



PLANNING BOARD
Regular Meeting – April 15, 2024

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

Attendance:

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

Public Hearings and Old Business:

None.

Minutes:

On a motion by John Nick, seconded by Bruce Goody, minutes from the February 26, 2024 meeting were **ADOPTED**.

AYE 5 No 0
Abstain – George Hilton

On a motion by George Hilton, seconded by Daniel Howell, minutes from the March 18, 2024 meeting were **ADOPTED**.

AYE 5 NO 0
Abstain – Bruce Goody

Correspondence:

- Zoning Administrator's Activity Report for March 2024;
- Warren County Planning Department Project Review and Referral Form, reviewed by Department on March 20, 2024 for #SPR2024-02. Form received by the Zoning Office on March 22, 2024.

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****

#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 from Hutchins Engineering was present representing the Applicants.

Chairman Little commented that the response from the Warren County Planning Department said that there would be “no significant inter-community or county-wide impacts”, it is a SEQRA Type II Action, and the Board decided not to have a public hearing.

Chairman Little asked the Board if they had any questions for Mr. Hutchins.

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 Planning Board has classified the Project as a Type II Action requiring no further review under the State Environmental Quality Review Act (SEQRA);
5. The Project Review and Referral Form has been received from the Warren County Planning Department and the Warren County Planning Department has determined that the proposed action has no significant inter-community or county-wide impacts;
6. The Project will have negligible negative impacts on the environment.

On a motion by George Hilton, seconded by Bruce Goody, the Board approved **Site Plan Review Application #SPR2024-02: Vickie Cleveland and Ralph Bovee** with the above Findings of Fact.

AYE 6 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.

Chairman Little asked if anyone was present for Adirondack SXXI Resorts. No one was present to represent the Applicant.

New Business:

#SPR2024-03: RKH Land Holdings, LLC are seeking Site Plan Review approval for the demolition of an existing 40' x 14' Storage Shed and construction of a 32' x 20' Storage Shed with 2 ft. overhangs. The property is located at 6260 State Route 9, identified by Tax Map Parcel #: 104.14-1-35, in Zoning District Hamlet.

Craig House, one of the owners, was present and said they already have a variance from Zoning Board.

Chairman Little said that they have on file the approval of Variance Application #553-V, granting a 10 ft. right side yard setback variance, according to Section 4.03 of the Town of Chester Zoning Local Law, in order to demolish an existing 40' x 14' Storage Shed and construct a 32' x 20' Storage Shed with 2 ft. overhangs.

Chairman Little asked the Board if they felt a public hearing was needed. They agreed that no public hearing was needed.

On a motion by Bruce Goody, seconded Kathy Bilfield, the Board deemed **Site Plan Review Application #SPR2024-03: RKH Land Holdings, LLC** complete and refer the Application to the Warren County Planning Department for review.

AYE 6 NO 0

#SPR2024-04: Gregory Galustian is seeking Site Plan Review approval for the change of use of the existing Single-Family Dwelling to a Two-Family Dwelling. The property is located at 111 State Route 28N, identified by Tax Map Parcel #: 66.6-1-14, in Zoning District Hamlet.

Gregory Galustian was present via Zoom.

Chairman Little said they have the approval for Variance Application #555-V, granting relief from the .5 acres per principal building Intensity requirement of Section 4.03 of the Town of Chester Zoning Local Law where a minimum of one (1) acre is required for two (2) principal buildings on the same lot and .34 acres exists, in order to change the use of the existing Single-Family Dwelling to a Two-Family Dwelling.

Chairman Little asked if there was going to be five (5) bedrooms after the remodel. Gregory Galustian replied there would be a total of six (6) bedrooms in the house. Chairman Little asked if the septic was suitable for six (6) bedrooms. Gregory Galustian said yes, everything was existing, they just brought everything up to date. Chairman Little asked what size tank is

required for six (6) bedrooms. Gregory Galustian said that it was a 1,750 gallon tank. The Zoning Administrator said that the requirement is 1,750 gallons. John Nick asked about the leach field capacity. Gregory Galustian said that he does not know, but assumed it was the appropriate amount for the 1,750 gallon tank. John Nick asked who checked the size of the tank. Gregory Galustian said North Septic and they have cleaned it twice since he has owned the home, and the house is very seldom used. Probably 25% of the year it is used. Kathy Bilfield asked when the property was purchased. Gregory Galustian replied 2021.

Chairman Little asked about the water supply well. Gregory Galustian said that it is the original well from when he purchased the property. John Nick asked the capacity of the well. Gregory Galustian does not know the capacity of the well, he did not change anything as far as the structure. John Nick asked if he knew the distance from the well to the leach field. Gregory Galustian said that it should be on the site plan. The Zoning Administrator said that it is about 20-22 ft. Bruce Goody asked if he knew the depth of the well. Gregory Galustian said that he does not know the exact depth of the well. Chairman Little asked how many bedrooms were on the property at this point. Gregory Galustian said six (6). Daniel Howell commented that it looks like the work is already done to this house.

Chairman Little does not believe they can approve the application with only 22 ft. between the well and the leach field. Gregory Galustian said that his intentions in making it a multifamily was for his personal use. His personal stuff would be kept on the smaller side and the bigger side is what would be rented out. John Nick asked if this was going to be a short-term rental. Gregory Galustian said that the side with the five (5) bedrooms is, the bigger part of the house. The main part of the house is what is the rental. John Nick said that a permit is needed for a short-term rental. Gregory Galustian said that the Town has the paperwork on file. John Nick commented that he doesn't see how they can approve it with the well that close to the leach field.

Chairman Little said that the problem is that the well is too close to the leach field. The Board cannot approve the Application until the problem with the septic is solved. That would require a new leach field or relocating the well. 100 ft. is needed between the well and leach field. Chairman Little said that if you don't do anything they do not have jurisdiction, but if he is changing the use from single family to two family or multifamily then they do have jurisdiction and there is no way they can approve a leach field 22 ft from a well.

Chairman Little requested from the Applicant how they are going to have the well be 100 ft from the leach field and they can reconsider the Application. If you are going to call it a two-family dwelling there must be that separation.

On a motion by John Nick, seconded by Bruce Goody, the Board tabled **Site Plan Review Application #SPR2024-04: Gregory Galustian** until further notice.

AYE 6 NO 0

#SPR2024-05: Robert and Lori Stitt are seeking Site Plan Review approval for the construction of 40' x 24' One-and-One-Half Story Single-Family Dwelling with a Walkout Basement, 40' x 7' Front Entrance Porch, 44' x 10' Rear Deck, and 4' x 31' long-side connector Deck between the Front Porch and Rear Deck. The proposed Single-Family Dwelling will

consist of one bedroom with an unfinished loft which could be finished with two-bedrooms and a bath. The project also includes the construction of an on-site wastewater treatment system, on-site water supply well, driveway and parking. The construction of a Single-Family Dwelling in Zoning District Resource Management is a Class B Regional Project and requires Site Plan Review approval. The property is located at 275 Rock Avenue, identified by Tax Map Parcel #: 121.-1-27, in Zoning District Resource Management.

Bret Winchip, Winchip Engineering, was present representing the Applicant.

Daniel Howell asked about the runoff and asked if there was a seasonal creek. Bret Winchip said that it is drainage and doesn't affect what the Applicant is doing.

Bret said that the shed was built onto the camper so after they build the house, they would like to keep the shed for storage and the self-contained toilet will be removed.

Chairman Little read the following from the Town of Chester Zoning Local Law:

“Section 6.05 Application for Class B Regional Project Approval 6.05-1 Application for project approval shall be made following the procedures established in Article 5 of this Local Law. Class B Regional Projects are deemed to be Site Plan Review.

B. The Planning Board shall mail a copy of the public notice of the hearing to the Adirondack Park Agency at least 14 days prior to such hearing (if a decision is made).”

Chairman Little said that this is a Type II Action and does not need further review by SEQRA and the Board decided that a public hearing was not needed.

Chairman Little asked if the Board had any other questions for Bret Winchip.

On a motion by John Nick, seconded by Kathy Bilfield, the Board deemed **Site Plan Review Application #SPR2024-05: Robert and Lori Stitt** complete and refer the Application to the Adirondack Park Agency for review.

AYE 6 NO 0

#SPR2024-06: James G. and Elaine M. Pontone are seeking Site Plan Review approval for the construction of a 1,075 sq. ft. addition to the Existing Single-Family Dwelling. The proposed addition will increase the square footage of the existing Single-Family Dwelling by more than fifty-percent (50%). The property is located at 111 Blythewood Island Road, identified by Tax Map Parcel #: 86.5-1-18, in Zoning District Moderate Intensity.

Elaine Pontone and Tim Wade from Verdant Architecture were present, and James Pontone was present via Zoom.

Tim Wade went through the plans.

John Nick asked what the variance was for. Tim Wade said that the variances were for the proximity of the leach field, one for pump, and one for the overhang.

Chairman Little said the Board has the approval of Variance Application #546-V, granting a 10.93 ft. right side yard setback variance, 6.7 ft. left side yard setback variance, an 18.88 ft. shoreline setback variance and a 5 ft. left side yard setback variance, according to Section 4.03 and Section 7.01(B)(4) of the Town of Chester Zoning Local Law.

Daniel Howell asked if they were going to remove the two trees. Elaine Pontone said yes.

Chairman Little asked the Board if a public hearing was needed. John Nick asked if the Zoning Board of Appeals had a public hearing. Chairman Little said yes.

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 Town Zoning Board of Appeals approved Variance Application #546-V on February 27, 2024;
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. Adirondack Park Agency approval is not required for the Project; and
7. The Project will have negligible negative impacts on the environment.

On a motion by George Hilton, seconded by Bruce Goody, the Board approved **Site Plan Review Application #SPR2024-06: James G. and Elaine M. Pontone** with the above Findings of Fact.

AYE 6 NO 0

#SPR2024-07: Jonathan Peter Angell is seeking Site Plan Review approval for the construction of a 623 square ft. addition to the existing Single-Family Dwelling. The addition will consist of an expansion of the existing living room, new covered porch and one bedroom. The proposed addition will increase the total square footage of the existing Single-Family Dwelling by more than fifty-percent (50%). The property is located at 19 Tabernacle Foot Path, identified by Tax Map Parcel #: 102.40-1-34, in Zoning District Hamlet.

Mark Middleton was present representing the Applicant.

Chairman Little said that we have a letter from the APA and the project is non-jurisdictional.

Daniel Howell asked if the cabin was heated. Mark Middleton said that it does have heat, but it is a seasonal camp. Daniel Howell asked if they were required to meet the energy code. Mark Middleton said that he does not think so since it is not year-round. It's a holding tank, no leach field.

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

On a motion by John Nick, seconded by Bruce Goody, the Board deemed **Site Plan Review Application #SPR2024-07: Jonathan Peter Angell** complete and refer to Warren County Planning Department for review.

AYE 6 NO 0

Public Privilege:

None.

Board Privilege:

Kathy Bilfield asked if there was anything about the old Pottersville School and said that she called DEC. The Zoning Administrator said that they have received a demolition application for the property.

APA Project No. 2009-0075A (DaRin)

- Project Description: Non-material change to the original permit involving construction of a single-family dwelling on Lot 13 of Agency Permit 2009-0075.

The Zoning Administrator said that the house is going to be built on more than 15% slope so it will need Planning Board approval through site plan review.

Kathy Bilfield asked who issues the demolition permit. The Zoning Administrator said that we issue zoning permit for the demolition and then Warren County Building Codes Department issues a building permit for the demolition as well. Kathy Bilfield asked if anyone goes into that facility to check it. The Zoning Administrator said that the Building Inspector will be conducting inspections.

Adjournment:

On a motion by John Nick, seconded by Bruce Goody, the meeting adjourned at 8:24 pm.

AYE 6 NO 0

Respectfully submitted,

Mindy Conway
Acting Secretary