



**Town Board
Special Meeting
November 13, 2020**

The Town Board of the Town of Chester convened at the Town of Chester Municipal Center, 6307 State Route 9, Chestertown, New York, at 7:00 pm.

Roll Call: Supervisor Craig Leggett, Karen DuRose (via Zoom), Larry Turcotte, and Chris Aiken. Mike Packer absent.

Special Meeting for the Local Board of Health:

Supervisor Leggett opened the Special Town Board Meeting at 6:06 pm with Chris Aiken leading the Pledge of Allegiance.

Public Hearing for the Septic Variance Application #SV2020-05 Holdcraft:

Supervisor Leggett opened the Public Hearing for Septic Variance Application #SV2020-05 Holdcraft, 320 Chester Shores Drive, Chestertown, NY, identified by Tax Map #: 86.18-1-62 at 6:07 pm by introducing Robert Mann, PE from Consultant Engineering Services.

Mr. Mann described the replacement of steel tank in a failed system with an Eljen system.

Supervisor Leggett asked if there were any questions from the public. Hearing none, Supervisor Leggett asked the Town Board if there were any questions.

Mr. Turcotte asked Mr. Mann about the type of soil and if the map was based off of GIS.

Supervisor Leggett confirmed that the only variance needed was a 5'11" (6%) for well to absorption field (94'1" proposed, 100' required separation).

Supervisor Leggett **Closed** the Public Hearing for the **Septic Variance Application #SV2020-05 Holdcraft** at 6:20 pm.

Mr. Aiken asked if the existing cesspool will be filled in. Mr. Mann replied that he was not sure, he has not been involved with that side of it, and it is a separate matter.

Mr. Turcotte asked for a close up view of the site plan to have on file.

Supervisor Leggett asked Mr. Mann if he does septic inspection. Mr. Mann said that he leaves that up to the septic businesses and prefers the ones that use a camera. As far as he knows there is no true guideline.

RESOLUTION NO. 155 OF 2020: LOCAL BOARD OF HEALTH GRANTS VARIANCES OF 5'11" (6%) FOR WELL TO ABSORPTION FIELD (94'1" PLANNED, 100' REQUIRED SEPARATION) FOR SEPTIC VARIANCE #SV2020-05 JOHN HOLDCRAFT, 320 CHESTER SHORES DRIVE, CHESTERTOWN, NY, IDENTIFIED BY TAX MAP #: 86.18-1-62

WHEREAS, the Town Board acting as the Local Board of Health has received a completed application and has held a public hearing on November 13, 2020 regarding the Septic Variance #SV2020-05 John Holdcraft, 320 Chester Shores Drive, Chestertown, NY, identified by Tax Map #: 86.18-1-62, and

WHEREAS, according to Section 5.060 - Variances of the Town of Chester On-Site Wastewater Treatment Local Law the Local Board of Health may vary or adapt the strict application of any of the requirements of this Ordinance in the case whereby such strict application would result in unnecessary hardship that would deprive the owner of the reasonable use of the land involved, and

WHEREAS, no variance in the strict application of any provision of the Ordinance shall be granted by the Local Board of Health unless it shall find the following criteria applicable:

BE IT RESOLVED, the Local Board of Health finds that:

- a) That there are special circumstances or conditions applying to such land and that such circumstances or conditions are such that strict application of the provisions of this Ordinance would deprive the applicant of the reasonable use of such land;
- b) That the variance would not be materially detrimental to the purposes and objectives of this Ordinance, or to other adjoining properties, or otherwise conflict with the purpose or objectives of any plan or policy of the Town;
- c) That the granting of the variance is necessary for the reasonable use of the land and that the variance, as granted by the Local Board of Health, is the minimum variance which would alleviate the specific unnecessary hardship found by the Local Board of Health to affect the applicant;
- d) The septic wastewater system for John Holdcraft, 320 Chester Shores Drive, Chestertown, NY , identified by Tax Map #: 86.18-1-62 as designed and presented by Consultant Engineering Services (Site Plan prepared Robert Mann, PE November 12, 2020): to be the minimum allowable variance to the Town's On-Site Wastewater Treatment Local Law based on site conditions, lot size, and potential impact to adjacent private property and common natural resources; applicant will submit a revised site plan showing an updated "proposed variance schedule" chart to include the approved measurement from the on-site well to absorption field.

BE IT FURTHER RESOLVED, the Local Board of Health grants a variance of 5' 11" (6%) for well to absorption field (94' 1" proposed, 100' required separation).

On a motion by Mr. Aiken, seconded by Mr. Turcotte, Resolution No. 155 of 2020 was **ADOPTED**.

AYE 4 NO 0

Dynamite Hill Warming Hut:

Supervisor Leggett commented that the Town Clerk has received requests for the public to rent the warming hut which has been closed since March 16, 2020 due to COVID-19.

RESOLUTION NO. 156 OF 2020: SET RENTAL FEE AND OCCUPANCY LIMIT FOR DYNAMITE HILL WARMING HUT

WHEREAS, Dynamite Hill has been closed since March 16, 2020, and

WHEREAS, due to COVID-19 there needs to be cleaning and occupancy limits,

BE IT RESOLVED, the Town sets the rental fee rate at \$75.00 and the occupancy limit at 15.

On a motion by Mr. Aiken, seconded by Mr. Turcotte, Resolution No. 156 of 2020 was **ADOPTED**.

AYE 4 NO 0

On a motion by Mr. Turcotte, seconded by Mr. Aiken, meeting adjourned at 6:34 pm.

AYE 4 NO 0

Respectfully submitted,

Town Clerk

DRAFT