

**ZONING BOARD OF APPEALS
TOWN OF CHESTER
1786 Kings Highway
Chester, New York 10918
January 16, 2014**

Members Present: Attorney Jeanine Garritano Wadeson, Esq., Chairwoman Linda Ranni, Gregg Feigelson, Konrad Mayer, and Julie Bell

Absent: Vinnie Finizia and Ernie Damiani

The next ZBA meeting will be held on Thursday, February 27, 2014 at 7:00 PM.

JAMES THEODOREU – 33 & 47 DEER TRAIL –CONTINUED PUBLIC HEARING

This is the fourth continued public hearing meeting for Mr. Theodoreu. Attorney Ostrer is representing him. The last paperwork submitted was dated November 14, 2013. Chairwoman Ranni asked if there was any other paperwork to be submitted and Attorney Ostrer stated there was not.

Attorney Ostrer stated that the parcel that they are seeking the area variance and the issuance of a 280A was originally a portion of the Neaverth lot. Mr. Theodoreu owns fifteen feet out to the highway from his original parcel. They have the one cryptic consent that was signed by all the neighbors and also attached was an original consent in a much more lawyer format. He does not believe this is really required. The access is there. The road maintenance agreement is billed and based upon the number of feet that each person uses. The lot that the variance is sought for would contribute to the road maintenance agreement. Mr. Theodoreu right now contributes fifteen percent of the annual budget for the lot the variance is being sought for and twenty two percent of the annual budget for the lot his residence is on.

Chairwoman Ranni was concerned that the signatures on the letter only stated that they are okay with the original agreement of the road usage. It did not state they were okay with an additional added lot. Attorney Ostrer stated that the neighbors had been notified by certified letter, they are aware of the application and the Board has evidence that Mr. Theodoreu has gone to each of the houses. No one has come out to object. People have come out and spoken in favor of it. Chairwoman Ranni stated the Ms. Neaverth did come to one of the meetings with concerns.

**ZONING BOARD OF APPEALS
TOWN OF CHESTER
1786 Kings Highway
Chester, New York 10918
January 16, 2014**

If the variance is granted this case still has to go to the Planning Board for approval.

Let the record reflect that no one came forward to speak for or against this applicant.

A motion was made by Julie Bell and seconded by Konrad Mayer to close this Public Hearing. Motion was carried in favor. The Board has sixty two days to vote. Mr. Theodoreu has been scheduled to appear before the Zoning Board on February 27, 2014 at 7:00 PM.

COACH USA – 66 TETZ ROAD – WORK SESSION

This case was referred to the Zoning Board for an interpretation of the code. It is a fifty acre parcel and located in the I zone (Industrial). They would like to put up signage on the front and both sides of the building.

Angela Ryan from Bergen Sign Company is representing Coach.

The Board looked at photos of the building. In code 98-21 all signs not specifically permitted are prohibited. All the districts are listed except for the I zone. Technically unless it specifically says which signs are allowed, it is not allowed.

Ms. Ryan stated that it would be a front lit sign on the canopy about fifteen or sixteen feet high. Also there will be side stripes with lights. It is a modest amount of square footage for the size of the building. The total square footage proposed for all signage is 201.1 square feet.

The Board has to decide whether or not they think the code was meant to include the Industrial district.

Attorney Wadeson discussed the different zones with the Board.

A straw poll by the Board was that some members thought it was omitted unintentionally in the code.

Chairwoman Ranni stated this case would have to go to a Public Hearing if Coach decides to proceed. This case would have to be referred to the County for a determination because it is within 500 feet of the Village of Chester and off of Route 94.

Ms. Ryan will let the Zoning Board know if Coach would like to proceed. If they decide to proceed they will appear for a Public Hearing on February 27, 2014 at 7:30 PM.

**ZONING BOARD OF APPEALS
TOWN OF CHESTER
1786 Kings Highway
Chester, New York 10918
January 16, 2014**

WALTON LAKE COUNTRY CLUB – 44 HEATON ROAD – WORK SESSION

This property is Section 11, Block 2, Lot 10.1. It is located in the SR2* district. This case goes back to 2010. It is a bungalow community. The residents are here for the summer and go back to the city during the winter time. There are multiple units that have made changes to their dwellings. The Building Inspector has issued violations on these units. A few of the units require variances.

The Board is looking at code 98-8 for a pre-existing non-conforming use.

The Board briefly discussed this case.

This case has been put on the schedule for another work session on February 27, 2014.

Respectfully Submitted
Dorothy Wierzbicki