



**MINUTES OF MEETING
ZONING BOARD OF APPEALS
TOWN OF CHESTER
June 25, 2019**

The meeting was called to order by Chairman MacMillen at 7:00pm

Chairman MacMillen introduced himself and welcome the public to the meeting.

ATTENDANCE:

Chairperson John MacMillen, Barbara Kearney, Michael Hough, Mary Clark (Alternate), Jack D. Bartlett (Secretary) and Jeremy J. Little (Zoning Administrator).

OLD BUSINESS:

#448-V: CK Franchise Mgmt. Corp. (Kevin Wickert) is requesting an area variance for a 10 ft. extension attached to an existing dock that currently extends 40 ft. offshore where 40 ft. is required, according to Section 7.03(B)(4) of the Town of Chester Zoning Local Law. Property is located at 9 Woodside Ln., identified by Tax Map Parcel # 86.15-1-41, in Zone Classification Moderate Intensity.

Chairman MacMillen read the Variance Information to the Board and advised that this variance as still tabled as the Board has not received anything back from the Adirondack Park Agency who is currently reviewing.

#449-V: James M. Crandall is requesting a 20 ft. backline setback variance and 2.5 ft. right sideline setback variance, according to Section 4.03 of the Town of Chester Zoning Local Law, in order to construct a 16' x 16' storage shed. Property is located at 64 Clarkson Rd., identified by Tax Map Parcel #: 86.19-1-51, in Zone Classification Moderate Intensity.

Chairman MacMillen read the Variance Information to the Board. The Variance would be tabled until the applicant returns to a Meeting of the Zoning Board of Appeals.

NEW BUSINESS:

#462-V: G & B Rental Properties is requesting a 79.8 ft. frontline setback variance and a 35.4 right sideline setback variance, according to Section 4.-3 of the Town of Chester Zoning Local Law, in order to construct additions to an existing restaurant (OP Frederick's). Property is located at 5064 State Route 8, identified by Tax Map Parcel #: 85.16-1-11, in Zoning District Rural Use.

Chairman MacMillen read the Variance Information to the Board Members present. Brett Winchip of Winchip Engineering introduced himself and stated that he would be representing George Stannard and OP Frederick's. Mr. Winchip presented the variance to the board. Chairman MacMillen questioned if the proposed changes would bring the building up to code. Mr. Winchip stated that the intended changes would bring this building to ADA (American with Disabilities Act) Compliance and present a safer form of emergency egress from the building. Chairman MacMillen expressed that he felt that there were minimal impact or feasible alternatives in which other board members were in agreement. Barbara Kearney stated that this would make the restaurant safer and more code compliant with the proposed changes.

Having being duly advertised, Chairman MacMillen opened the Public Hearing at 7:10pm

There was no response from the Public during the Public Hearing.

A motion was made by Barbara Kearney, Seconded by Mary Clark to close the Pubic Hearing at 7:10pm. All Board Members present in favor, non-opposed, the motion was carried 4-0.

The Board Reviewed the Criteria for a Variance for the Application-

- 1.) There was no undesirable change would be produced in character of the neighborhood or a detriment to nearby properties.
- 2.) There is no feasible alternative to the variance that can provide a benefit if sought by the applicant.
- 3.) The requested variance is not substantial.
- 4.) The variance would not have an adverse impact on the physical or environmental conditions in the neighborhood.
- 5.) The Board agreed that the alleged difficulty is not self-created.

All Board Members Present agreed on the above Criteria for Variance in regards to # 462-V.

A motion by Mary Clark, Seconded by Barbara Kearney to approve Variance # 462-V for G & B Rental Properties is requesting a 79.8 ft. frontline setback variance and a 35.4 right sideline setback variance, according to Section 4.-3 of the Town of Chester Zoning Local Law, in order to construct additions to an existing restaurant (OP Frederick's). Property is located at 5064 State Route 8, identified by Tax Map Parcel #: 85.16-1-11, in Zoning District Rural Use. All Board Members present in favor, non-opposed, the motion was carried 4-0. .

MINUTES:

A motion was made by Michael Hough, Seconded by Barbara Kearney to approve the May 28, 2019 Minutes of the Zoning Board of Appeals. All Board members present in favor, non-opposed, the motion was carried 4-0.

CORRESPONDENCES:

The Zoning Board of Appeals received the following Correspondences-

-Zoning Administrator's Activity Report for May 2019

PUBLIC PRIVILEGE:

There was no business conducted during Public Privilege.

BOARD PRIVILEGE:

There was no business conducted during Board Privilege.

ADJOURNMENT:

A motion was made by Michael Hough, Seconded by Mary Clark to adjourn the meeting at 7:18pm. All Board members present in favor, non-opposed, the motion was carried 4-0.

Respectfully submitted,

Jack D. Bartlett
Secretary
Zoning Board of Appeals