

LOCAL LAW NO. 4 OF 2022

A LOCAL LAW TO AMEND THE TOWN OF CHESTER ZONING MAP ADOPTED PURSUANT TO TOWN CODE §98-4 OF THE TOWN CODE OF THE TOWN OF CHESTER

Be it enacted by the Town of Chester in the County of Orange, as follows:

Section 1. Purpose and Intent.

It is the intent and purpose of this Local Law to amend the Town of Chester Zoning Map, previously enacted and adopted pursuant to Section 98-4 of the Town Code of the Town of Chester. The effect of the amendment of the Zoning Map is to change the zoning district classification of the premises described herein (hereinafter the “Premises”).

Section 2. Legislative Findings.

The Premises to be rezoned are presently owned by Ronald J. Nelson and Marjorie B. Nelson, consisting of lands improved by a single-family residential dwelling. The Premises are currently zoned in the AR-.3 District. The property owners, Ronald J. Nelson and Marjorie B. Nelson, also own property adjacent to the Premises, with such adjacent property being located in the AI District. The adjacent property, designated as Section 1, Block 1, Lot 77.2 on the Tax Map of the Town of Chester, is currently an undersized lot. This is a non-conforming use which restricts the construction of a single-family residential dwelling on the adjacent parcel. The rezoning of the Premises to an AI District classification will permit a lot line change between the Premises and the adjacent parcel, bringing the adjacent parcel into conformity for the purposes of the construction of a single-family residential dwelling.

Rezoning the Premises to an AI District classification constitutes an appropriate zoning district designation under Article II of Chapter 98 of the Town Code of the Town of Chester. The amendment of the Zoning Map contemplated herein is in accordance with the Comprehensive Plan of the Town of Chester and such amendment shall further promote and protect the health, safety and general welfare of the residents of the Town of Chester.

Section 3. Amendment of Zoning Map.

As of the effective date of this local law as stated herein, the Zoning Map of the Town of Chester shall be, and hereby is, amended to change the zoning classification of the Premises so described as 26 McBride Road, Town of Chester, County of Orange, State of New York, designated as Section 1, Block 1, Lot 82 on the Tax Map of the Town of Chester, from AR-.3 (Agricultural Residential) District to AI (Agricultural Industrial) District.

Section 4. Construction with Regard to Other Laws.

Except as specifically stated herein, this local law shall not be construed as superseding, limiting, changing or suspending any other law, ordinance, rule or regulation of land use or construction within the Town of Chester.

Section 5. Severability.

If any clause, sentence, paragraph, subdivision, or part of this Local Law or the application thereof to any person, firm or corporation, or circumstance, shall be adjusted by any court of competent jurisdiction to be invalid or unconstitutional, such order or judgment shall not affect, impair, or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, subdivision, or part of this Local Law or in its application to the person, individual, firm or corporation or circumstance, directly involved in the controversy in which such judgment or order shall be rendered.

Section 6. Effective Date.

This local law shall take effect immediately upon filing with the Secretary of State.