

TOWN OF CHESTER
ZONING BOARD OF APPEALS
RESOLUTION

Application of Kips Bay Holdings of Warwick, LLC, seeking a variance of Section 98-22 (C) (1) (b) of the Zoning Ordinance of the Town of Chester, as it pertains to the applicant's property located at 173 Black Meadow Road, Chester, New York, also known as Section 6 Block 1 Lots 21.211, 21.212 & 21.213 on the Tax Map of the Town of Chester, New York, for permission to maintain a total of twenty-four (24) parking spaces at the premises where one hundred three (103) parking spaces are required.

Members Present: Linda Rami, Chairwoman; Julie Bell, ZBA Attorney; Ernie Damiani, ZBA Secretary; Gregg Feigelson; Matt Kossow; Robert Montarro; Dorian DeLuan Rossi.

Whereas, the application consists of a Town of Chester Zoning Board of Appeals application form, a site plan, a Short Environmental Assessment Form, a project narrative referral letter from the Town of Chester Planning Board, a photograph of the site; and Whereas the granting of the variance will not produce an undesirable change in the character of the neighborhood, and a detriment to nearby properties will not be created; and

Whereas, the applicants cannot achieve their objective via another reasonable alternative which does not involve the necessity of an area variance; and

Whereas, the variance sought by the applicants is substantial in nature; and

Whereas, the variance will not have an adverse impact on physical or environmental conditions in the neighborhood; and

Whereas, the hardship is self-created.

MOTION made to grant the variance made by: JULIE BELL
Second made by: ROBERT MONTARRO

The roll for the vote was as follows:

Members voting to grant the variance: Members voting to deny the variance:

Julie Bell
Ernie Damiani
Gregg Feigelson
Robert Montarro
Dorian DeLuan Rossi

The Chairwoman declared the resolution passed and directed the Clerk to file this resolution.

NOW THEREFORE BE IT RESOLVED, that the Zoning Board of Appeals of the Town of Chester, New York, grants the variance of Section 98-22 (C) (1) (b) of the Zoning Ordinance of the Town of Chester, as it pertains to the applicant's property located at 173 Black Meadow Road, Chester, New York, also known as Section 6 Block 1 Lots 21.211, 21.212 & 21.213 on the Tax Map of the Town of Chester, New York, for permission to maintain a total of twenty-four (24) parking spaces at the premises where one hundred three (103) parking spaces are required.

CONDITIONED HOWEVER, upon the expanded operation of the applicant's business at the premises consist of no more than twenty (20) employees and/or officers and/or directors and/or managers.

Pursuant to Section 98-38 (f) of the Zoning Ordinance of the Town of Chester, New York, unless construction is commenced and diligently pursued within six months of the date of the granting of a variance, such variance shall become null and void.

Dated: June 18, 2009
Chester, New York

Linda Rami, Chairwoman, 6/23/09

RECEIVED
OCT 21 2005
TOWN CLERK
CHESTER, NEW YORK

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ZONING BOARD OF APPEALS
RESOLUTION

Application of Kips Bay Holdings of Warwick, LLC, seeking a variance of Section 98-22 (C)(1)(b) of the Zoning Ordinance of the Town of Chester, as it pertains to the applicant's property located at 173 Black Meadow Road, Chester, New York, also known as Section 6, Block 1, Lot 106 on the Tax Map of the Town of Chester, New York, for permission to maintain a total of twenty-four (24) parking spaces at the premises where one hundred twenty-two (122) parking spaces are required.

Members Present: Vincent Fazio, Acting Chairman; Bob Garsiak; Walter Popalio.

Whereas, the application consists of a Town of Chester Zoning Board of Appeals application form, a Short Environmental Assessment Form, a project narrative letter; and

Whereas, the granting of the variance will not produce an undesirable change in the character of the neighborhood, and a detriment to nearby properties will not be created; and

Whereas, the applicant cannot achieve its objective via another reasonable alternative which does not involve the necessity of an area variance; and

Whereas, the variance sought by the applicant is substantial in nature; and

Whereas, the variance will not have an adverse impact on physical or environmental conditions in the neighborhood; and

Whereas, the hardship is self-created.

MOTION made to grant the variance made by: JULIE BELL
Second made by: ROBERT MONTARRO

The Acting Chairwoman declared the resolution PASSED and directed the Clerk to file this resolution.

NOW THEREFORE BE IT RESOLVED, that the Zoning Board of Appeals of the Town of Chester, New York, GRANTS the variance of Section 98-22 (C)(1)(b) of the Zoning Ordinance of the Town of Chester, as it pertains to the applicant's property located at 173 Black Meadow Road, Chester, New York, also known as Section 6, Block 1, Lot 106 on the Tax Map of the Town of Chester, New York, for permission to maintain a total of twenty-four (24) parking spaces at the premises where one hundred twenty-two (122) parking spaces are required.

CONDITIONED HOWEVER, upon the expanded operation of the applicant's business at the premises consist of no more than twenty four (24) employees and/or officers and/or directors and/or managers.

Pursuant to Section 98-38 (f) of the Zoning Ordinance of the Town of Chester, New York, unless construction is commenced and diligently pursued within six (6) months of the date of the granting of a variance, such variance shall become null and void.

DATED: October 20, 2015
Chester, New York

Vincent Fazio, Acting Chairman, 10/20/15

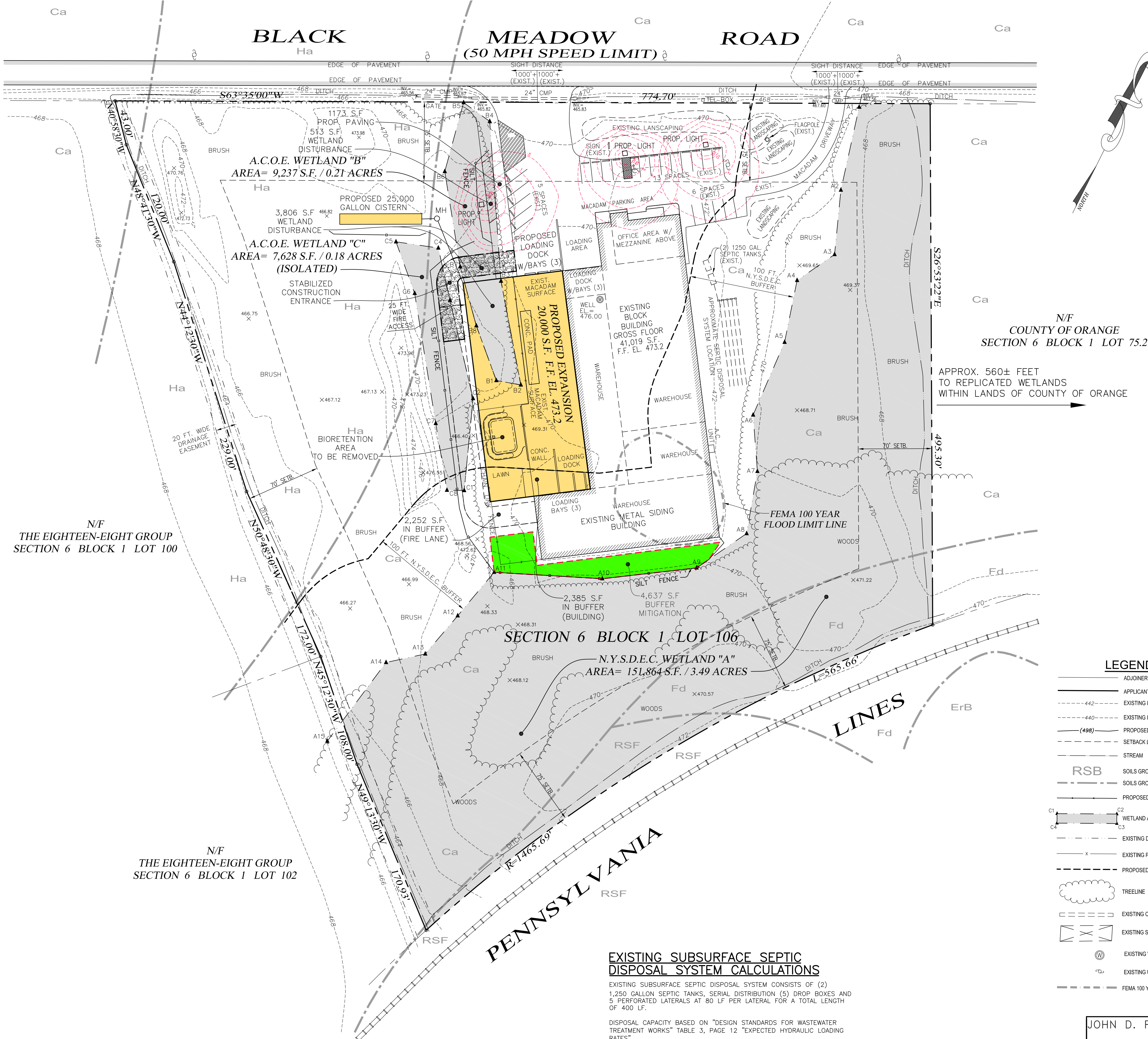
STATE OF NEW YORK)
COUNTY OF ORANGE)

I, TANYA MCPHER, Secretary to the Zoning Board of Appeals of the Town of Chester, do hereby certify that the foregoing is a true and exact copy of the Resolution maintained in the office of the Town of Chester Zoning Board of Appeals, said resulting from a vote having been taken by the Zoning Board of Appeals at a meeting of said Board held on Oct. 15, 2015.

Tanya McPherson, Secretary
TOWN OF CHESTER ZONING BOARD OF APPEALS

I, LINDA ZAPPALA, Clerk of the Town of Chester, do hereby certify that the foregoing Resolution was filed in the Office of the Town Clerk on October 21, 2015.

Linda Zappala, Clerk
TOWN OF CHESTER



EXISTING SUBSURFACE SEPTIC DISPOSAL SYSTEM CALCULATIONS

EXISTING SUBSURFACE SEPTIC DISPOSAL SYSTEM CONSISTS OF (2) 1,250 GALLON SEPTIC TANKS, SERIAL DISTRIBUTION (5) DROP BOXES AND 5 PERFORATED LATERALS AT 80 LF PER LATERAL FOR A TOTAL LENGTH OF 400 LF.

DISPOSAL CAPACITY BASED ON "DESIGN STANDARDS FOR WASTEWATER TREATMENT WORKS" TABLE 3, PAGE 12 "EXPECTED HYDRAULIC LOADING RATES".

TYPE OF FACILITY: FACTORY - PER PERSON/SHIFT 25 GPD FLOW RATE

NUMBER OF SHIFTS: 1
NUMBER OF EMPLOYEES (MAX.): 24

1(SHIFT) x 25(GPD) x 24(EMPLOYEES) = 600 GPD TOTAL.

SYSTEM DYE TEST AS FOLLOWS:
AVERAGE FLOW FROM FAUCET = 4.60 GAL. PER MIN.
DURATION OF FAUCET FLOW = 150 MIN x 4.6 (GPM) = 690 (GPD)
12 DYE TABLETS DISCHARGED PER MANUFACTURER'S DIRECTIONS.

24 HOUR INSPECTION YIELDED NO SURFACE DISCHARGE.

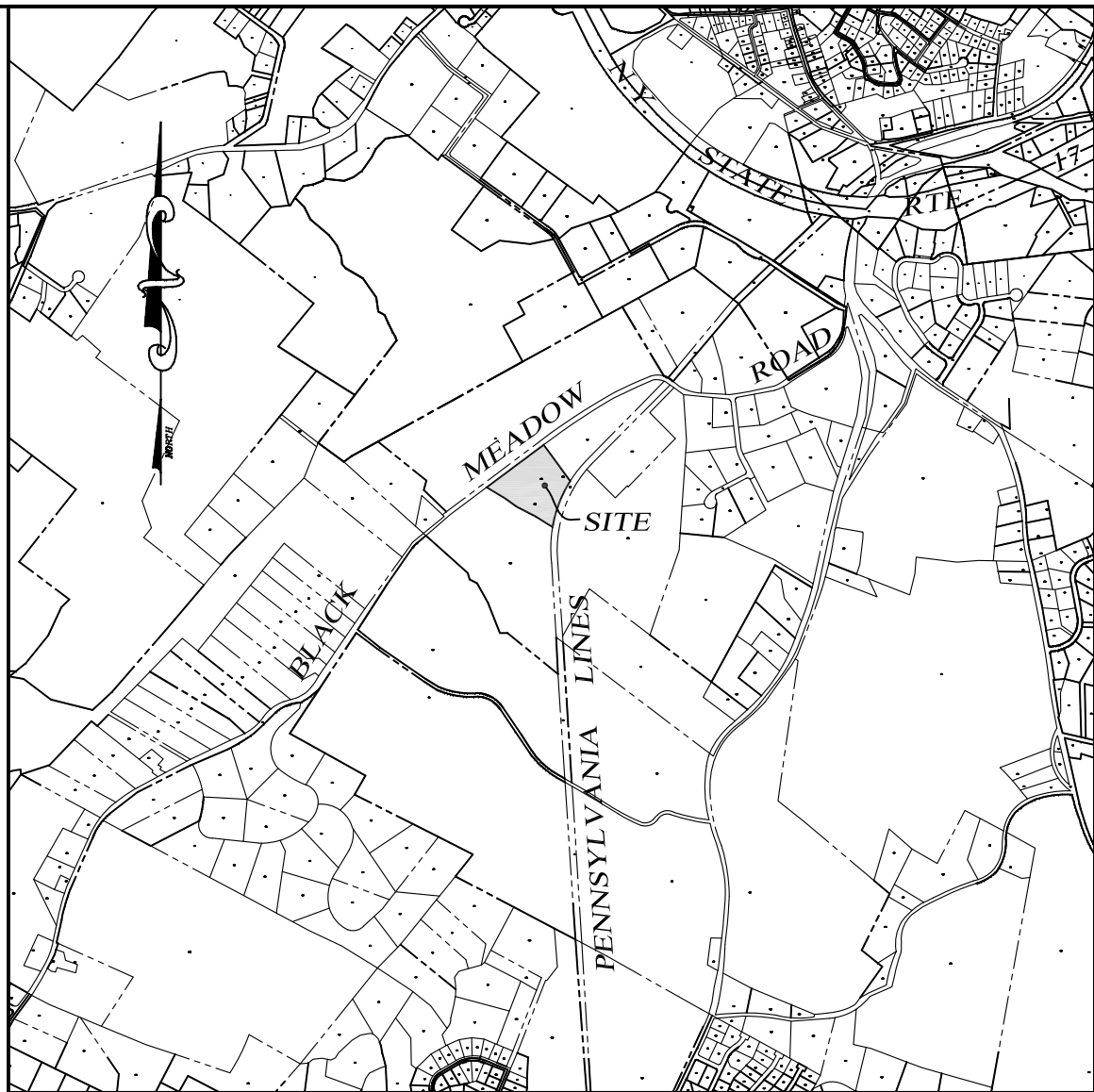
AS WITNESSED BY THE TOWN OF CHESTER ENGINEER ON DECEMBER 2, 2015.

MAP REFERENCE:

MAP ENTITLED "SURVEY OF PROPERTY FOR KIPS BAY HOLDING OF WARWICK, LLC TRADE TRANS-CORP." PREPARED BY ROBERT H. SCHMICK P.L.S. AND DATED JUNE 4, 2001.

RECORD OWNER:

ROBERT ANTES
C/O KIPS BAY HOLDINGS OF WARWICK, LLC
173 BLACK MEADOW ROAD
CHESTER, NEW YORK 10918



LOCATION MAP

SCALE: 1"=2000'

BULK REQUIREMENTS
"IP" DISTRICT

	MINIMUM REQUIRED	PROVIDED
LOT AREA (ACRES)	2+	9.61
LOT WIDTH (FT.)	200	>200
LOT DEPTH (FT.)	200	>200
FRONT YARD (FT.)	75	<75*
REAR YARD (FT.)	75	>75
ONE SIDE YARD (FT.)	70	>70
BOTH SIDE YARDS (FT.)	140	>140
	MAXIMUM ALLOWED	PROVIDED
BUILDING HEIGHT (FT.)	45	<45
LOT COVERAGE (%)	40	<40

*AREA VARIANCE GRANTED ON JUNE 18, 2009

PARKING CALCULATIONS:

WAREHOUSE OR WHOLESALE:
1 SPACE PER 500 SQUARE FEET OF GROSS FLOOR AREA
EXISTING GROSS FLOOR AREA = 41,019 S.F.
41,019 S.F./500 S.F.=82 SPACES REQUIRED - 24 SPACES EXISTING**
TOTAL PROPOSED GROSS FLOOR AREA = 61,019 S.F.
61,019 S.F./500 S.F.=122 SPACES REQUIRED - 24 SPACES PROVIDED

**PARKING VARIANCE GRANTED ON OCTOBER 20, 2015

GENERAL NOTES:

- WETLANDS DELINEATION ON MAY 16, 2008 BY ERS CONSULTANTS, INC.
- TOPOGRAPHY PREPARED BY ACTUAL FIELD METHODS BY ERS CONSULTANTS, INC. ON OCT. 30, 2008.
- TOPOGRAPHIC DATUM BASED ON NGVD 1929.
- PER FEMA COMMUNITY PANEL No. 0458E. EFFECTIVE DATE: AUGUST 3, 2009, THE SITE IS WITHIN THE 100 YEAR FLOOD PLAIN.FLOOD PLAIN ELEVATION PER FEMA MAP No. 36071C0458E = 474.00
- THE BUILDING CONSTRUCTION MUST CONFORM WITH CHAPTER 52 (FLOOD DAMAGE CONTROL) OF THE TOWN CHESTER CODE.

NO.	DESCRIPTION	DATE
2	REVISED PER N.Y.S.D.E.C. COMMENTS DATED 07-06-17	07-07-17
1	REVISED PER PB COMMENTS DATED 07-28-15	08-06-15

REVISIONS

SITE PLAN

BUILDING EXPANSION PLAN
PREPARED FOR

TRADE TRANS CORP.

SECTION 6 BLOCK 1 LOT 106
TOWN OF CHESTER, COUNTY OF ORANGE, NEW YORK

ERS ENGINEERING
CONSULTANTS, P.C.

PHONE: (845) 987-1775 FAX: (845) 987-1788
11 FORESTER AVE., WARWICK, NEW YORK 10990

SCALE: 1"=50'	DATE: 06-26-15	JOB NO. 3104	SHEET NO. 1 OF 2
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LEGEND

- ADJOINER'S PROPERTY LINE
- APPLICANT'S EXISTING PROPERTY LINE
- EXISTING INTERMEDIATE CONTOUR
- EXISTING INDEX CONTOUR
- PROPOSED CONTOUR
- SETBACK LINES
- STREAM
- SOILS GROUP LABEL
- SOILS GROUP LINE
- PROPOSED SILT FENCE
- WETLAND AREA
- EXISTING DRAINAGE EASEMENT
- EXISTING POST & RAIL FENCE
- PROPOSED LIMIT OF DISTURBANCE
- TREELINE
- EXISTING CULVERT PIPE
- EXISTING SEPTIC SYSTEM
- EXISTING WELL
- EXISTING UTILITY POLE
- FEMA 100 YEAR FLOOD LIMIT

JOHN D. FULLER, P.E.

APPROVED AS A FINAL SITE PLAN AS
RESOLVED BY THE PLANNING BOARD OF THE
TOWN OF CHESTER ON

PLANNING BOARD CHAIRMAN DATE

PLANNING BOARD ENGINEER DATE

PROFESSIONAL ENGINEER
N.J. LIC. NO. 42708
N.Y. LIC. NO. 077703

