

ZONING BOARD OF APPEALS ~ TOWN OF CHESTER

MINUTES OF MEETING ~ JANUARY 24, 2012

ATTENDANCE: Ken Marcheselli (Chairman), Arnold Jensen, Bill Oliver, John Grady, John MacMillen, John Wolfe (Zoning Clerk), and Walt Tennyson (Zoning Administrator).

CORRESPONDENCE:

MINUTES: On a motion by Mr. Little, seconded by Mr. Jensen, the Minutes of the January 24th, 2011 meeting were accepted, as presented. Motion carried 4/0.

Mr. Marcheselli called the meeting to order at 6:03 p.m.

NEW BUSINESS:

1. #405-V ~ Proposal by Robert Adams seeking relief from side yard setback, according to Section 4.03 of the Town of Chester Zoning Local Law in order to add an addition and attached garage to an existing residence, located on 175 Chester Shores Drive, identified by Tax Parcel # 86.18-1-21, a Moderate Intensity Land Use Area.

Mr. Marcheselli began the meeting by asking Mr. Adams, who was representing himself, to give the board an overview of his plans.

Mr. Adams told the board that he wanted to build a small attached garaged (14'x16') at the end of his driveway. He explained that he and his wife use the property as a vacation house, and often arrive there late at night in the winter months when it's snowing and the driveway is icy. He added that he only designed the garage to be wide enough to accommodate his car, with a few extra feet on either side to open the car doors.

Mr. Adams said that the garage would be 55' from the closest neighboring house, but still required a 5' foot variance from the property line to meet the current sideline setback of 15'.

Mr. Marcheselli asked Mr. Adams if his neighbors had expressed any concerns about the project. Mr. Adams said that he hadn't spoken to his closest neighbor, Mr. Hartnett, but he did speak to Mr. Hartnett's daughter, who didn't seem to have any objection to the project.

Mr. Marcheselli asked if the Zoning Office had received any correspondence related to the project. The Zoning Clerk, Mr. Wolfe, said that he received a phone call from Noel Casabonne, who lives next door to Mr. Adams on the opposite side of the proposed garage, and Mr. Casabonne was supportive of the project.

Mr. Tennyson pointed out that, in 2005, the sideline setback for Moderate Intensity properties was changed from 10' to 15', and prior to that, Mr. Adams wouldn't even need a variance.

Mr. Grady said that the project was "reasonable and minimal." Mr. Marcheselli agreed.

Mr. Grady brought a motion to approve the proposal. The motion was seconded by Mr. Jensen, and carried 6-0.

2. #406-V ~ Proposal by Robert Williams requesting an Additional 3' - 6" sideline setback from the existing 12' setback, according to Section 4.03 of the Town of Chester Zoning Law, to accommodate the addition of a side stairwell and landing that would provide a new entrance to the 2nd Floor of his garage, located 18 Theriot Ave., Tax Parcel #104.10-5-7, zoned Hamlet.

Mr. Williams was represented at the Meeting by Brian Bedell of Bedell Builders, Inc. in Pottersville.

Mr. Marcheselli began by asking Mr. Bedell why the variance application was signed by Tina Bedell, also of Bedell Builders, instead of Mr. Williams, the property owner. Mr. Bedell said that his company was representing Mr. Williams, who lives out of town, and since Bedell Builders filled out the application on the owner's behalf, he thought it was appropriate for an employee of Bedell Builders to sign the application.

Mr. Marcheselli noted that the name on the top of the application should match the signature at the bottom, adding, "That's going to be a problem."

Mr. Marcheselli went on to say that he visited the Williams property prior to the meeting and noticed that there is a garage on the lot. He asked Mr. Bedell why he was proposing to build a garage on a lot that already has one. "I went there expecting to see an empty lot," said Mr. Marcheselli.

Mr. Bedell told the board that Mr. Williams wasn't proposing a new garage; he just wanted relief from the 12' setback so he could add an exterior staircase to the existing garage. Mr. Bedell explained that there was an office above the garage, and the current interior staircase was taking up too much room and preventing the owners from parking their car in the garage.

"That's not what the plans show," said Mr. Marcheselli, referring to the rendering attached to the Variance application, which showed a garage and a staircase, but failed to define the garage as existing.

What followed was a back and forth discussion about what several board members called a "confusing" and "faulty" application.

Mr. Bedell agreed to either revise or resubmit the application, and the board agreed to rehear the proposal when the revisions were done. Mr. Marcheselli made a motion to shelf the issue until the next ZBA meeting on February 28, 2012. The motion was carried, 6-0.

ADJOURNMENT: On a motion by Mr. Jensen, seconded by Mr. Oliver, the meeting adjourned at 6:52.

Respectfully submitted,

John C. Wolfe ~Zoning Clerk