going to be any signage for the business. Mr. Besyk stated no, he does not have any signs now and does not intend to put any up. He has no plans to do so.

Mr. McGowan, Board member asked Mr. Besyk if he planned to pour a slab or will it be gravel.

Mr. Besyk stated he wants the slab to be concrete. He intends to have 6" drains the entire way around the building for floor drains for when the snow melts.

Mr. Patrick, Board member, asked how close the nearest neighbor lives.

Mr. Besyk stated that along Eisenhower Blvd. his line is 200 – 250' away, and 325' from the front embankment.

Mr. McGowan asked about the dimensions and does it include the overhang.

Mr. Besyk stated the dimensions are 74' x 40' with it being a total of 76' including an overhang. He indicated that there would be sliding doors, with 2' mini over the door.

Mr. Hochfeld asked that the application be amended to reflect an overhang.

Mr. McGowan asked if there is already a secondary building on his property. Mr. Besyk stated he has a carport and in place is a shed by the existing carport. 22'x 26' and 22' x 16' respectively. The carport is not attached to his home.

Mr. Patrick asked if there were any plans to remove any of the structures. Mr. Besyk said he doesn't need the shed, it could be removed.

Mr. Patrick stated there is no problem with the limit of 25% of lot coverage.

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Mr. Hochfeld noted the application would be amended to account for all accessory structures totaling 3,619 sq. ft. Mr. Besyk agreed to amend his application.

Mr. Hochfeld how high to the top of the roof, and Mr. Besyk responded with 23’.

Mr. McGowan asked about the size of the walls, and Mr. Besyk responded with 16’.

Mr. Besyk stated that this garage is for his own property, he will have no rental space to anyone else. He did note that he may have some of his construction equipment moved inside so it is out of the weather.

Mr. McGowan asked about the contractor for the building, Mr. Besyk stated he will be doing the construction himself, with help.

Mr. Hochfeld noted that the ownership of the property indicates that on May 20, 2022 most of the lot had an adjoining land merger approval. Mr. Besyk stated that in 1999 when he purchased the property he did own physically own all the surrounding properties. He purchased ground over the years and then combined the lots.

Mr. Hochfeld stated that Mr. Besyk would not be able to put up any signage, advertising his business.

The Board adjourned for a brief recess at 7:30 p.m.

The Board reconvened at 7:45 p.m.

There were no additional questions or testimony given. Mr. Wess stated that there are two requests before the board.

First Request Decision:

- Mr. Wess moved to grant the variance for operating a business as a Home Occupation, with the contingency that no business signage is permitted, and no business hours are permitted, seconded by Mr. McGowan. All in favor.

Second Request Decision:

- Mr. Wess moved to grant the size variance of 3,619 sq. ft. as requested by the applicant to construct a pole building, seconded by Mr. Rychak. All in favor.

- Mr. Rychak moved to adjourn the hearing at 7:50 p.m., seconded by Mr. McGowan. All in favor.

Respectfully submitted,

Kimberly D. Staybrook, Secretary