

Meeting Minutes for June 11th, 2026

June 11th, 2026 – 7:00 PM

Town of Chester

Zoning Board of Appeals

1786 Kings Highway
Chester, NY 10918
(845)-469-7000 x338

Chairman: Gregg Feigelson

Members: Tom Atkin
Julie Bell
Dan Doellinger
Walter Popailo

Alternates: Kadeen Simpson
Paul Miller

Attorney: Alyse Terhune

Secretary: Melissa Foote

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Location: Town Hall and Live Stream

Facebook: Chester Rec

YouTube: [Town of Chester, NY - YouTube](#)

Time	Agenda Items		
7:00 PM	Call to order		
	Roll call / quorum check		
	Pledge of allegiance		
	Adoption of minutes (as applicable)		
	Regular Business new and old		
	Item	Applicant / Address / Zone / SBL	Summary
	1	Heinemann Castillo 952 Lakes Rd., Monroe, NY 10950 15-1-44	Application Review – Area Variance
	2	David Turetsky 1301 Kings Highway Chester, NY 10918 17-1-10	Application Review – Interpretation
	Other business (as applicable)		
	Adjournment		

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Meeting called to order by **CHAIRMAN FEIGELSON** at 7:00 PM

Present: **CHAIR FEIGELSON, MEMBER DOELLINGER, ALTERNATE MEMBERS/KADEEN SIMPSON & PAUL MILLER, MEMBER BELL, BOARD SECRETARY FOOTE AND BOARD ATTORNEY TERHUNE**

Absent: **MEMBER POPAILO, MEMBER ATKIN**

Quorum confirmed

Pledge of Allegiance

Agenda Item 1 of 1

Applicant	Heinemann Castillo
Address & Property Info.	952 Lakes Rd., Monroe, NY 10950
Referral Source (Date)	Building Inspector – permit denial ()
Request	Area Variance
Application status	Incomplete
SEAF	n/a
239-M Referral	TBA
SEQRA	TBD

CHAIR FEIGELSON briefly describing the project.

- **APPLICATION DETAILS:** Building permit denial dated March 9, 2026, for an accessory building (shed) located in the front yard of a property in the SR2.
- **HEINEMANN CASTILLO / APPLICANT** – Explaining project
Accessory structure has been partially built but work was halted after the building department advised that proper permitting was required. The structure will be expanding in footprint square footage (utilizing an "A-shape" design) rather than just height.

BOARD COMMENTS

Current application lacks an exact, updated site plan or "as-built" survey outlining the explicit footprint or dimensions. A variance cannot be issued without a precise footprint mapped out on the site plan to serve as a contingency.

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- **Zoning Restrictions:** The property is a conforming lot in an SR2 district; however, SR2 guidelines strictly prohibit accessory buildings from being located in front yards.

Potential side/rear setback issues were noted but cannot be finalized without exact dimensions relative to the property line.

- **Justification of Placement:** The Board questioned why the front yard was chosen over other compliant areas. The applicant cited safety/ease of access for equipment (e.g., lawnmower) via the existing driveway, an adjacent creek and steep slope on one side of the property, and the presence of a leech field restrictively occupying alternate space.
- **Aesthetics:** The applicant noted that the building siding is being constructed out of reclaimed wood from an old farm barn to provide a rustic appearance.

Board Action / Next Steps:

Because the application is currently incomplete and lacks defined dimensional drawings, **the Board cannot set a public hearing at this time.**

Adjournment: The application is formally adjourned until the next meeting on **July 9** at the same time.

- Applicant must file the *dimensional footprint sketches* with the building department and provide copies to the ZBA before the next meeting.

Agenda Item: 1301 Kings Highway (Chicken / Fowl Interpretation)

- **Applicant:** David Turetsky
- **Application Details:** Building Department referral requesting an official code interpretation regarding whether chickens can be kept on a non-conforming lot in an AR.3 (Agricultural Residential) district. The applicant owns a 2.3-acre lot (where 3.0 acres is the standard conforming minimum).

Discussion:

Code Ambiguity: Chair/FEIGELSON presented a summary of existing code regulations, highlighting clear inconsistencies.

Interpretive Options Presented by the Chair:

1. **Option 1:** Ban pets/fowl entirely on non-conforming lots (dismissed by the Board as overly extreme).
2. **Option 2:** Permit non-conforming lots the exact same number of fowl as conforming lots (allowing 25 chickens).

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3. **Option 3:** Prorate the allowable number of fowl based on the actual acreage

The Board recalled a similar case from 2023 at 92 West Restdale Road where a variance for chickens was granted with a strict "**no rooster**" clause. The applicant noted they are only looking to utilize one of two pre-existing 1935 hen houses to keep 10 chickens total, and confirmed no roosters would be kept.

The pre-existing hen house is located in the rear yard, 8 feet away from the property line. A 6-foot security fence exists around the perimeter. The applicant utilized aerial photography to demonstrate that the operation is heavily obfuscated by tree lines and sits a significant distance away from neighboring residences, with a solar farm operating on one side.

Board members expressed concern that Option 2 could establish a problematic precedent for significantly smaller, non-conforming historical lots in AR3 zones. The Board leaned heavily toward **Option 3 (Prorating)** as the most legally sound and reasonable long-term code interpretation.

Motion to Adjourn meeting at 7:43m by CHAIR FEIGLESON
SECOND BY MEMBER BELL
All In Favor 4 Nays 0