

ZONING BOARD OF APPEALS ~ TOWN OF CHESTER

MINUTES OF MEETING ~ MAY 19, 2009

ATTENDANCE: Ken Marcheselli, Sam Sewall, John Grady, Alternates John MacMillen, Arnold Jensen, and Bill Oliver, Secretary Pat Smith. Mary Jane Dower arrived 6:30 p.m. Zoning Administrator Walt Tennyson was also in attendance. Absent was Elizabeth Morris.

MINUTES: On a motion by Mrs. Dower, seconded by Mr. MacMillen, the Minutes of the March 24th, 2009 meeting were accepted, as presented. Motion carried 5/0.

PUBLIC HEARINGS: Having been duly advertised, the public hearing was opened at 6:00 p.m. by Chairman Marcheselli.

#388-V ~ Rich Greco. Applicant is owner of a 55'x 130' lot located at 4 Theriot Avenue, tax map #104.10-5-2, in the Hamlet. There is a two-story dwelling located thereon, consisting of two apartments. In the rear of the building is a 600 sf area that applicant has used for storage, and now proposes to convert into a single bedroom apartment. He intends to utilize the existing floor space, and will not be increasing the footprint of the building. According to Section 4.03 of the Zoning Local Law, density requirements are 0.5 acres per Principal building, and under Section 2.03, definition for Principal building, #3: "Each dwelling unit of a multiple family dwelling...constitutes one principal building." There are existing exits on both the first and second floors, and ample parking in the rear for 10 cars, if needed, with 8 feet available per space. There is an existing driveway which runs parallel to the house and continues to the rear of the building. Some of the trees have been taken down due to leaning hazard, and one was split. The existing septic system was installed fairly recently, and is more than adequate for a total of 3 bedrooms in the house, according to the Zoning Administrator. Building also has municipal water.

Following discussion and review, board finds as follows:

1. That there is no apparent benefit that can be achieved by other means feasible to the applicant;
2. That there will be no undesirable change in the neighborhood or to nearby properties. (No expansion of the building, only improved exterior);
3. Request is substantial with regard to existing criteria of 0.5 acres per principal building;
4. There will be no adverse physical or environmental effects as a result of this project; and

5. The alleged difficulty is self-created by virtue of the requested variance.

Discussion ensued, and applicant stated that the parking area will be scraped down, and Item 4 will be added. The Board would like not only an improvement to the off street parking area, but would like a minimum of 6 parking spaces provided and maintained, reserving a little green space in the yard.

Chairman Marcheselli closed the public hearing at 6:30 p.m.

On a motion by Mr. MacMillen, applicant was granted approval for application #388-V for utilization of an existing 600 sf area within an existing dwelling to be converted into a one bedroom apartment, finding the existing septic system to be adequate, improvements being made to the structure, with no change in the existing footprint, and with the proviso that the proposed parking area be upgraded and a minimum of 6 parking spaces be provided and maintained, along with improvements to the existing driveway. Motion was seconded by Mr. Sewall, and carried 5/0.

BOARD PRIVILEGE: Discussion carried regarding the Jordan proposal for a mother-in-law addition to a home located in a Low-Intensity Land Use Area. Board had many questions regarding density, and Secretary informed them that Brian Grisi from the Park Agency would be coming on Monday, June 15th at 6:00 p.m. to discuss density, and field questions. All members were urged to attend.

ADJOURNMENT: On a motion by Mr. Sewall, seconded by Mrs. Dower, meeting adjourned at 7:00 p.m.

Respectfully submitted,

Patricia M. Smith ~ Secretary