

MINUTES OF MEETING ~ FEBRUARY 27, 2007

ATTENDANCE: Chairman Ken Marcheselli, Liz Morris, Mary Jane Dower, Elwood Findholt, and Secretary, Pat Smith. Attorney's in attendance were: Rob Simon of Smith & Simon, LLC, Ilona Coyle of Caffry & Flower, and John Silvestri of Silvestri & Stanclift. Absent was Sam Sewall. Walter Tennyson, Zoning Administrator was also in attendance.

MINUTES: On a motion by Mrs. Dower, seconded by Mrs. Morris, the Minutes of the January 23, 2007 meeting were accepted, as presented. Motion carried 4/0.

CORRESPONDENCE: January 23rd ZBA Minutes; January 22nd Planning Board Minutes; Zoning Administrator's Activity report for January 2007.

PUBLIC HEARING: Having been duly advertised 5 days in advance of the meeting, the public hearing was opened at 7:15 p.m. by Chairman Marcheselli.

#362 - V ~ Rehearing for Dennis Halliwell & Ann Marie Kalajian. (See ZBA Minutes of January 24, 2006, September 26, 2006, and January 23, 2007). Applicant's are owner's of property located at 88 Indian Springs Road, a Moderate Intensity Land Use area, tax map parcel #120.6-2-25. Applicant's are seeking relief from Section 4.03 of the Town of Chester Zoning Local Law with regard to the required frontline setback of 60 feet for a 26 foot variance, and relief from the required 50 foot rear yard setback with a 40 foot variance, in order to construct an addition to a single family dwelling. Applicant was represented by Ilona Coyle of Caffry & Flower. Ms. Coyle explained that due to the increase in the number of people in the family, more room was needed in the dwelling, and a second story was being proposed, along with a sun room and porch addition. The rear corner of the building would then be located 10 feet from the Pfeffer property. A vegetative buffer has been incorporated into the plans for expansion and the portion of the addition closest to the Pfeffer property would be single story, with a gradual increase to a second story, moving away from the rear boundary. The property is currently a non-conforming lot, but is still in accordance with the character of the neighborhood. The number of bedrooms in the dwelling will remain the same. Alternative layouts would be difficult due to the configuration of the property.

John Silvestri of Silvestri & Stanclift spoke for Mr. Eric Pfeffer, property owner to the rear of the Halliwell/Kalajian property. Mr. Pfeffer would like to see the L-shaped addition extend from the opposite direction of the current structure. He would also like to see a 12 foot privacy fence erected between the properties, and would like the shed that is located on the property line to be removed.

Mr. Tennyson, Zoning Administrator for the Town of Chester, stated that a 12 foot fence would not be allowed under the current zoning.

Ms. Coyle rebutted Mr. Silvestri's position, stated that moving the proposed addition to the

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Halliwell/Kalajian dwelling to the opposite side would put the proposed sunroom, porch, etc. off the bedrooms and place the intended addition too close to the existing septic field and propane tank. Applicant's would also like to omit placement of the fence, as it would not be in keeping with the rest

of the neighborhood.

Following brief discussion, Chairman Marcheselli closed the public hearing at 7:55 p.m.

Mr. Marcheselli then asked Mr. Halliwell if another alternative would be available with regard to the size of the porch, and if he would be able to present that at the next meeting, adding that he would be in favor of an alternative plan. On a motion by Mrs. Dower, seconded by Mrs. Morris, application #362-V was tabled until the March 27th meeting. Motion carried 4/0.

#377-V ~ Douglas Murray proposing a single family dwelling that cannot meet the required setbacks, according to Section 4.03 of the Town of Chester Zoning Local Law. Mr. Elwood Findholt recused himself from discussion of this project, and exited the building.

This application has not yet been advertised for a public hearing, but discussion was slated to take place regarding determination of a completed application, as well as to determine which proposal should be presented in the plan for review.

Applicant was represented by Mr. Rob Simon, of Smith & Simon. Applicant is the owner of .954 acres on Clarkson Road Extension, tax map #'s 86.15-1-24 & 25, a Moderate Intensity Land Use area. He proposes the construction of a single family dwelling on a corner lot that cannot meet the required setbacks from both of the roads at the corner. There is a culvert in the road at the north end of the property that empties water onto the lot, thus not allowing construction of a dwelling in the ideal location designated on the parcel which falls within the allowable setback distances. The preferred proposal calls for 30 feet from the east side of the property, and 50 feet from the north side. Sixty feet from the property line is required.

Alternative plan would situate the house 45 feet from the north, and 45 feet from the east. Brief discussion ensued, and the board requested that a corrected plan for the preferred proposal be submitted, and stakes placed in the ground for the board to have a visual inspection of the site. A public hearing will be advertised for the March 27th meeting.

ADJOURNMENT: On a motion by Mrs. Morris, seconded by Mrs. Dower, the meeting adjourned at 8:35 p.m.

Respectfully submitted,

Patricia M. Smith ~ Secretary