

MINUTES

VILLAGE OF CHESTER ZONING BOARD OF APPEALS

SEPTEMBER 21, 2011

PUBLIC HEARING AND REGULAR MEETING

PRESENT: Vincent RAPPA, Chairman
David STEVENSON, Member
Gordon SHEHAB, Member
Daniel GORMAN, Member
John ORR, Code Enforcement Officer
Harold PRESSBERG, Attorney

PUBLIC HEARING:

Humbert Public Hearing – 7:30 PM

ZBA-11-01

Location: 8 Highland Avenue, Chester

RS Zone

SBL: 111-2-8.1

Owner: Walter & Theresa Humbert

Re: Area Variance – Construct a 24' X 24' Detached Garage

Zoning Board of Appeals Secretary Sandra VanRiper read the Public Hearing Notice which appeared in the Times Herald Record. A copy of the Hearing Notice is attached.

Chairman Rappa opened the Public Hearing.

Proof of mailings was presented by applicants Walter and Theresa Humbert. Walter Humbert provided an overview of the project. They are proposing construction of a 24 Foot X 24 Foot detached garage approximately 1 Foot off their property line.

Chairman Rappa asked if any Board members have any issues with this matter. The applicant was asked if there was another way to construct the garage closer to the residence and he responded that it would be difficult to maneuver the turn into the garage when you approach from the driveway as it is a steep hill.

It was noted there is approximately 8 feet between the house and the proposed garage to allow for fencing and the dogs.

Discussion was held regarding the neighboring properties. It was noted that there is no dwelling on the Alzamora property – only woods; the DeGroat property has a dwelling, but there is a wooded buffer between the properties, and the garage would not be visible from the DeGroat property.

The applicant was asked if the garage would change the character of the neighborhood or if it would be a detriment to the neighbors. The applicant indicated the garage would be constructed in the same design as the existing house – same color, same doors as existing garage, windows. The applicant also noted that the garage is shielded and not visible until you're up the driveway and closer to the residence.

***MOTION** was made by Chairman Rappa and second by Member Stevenson to open the meeting to the public for questions and/or comments. Motion passed 4-0.

Erle DeBogart – 149 Main Street: No objections. He can't see the house and won't see the garage because of the woods between the houses.

CEO John Orr asked what the purpose of the garage is. The applicants advised they have 3 cars and it is for storage.

CEO John Orr clarified that the garage would not be used for commercial purposes. The applicants confirmed that there would be no commercial use in the garage.

***MOTION** was made by Chairman Rappa and second by Member Shehab to close the public hearing. Motion passed 4-0.

REGULAR MEETING:

1. MINUTES:

Chairman Rappa opened the Regular Meeting.

Discussion was held as to the distribution of meeting materials. It was agreed that minutes, agendas, review comments, etc would be distributed via e-mail and site plans would be mailed to the members.

***MOTION** was made by Chairman Rappa and second by Member Stevenson to table approval of the January 2010. Motion passed 4-0.

2. HUMBERT – AREA VARIANCE REQUEST ZBA-11-01

Location: 8 Highland Avenue, Chester RS Zone
SBL: 111-2-8.1
Owner: Walter & Theresa Humbert
Re: Area Variance – Construct a 24' X 24' Detached Garage

Discussion was held on the application. Chairman Rappa advised he has no issue with the proposed variance as he sees no impact to the neighboring properties, there will be no change to the character of the neighborhood and, due to the site limitations, there it is not feasible to construct the garage further away from the property line.

Member Gorman agreed with Chairman Rappa and stated he sees no issue with granting the variance as there appears to be no impact to the neighboring properties.

***MOTION** was made by Chairman Rappa and second by Member Gorman to type this application as a Type II Action under SEQRA with no significant environmental impact. Motion passed 4-0.

***MOTION** was made by Chairman Rappa and second by Member Gorman to grant a 14 foot side yard variance to construct a 24 foot X 24 foot detached garage. Motion passed 4-0.

***MOTION** was made by Chairman Rappa and second by Member Gorman to adjourn the meeting. Motion passed 4-0.

Respectfully Submitted,



Sandra VanRiper
Zoning Board Secretary

ZONING BOARD OF APPEALS
VILLAGE OF CHESTER, NEW YORK
PUBLIC HEARING
SEPTEMBER 21, 2011 – 7:30 P.M.

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 Wednesday, September 21, 2011 at 7:30 P.M., or as soon thereafter as the matter can be heard, concerning the application of Walter and Theresa Humbert. The applicants are requesting a 14 foot side-yard area variance from the Village Code Section 98-6 Schedule of District Regulations – “Minimum Yard Setback Dimensions – Side Yard” to accommodate the construction of a detached garage.

The property is located in the Village of Chester, New York, at 8 Highland Avenue and is listed on the Village Tax Map as Section 111, Block 2, Lot 8.1 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