



PLANNING BOARD
Regular Meeting – September 18, 2023

Chairman Little called the meeting to order at 7:00 pm.

Attendance:

Chairman Paul Little, Vice Chairperson George Hilton, John Nick, Patrick Powers, Greg Taylor, Bruce Goody, Zoning Administrator Jeremy J. Little (via Zoom) and Mindy Conway (Acting Secretary) were present. Kathy Bilfield was absent.

Public Hearings and Old Business:

None.

Minutes:

On a motion by John Nick, seconded by Bruce Goody, minutes from Regular Meeting on August 21, 2023 were accepted.

AYE 5 NO 0
George Hilton - Abstained

Correspondence:

- Zoning Administrator's Activity Report for August 2023;
- Warren County Planning Department Project Review and Referral Form, reviewed by Department on September 07, 2023 for #SPR2023-16. Form received by the Zoning Office on September 07, 2023.

Old Business:

#SPR2020-13: Loon Lake RV Park LLC (Tim Beadnell) is seeking Site Plan Review approval to finish and renovate the upstairs of the existing Camp Store to offer coin operated video games and coin operated laundry (2 sets). Property is located at 5400-5408 State Route 8, identified by Tax Map Parcel #: 103.-1-18.1, in Zoning District Low Intensity ****TABLED UNTIL FURTHER NOTICE BY REQUEST OF APPLICANT****

Family Gift Subdivision (Section 8.02 of the Zoning Local Law; Article III of the Subdivision Regulations): Philip Sr. and Elaine K. Rinaldi are seeking confirmation from the Planning Board that the proposed division of land constitutes a gift:

- **Grantors: Philip Sr. and Elaine K. Rinaldi**
- **Grantee: Philip Rinaldi, Jr.**
- **Property Address: 25 Woodridge Road**
- **Tax Map Parcel #: 104.14-1-61**
- **Zoning District: Hamlet**

- **Proposed Lot 3 to be gifted from the Grantors to the Grantee will consist of 1.082 ± acres.**
- **Proposed Lot 4 to be retained by the Grantors will consist of 1.064 ± acres.**
- ****TABLED BY THE PLANNING BOARD AT THE 04/17/2023 MEETING****

#SPR2023-16: Lewis W. Britton, IV and Russell E. Sheer, Jr. are seeking Site Plan Review approval to demolish an existing single-family dwelling and construct a new 34' x 20' Four-Bedroom Single-Family Dwelling with 16'-2" x 7'-9" Rear Porch and 16'-2" x 4' Deck with stairs and 5'-9" x 12' Mudroom/Entry and 4' x 12' Deck with stairs. Proposal also includes relocation of an existing 14' x 10' Storage Shed. The proposed land use and development will occur on the property where the slopes are in excess of fifteen-percent (15%). Property is located at 835 State Route 28N, identified by Tax Map Parcel #: 32.-1-16, in Zoning District Rural Use.

Bret Winchip was present representing the Applicants.

Bret Winchip commented that this is a tear down rebuild. They have received a Jurisdictional Determination from the APA, Warren County had no comment, they have approval from the Local Board of Health for a wastewater disposal system, and they have received approval for setback variances from the Zoning Board of Appeals.

Chairman Little read the following:

Findings of Fact:

1. There will be little or no negligible impact on public health, safety, and general welfare and the project satisfies all concerns stated in Section 5.06(E) of the Town of Chester Zoning Local Law;
2. The Project agrees with the Town of Chester Master Plan;
3. The Town of Chester Zoning Board of Appeals approved an 84.3 ft. front yard setback variance, 79.5 ft. front yard setback variance, and variance from Section 8.01(B) for minimum area requirements on July 25, 2023 (Variance Application #536-V) in connection with the Project;
4. As per Section 5.06(G)(1) of the Zoning Local Law, a public hearing was not held as the expected level of public interest is negligible;
5. The Planning Board has classified the Project as a Type II action, requiring no further review under SEQRA;
6. The Project will have negligible negative impacts on the environment; and
7. The Project Review and Referral Form has been received from the Warren County Planning Department with the response that there will be no County Impact.

On a motion by Greg Taylor, seconded by Patrick Powers, **#SPR2023-16: Lewis W. Britton, IV and Russell E. Sheer, Jr.** was approved with the above Findings of Fact.

AYE 6 NO 0

New Business:

Concept Plan Conference (Section 5.04 of the Town of Chester Zoning Local Law):

- Woodcliff Acres Property Owners Association, Inc., owner of property located at 48 Woodcliff Acres Road, identified by Tax Map Parcel #: 120.6-2-15, are seeking approval to expand the existing dock system so that each section can accommodate two (2) boats, each with an 8 ½ foot beam and expand the length of the existing dock system by 12 feet. The existing system is currently 153 feet in length and the expansion would result in a total length of 165 feet. The existing dock system has received approvals from the Town of Chester, Adirondack Park Agency and NYS Department of Environmental Conservation.

Chris Krapf from the Woodcliff Property Owners Association Board of Directors is Chairperson for this project and Kenneth Dolecki, Secretary, were present.

Chris Krapf said that the current system is 150 feet and adding a 12 ft. section of dock would bring it to 165 ft and increase width to accommodate two (2) boats. They have filled out an application with the APA for jurisdiction and are waiting for an answer.

John Nick said that the Town has a max of 240 sq ft. Greg Taylor said that a variance is needed from the Town of Chester.

John Nick said that they would have to go to the Zoning Board of Appeals for a variance.

Chairman Little said after they go to the Zoning Board, they would come back to the Planning Board to get final approval.

Greg Taylor asked how many people have rights to the dock system now and how many are not able to fit on it now. Chris Krapf stated there are 32 property owners that have rights. Now the boats are bigger so they are trying to make sure everyone can still dock.

John Nick asked about material for the dock and stated that treated lumber cannot be in contact with the lake.

Chairman Little thanked them for coming in and suggested that they go to the Zoning Board to get their appeal in. Jeremy Little, Zoning Administrator, said that it would have to be submitted by October 4th at 3 pm to make the October Zoning Meeting.

#SPR2023-17: Camp SLNY LLC is seeking Site Plan Review approval to construct a 15' x 24' Deck and 6' x 20' Ramp to the Existing "Goodness" Structure and a 15' x 24' Deck and 6' x 29' Ramp to the Existing "Kindness" Structure. Property is located at 8260 State Route 9, identified by Tax Map Parcel #: 36.-1-5.4, in Zoning District Moderate Intensity.

Doug Bensen was present representing Camp SLNY, LLC on the former Sunrise property.

Chairman Little said this was going to be cosmetic changes and asked if the ramp was going to be a handicap ramp. Doug Bensen said that some of what is written down as a ramp, will actually be used as a walkway instead of going down steps and back up.

Patrick Powers asked if there would be handrails. Doug Bensen replied yes in places where the height is 30 inches or more.

Chairman Little asked if either one of the buildings were in the flood plain. Doug Bensen that he does not think so, even with all the rain this year it did not come close to the buildings.

Chairman Little asked about the septic. Doug Bensen said that the septic system is shared between these two (2) buildings.

Chairman Little commented that this will have to be referred to the County Planning Department and asked if there were any more questions.

On a motion by John Nick, seconded by George Hilton, **Site Plan Review Application #SPR2023-17: Camp SLNY LLC** was deemed complete and referred the Application to the Warren County Planning Department.

AYE 6 NO 0

#SPR2023-18: Word of Life Fellowship is seeking Site Plan Review approval to change the use of the existing previously approved accessory use structure (Garage) to a Two-Bedroom Single-Family Dwelling. Site Plan Review approval is required for an additional principal building on the same lot. Property is located at 8192 State Route 9, identified by Tax Map Parcel #: 36.-1-19.1, in Zoning District Moderate Intensity.

Chairman Little asked if anyone was here to speak.

Hearing none, the Board tabled the application until the next Planning Board Meeting, scheduled on October 16th.

Chairman Little asked Zoning Administrator Little to contact the Applicant and ask them to attend the next meeting.

#SPR2023-19: Mary Joan Rohde is seeking Site Plan Review approval for the construction of a 3' x 8' extension to an existing 3' x 32' dock on a contractual access lot. Property is located at 136 Jones Road, identified by Tax Map Parcel #: 86.10-1-49.2, in Zoning District Moderate Intensity.

Mary Rohde, the Applicant, was present via Zoom and Nathan Hall from Stafford, Carr & McNally was present via Zoom representing the landowner being given dock rights.

Nathan Hall said they are looking for an additional 8 ft to make safe docking.

Chairman Little read a portion from the June 21, 2021 Planning Board Minutes:

“Mr. Matrose asked about the entire group of back lot owners in regards to future requests for docking space. The applicant stated that they are working on the legal rights in regards to this.

Mr. Taylor stated that he felt that the logistics don't affect the Town of Chester or the Planning Board. He asked how many feet of shoreline is present on the property, there are 125 feet of shoreline. Mr. Taylor confirmed that in accordance to the Town of Chester Zoning Local Law, 50% of the shoreline is necessary for bathing.

Mr. Nick reminded the applicant to ensure that there was no contact of pressure treated lumber with the lake. The applicant stated that their plan for the project follows this."

Greg Taylor commented that as long as the dock did not come in contact with the water, treated lumber should work. John Nick said with galvanized steel dock supports. Nathan Hall said he is not sure they are committed to using galvanized steel but will make them aware of the Chester Zoning Law.

Chairman Little read a portion from the June 21, 2021 Planning Board Minutes:

"A discussion took place regarding holding a Public Hearing. Mr. Nick stated that he does not see a need for a Public Hearing and would be in favor of approving the project. Zoning Administrator Little stated that the Zoning Board of Appeals application was withdrawn due to the contest from the neighboring property owners. Mr. Walp stated he feels we should have a Public Hearing. Chairman Little asked the applicant how holding a Public Hearing would affect them with their project. Mr. Taylor stated that the Town of Chester Zoning Local Law stated this is "perfectly okay to do" and feels that there is no need for a Public Hearing."

Greg Taylor asked if this gets approved what will the other lot owners say. Nathan Hall said that there are 30+ lots that have rights to use the beach and the bathing area. Currently there are only two (2) lots that have contractual dock rights and Mary Rohde would like to add a third and wants to make sure there is enough room.

Chairman Little said that in the original decision in 2021 there was only one (1) condition: there is to be no pressure treated lumber in contact with the water.

Discussion ensued about adding a condition that only the three (3) lots that have a contractual right to use the dock be able to use it.

The Board reviewed the SEAF Part 2 and agreed "Little or No Impact".

RESOLUTION

NOTICE OF DETERMINATION OF SIGNIFICANCE AND NEGATIVE DECLARATION IN CONNECTION WITH SITE PLAN REVIEW APPLICATION #SPR2023-19, MARY JOAN ROHDE

WHEREAS, the Town of Chester Planning Board ("Planning Board") has received an Application from Mary Joan Rohde (the "Applicant") for the construction of a 3' x 8' extension to an existing

3' x 32' dock on a contractual access lot located at 136 Jones Road, identified by Tax Map Parcel #: 86.10-1-49.2 (the "Project"); and

WHEREAS, the Planning Board has identified the Project to be an Unlisted action for purposes of State Environmental Quality Review Act ("SEQRA") review pursuant to 6 NYCRR 617; and

WHEREAS, the Planning Board has decided to conduct an uncoordinated review as a Lead Agency for the Project; and

WHEREAS, the Planning Board has received a Short Environmental Assessment Form ("SEAF") for the Project with Part 1 of the SEAF completed by the Applicant; and

WHEREAS, SEQRA requires that the Planning Board undertake a thorough review of the potentially significant adverse environmental impacts prior to making its determination with respect to the Project; and

WHEREAS, the Planning Board has reviewed Parts 1, 2 and 3 of the SEAF and all other supporting information submitted to the Planning Board by the Applicant;

NOW, THEREFORE BE IT

RESOLVED, that in accordance with SEQRA, the Planning Board, as a Lead Agency, has determined that the Project will not result in any significant adverse environmental impacts and hereby issues a Negative Declaration pursuant to the requirements of SEQRA and directs the Planning Board Chairperson to complete and sign Part 3 of the SEAF as required for the Determination of Significance, confirming the foregoing Negative Declaration.

MOTION FOR ISSUANCE OF NOTICE OF DETERMINATION OF SIGNIFICANCE AND NEGATIVE DECLARATION IN CONNECTION WITH SITE PLAN REVIEW APPLICATION #SPR2023-19, MARY JOAN ROHDE,

Introduced by George Hilton who moved for its adoption, seconded by Greg Taylor:

Duly adopted this 18th day of September, 2023 by the following vote:

AYES:	Chairperson Paul Little
	George Hilton
	John Nick
	Patrick Powers
	Greg Taylor
	Bruce Goody
NOES:	None.
ABSTAINED:	None.
ABSENT:	Kathy Bilfield

Findings of Fact:

1. There will be little or no negligible impact on public health, safety, and general welfare and the project satisfies all concerns stated in Section 5.06(E) of the Town of Chester Zoning Local Law;
2. The Project agrees with the Town of Chester Master Plan;
3. As per Section 5.06(G)(1) of the Zoning Local Law, a public hearing was not held as the expected level of public interest is negligible;
4. The Project is an Unlisted action and the Planning Board has decided to conduct an uncoordinated review as a Lead Agency;
5. The Board reviewed Parts 1, 2 and 3 of the Short Environmental Assessment Form (SEAF) and all other supporting information submitted to the Board by the Applicant;
6. The Project will have negligible negative impacts on the environment;
7. The Board has determined that the Project will not result in any significant adverse environmental impacts and issued a Notice of Determination of Significance and a Negative Declaration.

Condition:

1. There is to be no pressure treated lumber in contact with the water.

On a motion by John Nick, seconded by Patrick Powers, **Site Plan Review Application #SPR2023-19: Mary Joan Rohde**, was approved with the above Findings of Fact and Condition.

AYE 6 NO 0

Request to amend the following Site Plan Review Application #SPR2022-17 approved by the Planning Board on December 19, 2022:

- Renovate the existing two-bedroom single-family dwelling and construct a new addition to the existing single-family dwelling. The 4,287 square ft. addition will consist of an expanded kitchen and living room area, four bedrooms including second floor master suite, covered porch, three-car garage and covered deck above an indoor pool. Property is located at 76-70 Clarkson Road, identified by Tax Map Parcel #: 86.19-1-2, in Zoning District Moderate Intensity.

Frank Palumbo from CT Male Associates was present representing the Barlow Family.

Frank Palumbo stated they are reducing the building size by 1,200 square feet. They are seeking approval of the revisions to the size of the building.

John Nick questioned the proposed size of the building. Kelly Barlow replied 3,483 square feet. John Nick asked if there were additional bedrooms. Frank Palumbo said no.

Chairman Little commented that there are no provisions in the Zoning Law for changes and read the following from the Town of Chester Zoning Local Law:

“Section 5.03 Applicability of Article.

A. All land use or development specified for site plan review in Article 4 or Article 7 shall require site plan review and approval before being undertaken, except the following activities, which shall be exempt from such review and approval:

3. Exterior alterations or additions to existing or permitted residential and accessory structures which would, as of the date of the adoption of this Local Law, increase the square footage by less than 50%.”

Chairman Little said they are changing what was permitted to a smaller size.

Greg Taylor said they are changing the fact that they are not drilling a new well, they would like to use the old one. Frank Palumbo said they are going to the Town Board for approval for the septic.

Chairman Little asked if they could approve the amendment tonight or if they had to wait for the variances to approve. Zoning Administrator Little felt that it could be approved tonight.

On a motion by Greg Taylor, seconded by Bruce Goody, the Board **approved** the amendment request to **Site Plan Review Application #SPR2022-17** with the condition that the Zoning Board of Appeals approves the amendment request.

AYE 6 NO 0

Public Privilege:

None.

Board Privilege:

John Nick commented that he would like the plans to be printed on ledger size paper and asked Zoning Administrator Little if that would be possible. Zoning Administrator Little said if the Board has a request, they need to let him know. The Board requested that all plans are on ledger size paper for the Board Members.

Greg Taylor said that some of the deeds about swimming and boating are going to be an issue for the Board. John Nick commented that there is not always enough room to dock all of the properties that have rights to a dock. Greg Taylor said that as a Town this is something we need to figure out. John Nick commented that the Zoning Law does not always allow enough dock space.

Supervisor Leggett said that the Planning Board and the Zoning Board are going to be seeing more of these dock issues.

Discussion ensued about dock rights.

Adjournment:

On a motion by John Nick, seconded by Greg Taylor, meeting adjourned at 8:26 pm.

AYE 6 NO 0

Respectfully submitted,

Mindy Conway
Acting Secretary