

M I N U T E S

VILLAGE OF CHESTER

ZONING BOARD OF APPEALS

JANUARY 22, 2009

P U B L I C H E A R I N G

PRESENT: VINCENT RAPPA, CHAIRMAN  
TED KADALA, MEMBER  
ANTHONY LA SPINA, MEMBER  
DAVID STEVENSON, MEMBER  
HAROLD PRESSBERG, ATTORNEY  
JOHN ORR, BUILDING INSPECTOR

APPLICANT: MATHEW O'NEILL & LARA RIELLY  
11 ELM STREET, CHESTER, NY 10918 ZBA #09-02

Chairman Rappa read the Public Notice as it appeared in the Times Herald Record.

**NOTICE IS HEREBY GIVEN**, that the Zoning Board of Appeals of the Village of Chester, New York will hold a Public Hearing at the Village Hall, 47 Main Street, Chester, New York on Thursday, January 22, 2009 at 7:30 P.M., or as soon thereafter as the matter can be heard, concerning the application of Mathew O'Neill. The applicant is requesting a 14ft 1-inch side-yard area variance to accommodate the construction of an addition to the existing building.

The property is located in the Village of Chester, New York, at 11 Elm Street and is listed on the Village Tax Map as Section 108, Block 5, Lot 5 in a RS Zone.

The Zoning Board of Appeals of the Village of Chester, New York will hear all persons interested at the aforementioned time and place.

BY: ORDER OF THE ZONING BOARD OF APPEALS  
VILLAGE OF CHESTER, NEW YORK, VINCENT RAPPA, CHAIRMAN

Chairman Rappa asked who would represent, Mathew O'Neill and Lara Rielly will represent themselves, they provided the mailing receipts. Lara shows pictures of the existing structure and describes how they would like to raise the roof keeping the structure the same on the right side and to add a two (2) car garage with living space above the garage, which is a twenty-one foot (21ft) extension. The proposed construction will also create an additional side yard of six point six feet (6 ft). The existing side yard on the right which is four point five feet (4.5 ft) will not change. She stated the Village code requires a minimum of seven point five feet (7.5ft) and twenty-five foot (25ft) in the aggregate, their minimum being point nine feet (.9ft) less and 14 feet in the aggregate, so therefore they are in need of an area variance for the proposed construction. To address the changes, they will not change the overall characteristics of the neighborhood and the proposed addition will increase their's and the other property owner's overall value.

While the requested variance of fourteen feet (14ft) is substantial they don't feel it is a critical change and will fit in the overall look of the neighborhood where other properties have garages close to their property lines. The proposed variance will have no adverse effect on the physical or environmental condition of the neighborhood and when the construction is complete it will make the appearance of their home in harmony with the rest of the neighborhood.

Chairman Rappa asks how far the homeowner on the construction side is from his property line, the answer is ten feet (10ft), he also asks if it is a type II, yes is the answer and that neighbor, Edward Schwalvach, is present tonight. EJ Schwalvach of 9 Elm St. speaks on their behalf, he is ok with the seven point five foot (7.5ft) distance from his driveway and is in favor of the project and would like for the O'Neills to get a favorable reply from the ZBA. John Rielly, the brother of Lara, begins to speak on their behalf, he lives directly behind them and he also is in favor of their project.

Chairman Rappa moves to close the public hearing he asks for a **roll call:** Kadala-yes, LaSpina-yes, Rappa-yes motion carries. Public Hearing is closed at 7:40 pm.

Respectfully Submitted,

Betty-Jo Bono  
Deputy Clerk