



PLANNING BOARD
Regular Meeting – March 18, 2024

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

Attendance:

Chairman Paul Little, John Nick, Vice Chairperson George Hilton, Alternate Daniel Howell, Kathy Bilfield (7:04 pm), Zoning Administrator Jeremy J. Little and Mindy Conway (Acting Secretary) were present. Bruce Goody, Patrick Powers, and Greg Taylor were absent.

Public Hearings and Old Business:

None.

Minutes:

Minutes from Regular Meeting on February 26, 2024 were TABLED until the April 15, 2024 meeting.

Correspondence:

- Zoning Administrator's Activity Report for February 2024;
- Adirondack Park Agency Major Project Public Notice (Application Determined) dated February 26, 2024 and received by the Zoning Office on February 26, 2024 RE: APA Project No. 2023-0053 (Alpine Meadows, LLC). Application has been withdrawn;
- Letter from the Adirondack Park Agency dated February 29, 2024 and received by the Zoning Office on February 29, 2024 RE: APA Project No. 2022-0144 (Crounse). Letter included a copy of the Notice of Incomplete Permit Application issued by the Adirondack Park Agency on September 15, 2022;
- Adirondack Park Agency Major Project Public Notice (Application Completed) dated March 12, 2024 and received by the Zoning Office on March 12, 2024 RE: APA Project No. 2023-0172 (Warren County);
- Adirondack Park Agency Request for Consultation dated March 12, 2024 and received by the Zoning Office on March 12, 2024 RE: APA Project No. 2023-0172 (Warren County).

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.

Tom Hannigan, Executor, was present to answer questions.

Chairman Little opened the public hearing for **Minor 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)** at 7:02 pm.

Chairman Little asked if anyone would like to speak.

On a motion by John Nick, seconded by George Hilton, the public hearing for **Minor 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)** closed at 7:03 pm.

AYE 5 NO 0

The Board agreed that no, or small impact will occur for Part 2 of the Short Environmental Assessment Form (SEAF).

Kathy Bilfield entered the meeting at 7:04 pm.

Chairman Little read the following:

RESOLUTION

NOTICE OF DETERMINATION OF SIGNIFICANCE AND NEGATIVE DECLARATION IN CONNECTION WITH MINOR 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)

WHEREAS, the Town of Chester Planning Board (“Planning Board”) has received an Application from Mary E. West-Hannigan, William Scott West, John Clark West (as Trustees of the Mildred West Irrevocable Income Only Trust Agreement) (the “Applicants”) for a two-lot minor subdivision for properties 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) (the “Project”); and

WHEREAS, the Planning Board has identified the Project to be an Unlisted action for purposes of the 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 Applicants; 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 Applicants;

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 MINOR 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)

Introduced by George Hilton who moved for its adoption, seconded by John Nick:

Duly adopted this 18th day of March, 2024 by the following vote:

AYES: Chairperson Paul Little

George Hilton
John Nick
Kathy Bilfield
Daniel Howell
NOES: None.
ABSTAINED: None.
ABSENT: Patrick Powers
Greg Taylor
Bruce Goody

Chairman Little read the following:

Findings of Fact:

1. #SD2023-09 is a Minor Subdivision;
2. A duly advertised public hearing was opened and closed on March 18, 2024;
3. The Project is an Unlisted action and the Planning Board has decided to conduct an uncoordinated review as a Lead Agency;
4. 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 Applicants;
5. The Project will have negligible negative impacts on the environment;
6. 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;
7. The Adirondack Park Agency issued Settle Agreement (Agency File E2021-0049) on October 27, 2023 authorizing the after-the-fact two-lot subdivision;
8. "Lot 1" consists of 20.06 ± acres and is currently vacant and "Lot 2" consists of 97.11 ± acres and is currently improved with one (1) existing single-family dwelling and multiple accessory structures;
9. Pursuant to Section 3.06 of the Town of Chester Subdivision Regulations, the Planning Board grants approval of #SD2023-09 and authorizes the Chairperson to sign the Subdivision plat.

Conditions for Approval:

1. No changes, erasures, modifications or revisions shall be made in this Plat after approval has been given by the Planning Board;
2. In accordance with Section 3.06(A) of the Town Subdivision Regulations, the signature of the duly designated officer of the Planning Board, or the Certificate from the Town Clerk, shall expire sixty (60) days from the date of such signature or the issuance of such Certificate unless within such sixty (60) day period the Plat has been duly filed or recorded in the Office of the County Clerk or Register.

On a motion by George Hilton, seconded by Daniel Howell, **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)** was approved with the above Findings of Fact and Conditions.

AYE 5 NO 0

New Business:

Request for Extension of the following **Site Plan Review Application #SPR2021-01** proposed approved by the Planning Board on February 22, 2021. Extension request for #SPR2021-01 approved by the Planning Board on January 23, 2023 with expiration date of February 22, 2024:

- Renovation of an existing building (former Pottersville School and Word of Life Fellowship Offices) to twenty-two (22) residential apartment units. Proposal also includes the removal of an existing maintenance building and shed, construction of a covered main entrance, screened refuse area, potential future construction of (2) Four-Bay and (1) Nine-Bay parking garages and addition of second floor for seven (7) additional apartment units. Property is located at 71 Olmstedville Road, identified by Tax Map Parcel #: 35.4-2-47, in Zoning District Hamlet.

Kathy Bilfield asked if an asbestos exam had been done. Chairman Little is not sure if that is in our jurisdiction, it would be public health. Kathy Bilfield commented that there was garbage outside, and the fire department was called last week. She has concerns about anyone tearing that place apart if there is asbestos and lead paint and the welfare of the neighbors.

Chairman Little commented that the Board can still approve an extension and he does not think the Planning Board is the place either you (Kathy Bilfield) or those people to express those concerns, maybe the Town Board or the Board of Health. If they are disturbing lead paint or asbestos there are very strict requirements for demolition and construction. Kathy Bilfield feels that they need to do something. Chairman Little asked the Zoning Administrator about jurisdiction for this type of problem. The Zoning Administrator said that not even his office has control over that, it would be the Warren County Building Codes Department that would be requiring an asbestos inspection and a report to be done. Kathy Bilfield asked how they could go ahead and allow them to continue. The Zoning Administrator said that he doesn't think that has anything to do with the request, they have not even applied for their building permits yet. Chairman Little asked if they had a demolition permit. The Zoning Administrator replied no. John Nick asked if they need a demo permit. The Zoning Administrator said yes. We will issue a demo permit and then the Building Codes Department would issue a demolition building permit. Those two (2) items have not been issued by Town or County.

Discussion ensued about asbestos.

On a motion by John Nick, seconded by George Hilton, the extension was approved for **Site Plan Review Application #SPR2021-01** until February 22, 2025.

AYES:	Chairperson Paul Little
	George Hilton
	John Nick
	Daniel Howell
NOES:	Kathy Bilfield

Chip McKenna signed into the meeting via Zoom to answer questions.

Chairman Little asked Chip McKenna about asbestos removal and lead paint. Chip McKenna said everything they have been doing at the school has been desks and light demo, some of what Word of Life had left behind. The County is going to require a lot for the demo permit with the age of the building. He has a document saying that there was remediation of asbestos through the State when it was a school.

John Nick asked about lead pipes or lead paint. Chip McKenna said that most likely it would be in there with the age of the building.

Kathy Bilfield asked if they had a fire there recently. Chip McKenna said yes they were burning and they have a burn permit and it was called in and they burned up to the 15th and they had permission to do that.

Chip McKenna said that some of the debris onsite is from another project.

#SPR2024-01: Greg and Sharon Taylor are seeking Site Plan Review approval for the installation of a 38' x 4' Dock on a Contractual Access Lot. The remnants of a pre-existing 300 sq. ft. dock will be removed and replaced with the new 38' x 4' Dock. Property is located at 186 Hill Park Road, identified by Tax Map Parcel #: 120.3-1-1.1, in Zoning District Moderate Intensity.

Chairman Little said this is a Type II Action, smaller impact.

Chairman Little ask if a public hearing was needed. John Nick commented no, smaller impact.

Chairman Little asked about treated lumber touching the water. Greg Taylor said that it will be an aluminum floating dock taken in and out every year.

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. 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 Adirondack Park Agency issued Jurisdictional Determination J2023-1032 indicating that Agency approval is not required for the Project;
5. The Planning Board has classified the Project as a Type II Action requiring no further review under the State Environmental Quality Review Act (SEQRA);
6. The Project will have negligible negative impacts on the environment.

On a motion by Kathy Bilfield, seconded by John Nick, **Site Plan Review Application #SPR2024-01: Greg and Sharon Taylor** was approved with the above Findings of Fact.

AYE 5 NO 0

#SPR2024-02: Vickie Cleveland and Ralph Bovee are seeking Site Plan Review approval for the construction of a new 24.9' x 36' Two-Bedroom Single-Family Dwelling with Attached Garage, Driveway, and On-site Wastewater Treatment System. 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 16 Marina Road, identified by Tax Map Parcel #: 86.13-1-4.12, in Zoning District Moderate Intensity.

Tom Hutchins was present representing the Applicants.

Tom Hutchins said they are talking about lot #1 of the Lakeview Subdivision. They are proposing a small cabin. They are here for the slope.

Chairman Little asked if a public hearing was needed. The Board said no.

On a motion by John Nick, seconded George Hilton, **Site Plan Review Application #SPR2024-02: Vickie Cleveland and Ralph Bovee** was deemed complete and referred to Warren County Planning Department for review.

AYE 5 NO 0

#SD2024-01: Adirondack SXXI Resorts, LLC are seeking approval for a Twelve-Lot Major Subdivision for properties located at Olmstedville Road, identified by Tax Map Parcel #s: 35.4-2-6.1 through 35.4-2-6.5, in Zoning District Hamlet.

Katie Loughman and Matt Huntington from Studio A were present representing the Applicant.

Katie Loughman gave an overview of the project along with wastewater management and highway standards for the Town.

Kathy Bilfield asked if there were basements. Katie Loughman said no basements.

Chairman Little went through a couple questions in Part 1 of the Environmental Assessment Form.

Katie Loughman said they have sent a JIF to the APA and have not received a response yet.

The Zoning Administrator recommended waiting for the response from the APA before moving forward on deeming the application complete.

Kathy Bilfield asked who they were marketing these to.

The Zoning Administrator said that the septic systems have to be designed for a four (4) bedroom house with 100 % replacement area and asked how many perc tests were done for each site. Katie Loughman said they did a total of five (5) perc tests for the whole area. The Zoning Administrator said that the Wastewater Law requires two (2) perc tests and one (1) test pit for

each site. Matt Huntington said that usually they do that as they apply for a building permit for each lot. The Zoning Administrator said that he would leave that up to the Board on whether or not that could be waived. George Hilton asked about the soil. Matt Huntington said the soil is the same throughout the entire site.

Chairman Little asked about the floodplain. Katie Loughman said that there is a small portion along the Trout Brook.

Chairman Little said that the Board is in agreement that they need to have tests pits and perc tests for each lot.

Daniel Howell asked if an engineer for the Town would be looking at the plans. Chairman Little said they could ask the Town Supervisor.

Daniel Howell asked about the fire hydrants. Katie Loughman said there are two (2), but they could add more.

The Zoning Administrator asked the Board to go through Section 5.03 Major Subdivision Preliminary Plat and Accompanying Data to make sure that it meets the requirements.

Chairman Little read the following:

A. An application for Preliminary Plat Approval shall include:

1. The Preliminary Plat, clearly marked "Preliminary Plat," at a scale of not more than one hundred (100) but not less than fifty (50) feet to the inch, which shall show:

- (a) Proposed subdivision name or identifying title, name of Town and county in which it is located, and the names of all adjoining property owners.
- (b) North point, map, scale, and name and address of subdivider, owner(s) of record, and engineer or surveyor, including license number and seal.

The boundary lines of the tract as determined by actual field survey, giving complete descriptive data by bearings and distances, made and certified to by a licensed land surveyor and bearing the date of the completion of the survey. The corners of the tract shall also be located on the ground and marked by substantial monuments of such size and type as approved by the Planning Board, and shall be shown on the Plat.

- (d) Topographic contours, at intervals of five (5) feet, including elevations on existing roads and approximate grading plan if natural contours are to be changed by more than two (2) feet.
- (e) Location of existing structure, easements, permanent and intermittent watercourses, wetlands, rock outcrops, wooded areas, and other significant existing features for the proposed subdivision and adjacent property.

- (f) Location of existing sewers, water mains, culverts and drains on the property, with pipe sizes, grades and direction of flow.
- (g) The width and location of any streets or roads within the area to be subdivided, shown on the Official map, if such exists, and the width, location and grades of all streets or roads proposed by the subdivider.
- (h) The proposed lot lines with approximate dimensions and area of each lot.
- (i) The approximate location and size of all proposed water lines, valves, hydrants and sewer lines, and fire alarm boxes, and connections to existing lines. Alternate means of water supply or sewage disposal and treatment shall be indicated.
- (j) Storm drainage plan indicating the approximate location and size of proposed lines or ditches and their profiles, connections to existing lines or ditches, and any alternate means of drainage.
- (k) Preliminary design of any proposed bridges or culverts.
- (l) Typical lot layout(s), with building and on-site sewage disposal system sites.
- (m) Typical clearing and grading cross section for construction of roads and installation of utilities (may be referenced to Appendix D of these regulations).
- (n) Proposed recreational or open space areas, including parcels of land proposed to be dedicated to public use.

When more than one sheet is required, an additional index sheet of the same size shall be submitted showing to scale the entire subdivision with lot and block numbers clearly legible.

The Zoning Administrator said the scale should not be less than fifty (50) feet to the inch and the plat that he is looking at is thirty (30) feet to the inch. Is the Board going to waive that requirement and he does not see the proposed lot lines. Matt Huntington said that the surveyor will add the lot lines.

Chairman Little asked if there were any more questions.

There was a discussion about a performance bond. The Board decided that a performance bond was not needed.

Public Privilege:

None.

Board Privilege:

APA Project No. 2023-0172 (Warren County)

- **Project Description:** Installation of a new emergency services communications tower and 8' x 10' storage building, adjacent to the Chestertown Fire Department Building. The steel lattice tower will be 60 feet in height.

John Nick asked about Tx or Rx antennas and if they made noise. The Zoning Administrator said that it has to do with signal strength and not noise.

The Board recommendation was for the lattice tower and storage building to be painted a dark shade of green or brown so as to blend in with the surroundings.

The Zoning Administrator said there will not be a public hearing at the local level.

APA Project No. 2023-0177, John and Lisa Bolton:

Chairman Little said that the Board told the APA that they needed:

1. Location of a proposed single-family dwelling, on-site wastewater treatment system (including 100% replacement/reserve area and (2) perc tests and (1) test pit at the site of the proposed absorption area) and water supply well on Lot 1, Lot 3, and Lot 4;
2. Location of the existing on-site wastewater treatment system on Lot 2;
3. The proposed plan should include a 100 ft. buffer map from the wetlands to determine compliance; and
4. A concern was also raised regarding a deeded right-of-way through Lot 1.

Chairman Little said that two (2) perc tests and one (1) test pit at each site and a water supply well on Lot 1, Lot 3, and Lot 4 are missing.

Adjournment:

On a motion by John Nick, seconded by George Hilton, the meeting adjourned at 8:44 pm.

AYE 5 NO 0

Respectfully submitted,

Mindy Conway
Acting Secretary