

ZONING BOARD OF APPEALS
TOWN OF CHESTER
1786 Kings Highway
Chester, New York 10918
October 2, 2014

Members Present: Chairman Dimitrios Lambros, Gregg Feigelson, Ernie Damiani, Vinnie Finizia, David Aikman- Attorney, Konrad Mayer

Members absent: Julie Bell and Walter Popailo

The next ZBA meeting will be held on October 16, 2014 at 7:00 PM.

408 Bull Mill Road LLC.(Richard K. Wilson) – Work Session

This property is located at 408 Bull Mill Road. It is in the AR3 zoning district and consists of 41.40 acres. The property is about 440 feet from Bull Mill Road. Mr. Wilson would like to build a “Planned Adult Community” for active adults over the age of 55 that desire home ownership while still looking to downsize. Right now the property is mostly fields. They are looking for some direction and recommendations so that they may go back to the Town Board to request a zone change. These homes would range in price from about \$250,000 to \$300,000. The houses are on one level and would each be 1100 square feet, contain two bedrooms, two baths and their own garage. The sites would contain four attached houses. This would be a gated community. It would include a small store, a pharmacy, a restaurant and a beauty salon. The property would have a pool and a putting green. They would retain the natural beauty of the land. These houses would be less than twenty feet in height. Jerry Meckler who is a builder spoke to the Board about the senior housing that he builds. Mr. Meckler showed the Board some renditions of places he has built in Rockland County. There are trees surrounding the houses.

The applicant is looking for an interpretation of these types of small houses in this area.

Orry Osinga (engineer) stated that they would just like to exchange ideas with the understanding that they have to go to the Town Board for a zone change.

Chairman Lambros stated that this is not an acceptable use in the AR3 zoning district.

Member Damiani asked the applicant if they were looking to do a cluster development. Mr. Meckler replied yes. Member Damiani stated that there were various rules to follow regarding this type of development.

There was further discussion between the Board and the applicant.

Attorney Aikman stated that according to their application they were asking for an interpretation. What did they want the Board to interpret?

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Mr. Osinga stated that there were three things they could have come for ; an interpretation, a use variance or a zone change. What they are asking for is support so that they may go to the Town Board for a zone change. The Zoning Board cannot issue zone changes.

It was determined that Chairman Lambros would send a letter to the Town Board that the applicant has met with the Board.

Primo Sports (Luca Spensieri) Glenmere Road & NYS Route 94 – Work Session

This application has been referred by the Planning Board. The owner Luca Spensieri is before the Board to get a 24.2 acre area variance where fifty acres (50) is required to build a 60,000 square foot sports complex with six (6) soccer fields. The property is located on Glenmere Road and NYS Route 94. The property is in the SR1 Zone and consists of 25.80 acres. They are also seeking an interpretation of Section 98-29 A (1) of the Zoning Code.

They were denied the Interpretation and area variance on July 31, 2014. The applicant was then granted a Public Rehearing by unanimous vote at a meeting held on September 3, 2014. This work session is to go over the plans with the Board and answer any questions or concerns they may have.

The first presentation was done by **Mark Fellenzer (engineer)** who went over the redesigned plans. The building has been moved to the middle of the property. They have reduced the size of some of the fields. They have done a traffic study for parking , a hydrological report, perk tests , lighting plans and discussed hours of operation. These issues would be handled by the Planning Board.

Steve Lopez (planner) They looked at the size of the lot and answered the five criteria.

They do not feel that there will be an undesirable change in the neighborhood.

They cannot achieve their goals another way.

They feel the variance is substantial.

They feel it would not create an adverse impact on the neighborhood because the abandoned site would be replaced by an active site for children engaging in family activities.

They feel it is not a self created difficulty. The site is the size that it is.

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Dominick Cordisco (Attorney) His client has taken comments and concerns that were made at the last meeting very seriously and has addressed the issues. First they would need and an interpretation from the Board for the definition of a membership club. It is an older provision which at the time it was much more likely have been for fishing or hunting clubs, golf courses etc.

Dr. Singh stated that the vision of the club is two fold. This is a facility like no other in the community. They are going to provide access to schools. That is where the 501C aspect (non profit) comes into the picture. They are also adding a membership aspect where people would have access to services they wouldn't have elsewhere.

The Board discussed this application further and asked any questions they had.

Vinnie Finizia was concerned what would happen if there are not enough people enrolled when it is built.

Jim Lagarde from Primo Sports replied that right now their facility in Florida they will have to say no to approximately fifteen to twenty organizations. They will be at maximum capacity.

Ernie Damiani was concerned with the houses on Green Drive.

Steve Lopez stated that they will have landscaping and a black fence to shield the houses from the facility.

There will only be one point of entry.

Ernie Damiani would like the Zoning Board to state his concerns to the Planning Board.

If the variances are approved Chairman Lambros will issue a letter to the Planning Board with the concerns of the Zoning Board in regard to lighting, landscaping, hours of operation, access from Green Drive and noise.

This applicant will have a Public Rehearing on October 16, 2014 at 7:00 PM.

Respectfully submitted,

Dot Wierzbicki
Zoning Board Clerk

