

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, 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 Finzia, Acting Chairman
Bob Garstak
Walter Popalio

Others:

David L. Gove, Esq., ZBA Attorney
Tanya McPhee, ZBA Secretary

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.

Whereas, a MOTION to grant the variance was made:

The roll for the vote was as follows:

Members voting to grant the variance:

Vincent Finzia, Acting Chairman
Bob Garstak
Walter Popalio

Members voting to deny the variance:

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 93-38 (I) 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_____, 2015
 Chester, New York

Vincent Finzia, Acting Chairman

Date