

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 Ranni, Chairwoman
Julie Bell
Ernie Damiani
Gregg Feigelson
Matt Kannon
Robert Montarro
Dorian DeHaan Rossi

Others:

Jeanine Garritano Wadeson, Esq.
ZBA Attorney
Dot Wierzbicki, ZBA Secretary

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 photographs 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

RECEIVED
JUN 23 2009
TOWN CLERK
CHESTER, NEW YORK

The roll for the vote was as follows:

Members voting to grant the variance

Julie Bell
Ernie Damiani
Gregg Feigelson
Robert Montarro
Dorian DeHaan Rossi

Members voting to deny the variance

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 (I) 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 Ranni 6/23/09
Linda Ranni, Chairwoman, Date