



PLANNING BOARD
Regular Meeting – January 22, 2024

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

Attendance:

Chairman Paul Little, Vice Chairperson George Hilton, John Nick, Patrick Powers, Bruce Goody, Kathy Bilfield (7:11 pm), Zoning Administrator Jeremy J. Little and Mindy Conway (Acting Secretary) were present. Greg Taylor was absent.

Public Hearings and Old Business:

None.

Minutes:

On a motion by John Nick, seconded by Patrick Powers, minutes from the regular meeting on December 18, 2023 were **ACCEPTED**.

AYE 5 NO 0
Kathy Bilfield - Absent

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****

#SD2023-09: Mary E. West-Hannigan, William Scott West, John Clark West (as Trustees of the Mildred West Irrevocable Income Only Trust Agreement) are seeking after-the-fact

approval for a two-lot minor subdivision for property located at White Schoolhouse Road, identified by Tax Map Parcel #: 69.-1-53.111 and 69.-1-53.112 (Formerly Tax Map Parcel #: 69.-1-53.11 prior to the subdivision), in Zoning District Low Intensity. Lot 1 consists of 20.06 ± acres and Lot 2 consists of 97.97 acres. ****TABLED BY THE PLANNING BOARD AT THE 12/18/2023 MEETING****

Tom Hannigan, Executor, was present and said that they have fulfilled most of what the Board has requested. All of the permits have been filled with the Zoning Administrator but have not been approved yet and today all of the necessary County permits have been filed. A letter was received from the APA that there were no violations. There is also some new construction planned where forms were filled. Those permits were filed with the Zoning Administrator and the County today. Lastly, we are having problems with the survey. The cost is obscene, they received a base cost of \$12,500. They are wondering if the Board would accept the plan given to them at the meeting.

John Nick commented that the physical size of the buildings is not shown and asked if the trailer 6'x25' or is that the deck. Tom Hannigan said he would have to get back to him.

John Nick asked if the Zoning Administrator had a copy of the plan. The Zoning Administrator said that his copy shows a storage shed that is 10'x18', 32'x12' pole barn, a boat cover that is 18'x10', and a trailer 6'x25'. They do include the dimensions.

Chairman Little listed:

1. Add test pits and perc tests – we have that.
2. The map has not been redone completely – we have a new map that requires some revision.
3. Updated maps – we have one of one side of the road, and it is the other side of the road that we are working on.
4. Work has stopped on the footings – in the process of getting permits, they have been submitted but not approved.
5. APA has flagged wetlands – they have shown them but have chosen not to do anything.
6. 100% replacement of leach field – has been marked and submitted to Zoning Administrator.

Tom Hannigan asked if they need an official survey or if the plan, they received tonight is sufficient. Chairman Little asked the Board. John Nick said that the request is for a survey of the three buildings. John Nick asked the Zoning Administrator if the plan is sufficient. The Zoning Administrator said that it is up to the Board, he does not think that a survey of the entire lot is necessary, but again it is up to the Board to make that decision.

John Nick reminded them if they put a septic system in in the future, they will have to show with accurate dimensions the well to septic and anything else that could be required by the Zoning Law. So sooner or later you are going to have to show accurate dimensions with an engineer stamp.

Scott West said there are measurements on the map. John Nick asked if there was going to be a pond on the property. Scott West said no, his kids put that there.

Chairman Little said they still need some revision of the maps. John Nick would like to know if it is a trailer or a deck. Tom said they could redo the map this week showing the deck and the trailer.

Chairman Little asked the Board if they were ok with not having a licensed surveyor and the map submitted tonight with the proposed correction would be acceptable. John Nick said that he is ok with it as long as someone from the West Family signs off saying that it is accurate.

Chairman Little said that he doesn't think the application is complete but is close. The Zoning Administrator said he would issue a zoning compliance for each structure and a zoning permit for each structure.

The Board continued to TABLE **Subdivision Application #SD2023-09: Mary E. West-Hannigan, William Scott West, John Clark West (as Trustees of the Mildred West Irrevocable Income Only Trust Agreement)** until February 26, 2024.

#SPR2023-21: Leslie Homfeld is seeking Site Plan Review approval for the construction of a One-Story Two-Bedroom Single-Family Dwelling (1,816 sq. ft.) with an attached Two-Car Garage (830 sq. ft.), a 12' x 24' Pre-Fabricated Storage Shed, On-Site Wastewater Treatment System and On-Site Water Supply Well. The proposal is a Class B Regional Project. Property is located at 253 Cobble Creek Road, identified by Tax Map Parcel #: 32.-1-39, in Zoning District Rural Use.

Leslie Homfeld was present via Zoom said that she has received a permit from the APA.

Chairman Little read the following from APA Permit 2022-0056:

"This permit authorizes construction of a single family dwelling in an area classified Rural Use on the Adirondack Park Land Use and Development Plan Map in the Town of Chester, Warren County."

Chairman Little said the wetlands are marked on the map.

Chairman Little asked the Board if they had any questions and asked if they need a public hearing.

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 proposal is a Class B Regional 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 complete application and public hearing notice was referred to the Adirondack Park Agency (Agency) on January 24, 2024 and no comments have been received by the Agency;
6. In accordance with Section 6.04 of the Town of Chester Zoning Local Law, the Project meets the following criteria:
 - a. The Project complies with all applicable provisions of the Zoning Local Law and meets the project review standards and requirements of Section 4.03 of the Zoning Local Law and such use meets the standards and requirements of Article 4 and 7.
 - b. The use complies with all requirements of the Zoning Local Law and is a permitted use in Zoning District Rural Use;
 - c. The use is in harmony with the general purpose and intent of the Zoning Local Law;
 - d. The establishment, maintenance of operation of the proposed use would not create public hazards from traffic, traffic congestion, or parking of automobiles or be a detriment to the health, safety or general welfare of persons residing or working in the neighborhood of the proposed use;
 - e. The Project will not have an undue adverse impact upon the natural, scenic, aesthetic, ecological, wildlife, historic, recreational, or open space resources of the Adirondack Park or upon the ability of the public to provide supporting facilities and services made necessary by the Project, taking into account the commercial, industrial, residential, recreational or other benefits that might be derived from the Project.
7. The Planning Board has classified the Project as a Type II Action requiring no further review under SEQRA;
8. The Project will have negligible negative impacts on the environment.

Leslie Homfeld asked when she could start applying for actual permits. The Zoning Administrator said that after the Planning Board makes a decision which potentially would be on February 26th and then he could issue the permits shortly after that.

On a motion by Bruce Goody, seconded by George Hilton, **Site Plan Review Application #SPR2023-21: Leslie Homfeld** was deemed complete and referred to the APA pursuant Section 6.05-2A of the Zoning Local Law.

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#SPR2023-22: Daniel and Lisa Keating are seeking Site Plan Review for the construction of a 35' x 40' Three-Bedroom Single-Family Dwelling with a 494 ± sq. ft. covered porch (1 ft. overhangs). The proposed construction of the single-family dwelling will occur on the property where the slopes are in excess of fifteen percent (15%). Property is located at Kingsley Lane, identified by Tax Map Parcel #: 86.15-1-2, in Zoning District Moderate Intensity.

Zack Layton was present, representing the Applicants.

John Nick asked if they were comfortable with the grade. Zack Layton said yes.

Chairman Little asked if the Board thought a public hearing was needed. The Board all agreed that a public hearing was not needed.

Chairman Little read the following:

Findings of Facts:

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 Planning Board has classified the Project as a Type II Action requiring no further review under SEQRA;
5. The Project will have negligible negative impacts on the environment;
6. Variance Application #544-V was approved by the Zoning Board of Appeals on November 28, 2023.

On a motion by George Hilton, seconded by John Nick, **Site Plan Review Application #SPR2023-22: Daniel and Lisa Keating** was deemed complete and approved with the above Findings of Facts.

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New Business:

None.

Correspondence:

- Zoning Administrator's Activity Report for December 2023;
- Adirondack Park Agency Major Project Public Notice (Application Received) dated December 07, 2023 and received by the Zoning Office on December 21, 2023 RE: APA Project No. 2023-0232;
- Adirondack Park Agency Notice of Incomplete Permit Application dated December 13, 2023 and received by the Zoning Office on December 21, 2023 RE: APA Project No. 2023-0232;
- Adirondack Park Agency Request for Consultation dated December 15, 2023 and received by the Zoning Office on December 21, 2023 RE: APA Project No. 2023-0232;
- Letter from the Planning and Zoning Office to the Adirondack Park Agency dated December 22, 2023 RE: APA Project No. 2023-0232;
- Adirondack Park Agency Minor Project Public Notice (Application Determined) dated December 21, 2023 and received by the Zoning Office on January 02, 2024 RE: APA Project No. 2022-0056;
- Adirondack Park Agency Permit 2022-0056 dated December 21, 2023 and received by the Zoning Office on January 02, 2024;

- Adirondack Park Agency Major Project Public Notice (Application Received) dated January 18, 2024 and received by the Zoning Office on January 19, 2024 RE: APA Project No. 2024-0013;
- 2024 Meeting Schedule and Submittals.

Chairman Little said that the one with the most interest is a 3'x80' dock in an area of moderate intensity. He believes this dock will require a variance from the ZBA. The Zoning Administrator said that an area variance is required from the ZBA for exceeding the 40' offshore requirement, and also that site plan review approval is required from the Planning Board because of it being on a contractual access lot.

John Nick asked why they need the 80 ft. The Zoning Administrator said that he is not sure of the reasoning. Chairman Little commented that he read it was very shallow.

John Nick commented that pressure treated lumber is not allowed to come in contact with a body of water.

The Zoning Administrator gave the Board tonight a major project public notice in regard to a cell tower off Olmstedville Road, off Kohl Road. This is not a formal request.

John Nick asked about the status of the cell tower on Vanguilder Road. The Zoning Administrator said that a permit was issued by the APA and by the Town, but he has not heard when that is going to get started.

Public Privilege:

None.

Board Privilege:

John Nick reviewed the West issue. The reason they got involved with the west side of White Schoolhouse Road is because they requested a subdivision on the east side and the property on the east side goes across the road. They have three (3) existing buildings there that have been there for years and are not permitted. That is the after the fact part. They had a well put in recently that they were aware had to have a permit. There is a pond that they dug back there. We need to give them as much knowledge of what they have to do going forward and for the after the fact buildings, so they don't tell us that they did not know in three (3) or four (4) years. That is why he brought up the septic.

Patrick Powers asked when enforcement comes into play. John Nick said that it has. He walked the property and let the Zoning Administrator know what was on the property and he wrote a letter to the Applicant what was required.

Adjournment:

On a motion by John Nick, seconded by Bruce Goody, the meeting adjourned at 8:03 pm.

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Respectfully submitted,

Mindy Conway
Acting Secretary