

MINUTES

VILLAGE OF CHESTER ZONING BOARD OF APPEALS

APRIL 24, 2013

REGULAR MEETING

PRESENT: David STEVENSON, Chairman
Dan GORMAN, Member
Gordon SHEHAB, Member
Colleen COLLINS, Member
John ORR, Code Enforcement Officer
Harold PRESSBERG, Attorney

PUBLIC HEARING 7:00 PM:

The Public Hearing Notice was read into the record by the Zoning Board of Appeals Secretary, Sandra VanRiper (copy attached).

It was noted that the application was referred to Orange County Planning and their response was Local Determination (copy attached).

Applicant Melissa Thomas advised they are proposing construction of an Above-Ground Pool in the front yard, which is against the Zoning Code. The pool will be 24 foot round by 52 inches high. She explained that, given the sloping of the property, this is the only viable location for the pool. She also noted that the previous owners had a pool there, but it had been removed.

The Public Hearing was opened to the Public:

- Jean Rose of 16 Meadow Avenue stated that she did not believe there was enough room on the side of the house for the construction of a pool.
- Peter Theodore of New Paltz asked if there was anything between the pool and the road for a buffer.
 - The applicant advised that there are existing bushes to act as a buffer.

Discussion was held regarding the fencing/barrier requirements.

As there were no additional public comments/questions, ***MOTION** was made by Chairman Stevenson, second by Member Collins, to CLOSE THE PUBLIC HEARING. Motion passed 4-0.

REGULAR MEETING 7:10 PM:

1. Project # ZBA-13-01 Project Name:
Applicant/Owner: John & Melissa Thomas, Property Owners
Location: 13 Meadow Avenue (SBL 102-1-8 / RS Zone)
Re: Area Variance for construction of a proposed Above-Ground Pool
Presented By: Melissa Thomas

No additional information/documentation provided by the applicant.

***MOTION** was made by Chairman Stevenson, second by Member Gorman, to TYPE THIS AS A TYPE II ACTION UNDER SEQRA WITH NO FURTHER ACTION NEEDED. Motion passed 4-0.

Discussion was held regarding:

- If the above-ground pool was permitted in the front yard;
 - The applicant advised that this is the maximum distance from the road that the slope of the property allows.
- If drainage of the chlorinated water would create an issue with the close proximity to the black dirt.

As the requested variance does not appear to have substantial environmental impacts and the benefits of the requested variance outweigh the detriment to the surrounding neighborhood and community, a ***MOTION** was made by Member Gorman, second by Member Shehab, to GRANT APPROVAL FOR THE AREA VARIANCE PERMITTING PLACEMENT OF THE ABOVE-GROUND POOL IN THE FRONT YARD.

1. Minutes

Review Draft of the August 14, 2012 Zoning Board of Appeals Meeting Minutes

***MOTION** was made by Chairman Stevenson, second by Member Shehab, to ACCEPT THE AUGUST 14, 2012 MEETING MINUTES AS DRAFTED. Motion passed 3-0 (Member Collins abstained as she was not a member of the Board at that time).

Chairman STEVENSON asked if anyone had anything else to discuss and as there were no other comments, ***MOTION** was made by Member Gorman, second by Member Shehab, to ADJOURN THE MEETING. Motion passed 4-0.

Respectfully Submitted,

**Sandra VanRiper
Zoning Board of Appeals Secretary**