

**AGENDA / September 14, 2021 @ 7 PM / TOWN BOARD MEETING ROOM
TOWN OF CHESTER MUNICIPAL CENTER, 6307 STATE RTE. 9, CHESTERTOWN**

Join Zoom Meeting:

<https://us02web.zoom.us/j/83433395517?pwd=R1ZOWWIPTUpLWWINTXBDRWxiNk5NQTO9>

Meeting ID: 834 3339 5517 Passcode: 458784

One tap mobile: +16465588656,,83433395517# US (New York)

Dial by your location +1 646 558 8656 US (New York)

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THE TOWN BOARD MEETING ROOM HAS LIMITED SEATING. GUESTS MAY JOIN IN BY ZOOM.

Call to Order

- Pledge of Allegiance: led by Councilman Packer

Public Hearing

- Proposed Amendments to the Use Chart of the Town of Chester Zoning Local Law
- Campbell Septic Variance #SV2021-04
- Grimaldi/Stefanucci Septic Variance #SV2021-05

Acceptance of Minutes

- August 10, 2021 Town Board Meeting

Committee Reports

- Town Clerk, Town Board, Highway Superintendent, P&R Foreman, Supervisor

PRIVILEGE OF THE FLOOR FOR OLD & NEW BUSINESS ITEMS

- Senior Center Update - Linda Muench

OLD BUSINESS

1. Approve the Amendments to the Use Chart of the Town of Chester Zoning Local Law.
2. Act on Septic Variance Application (#SV2021-04) for Chris Campbell on property located at 54 Riverside Drive, Chestertown, New York, Tax Map #104.10-6-8.
3. Act on Septic Variance Application (#SV2021-05) for Christopher Grimaldi and Michele Stefanucci on property located at 97 East Shore Drive, Chestertown, New York, Tax Map #69.18-1-3.

NEW BUSINESS

1. Deem Septic Variance Application #SV2021-06 complete and schedule a public hearing for October 12, 2021.
2. Deem Septic Variance Application #SV2021-07 complete and schedule a public hearing for October 12, 2021.
3. Authorize Clerk to advertise for BTI program bids
4. Town Court is requesting authorization to apply for funding from the Justice Court Assistance Program for two chairs, clerks desk and calculator.
5. Accept Arnold Jensen's resignation from the Zoning Board of Appeals
6. Appoint Jim Batsford to fill the unexpired term of Arnold Jensen
7. Appoint Victor Greco as an alternate to the Zoning Board of Appeals
8. Friends Lake APD authorization

9. Rescind Resolution #40 of 2011 adopted on April 12, 2011 (Approve request to name the playing field on Little Tannery Road in memory of DOuglas Vanweelden).
10. Resolution for Dog Park
11. Advertise for Youth Program Director
12. Accept the resignation of Lynn Douglas from permanent part time transfer station laborer
13. Appoint due to vacancy a part-time Laborer position for the Transfer Station
14. Appoint to fill a full-time Parks and Recreation Laborer position
15. Approve Abstracts

1) APPROVE THE AMENDMENTS TO THE USE CHART OF THE TOWN OF CHESTER ZONING LOCAL LAW

WHEREAS, the Town Board held a Public Hearing on September 14 2021, and

WHEREAS, The Town of Chester administers an Adirondack Park Agency approved Local Land Use Program, and

WHEREAS, the Town Board of the Town of Chester is desirous of revising the current Town of Chester Use Chart due to discrepancies and inconsistencies; and

WHEREAS, the Zoning Administrator has prepared amendments to the Town of Chester Use Chart to eliminate such discrepancies; and

WHEREAS, Town Board recognizes the need to revise the Town of Chester Use Chart of the Zoning Local Law to better promote the health, safety, and general welfare of the residences and property owners of the Town and to protect the property values and aesthetics of the Town; and

WHEREAS, The Town Board of the Town of Chester performing the duties of Lead Agency has prepared and reviewed the records of the State Environmental Quality Review, Full Environmental Assessment for the proposed Town of Chester Use Chart amendments and additions and have determined no significant impact to the environment would result, and therefore declared a Negative Declaration for the action;

NOW, THEREFORE,

BE IT RESOLVED, that the Zoning Local Law of the Town of Chester be, and the same hereby is, amended and approved,

BE IT FURTHER RESOLVED, that the Town Board of the Town of Chester directs the Town Clerk to file the approved amendments to the Use Chart of the Town of Chester Zoning Local Law with the NYS Department of State (NYSDOS) and submit a certified copy to the Adirondack Park Agency, effective upon filing with the NYSDOS.

2) APPROVE SEPTIC VARIANCE #SV2021-04 AND GRANT FOR A REPLACEMENT SEPTIC WASTEWATER TREATMENT SYSTEM. PROPERTY IS LOCATED AT 54 RIVERSIDE DRIVE, CHESTERTOWN IDENTIFIED BY TAX MAP PARCEL #: 104.10-6-8

WHEREAS, the Town Board acting as the Local Board of Health has received a completed application and has held a public hearing on September 14, 2021 regarding the Septic Variance #SV2021-04 for Chris Campbell, 54 Riverside Drive, identified by Tax Map #:104.10-6-8, and

EXISTING SEEPAGE PIT TO EXISTING BUILDING	20'	8.4'±	11.6'±	58.0%±	-	-	-
EXISTING SEEPAGE PIT TO WETLANDS	100'	0.2' ±	99.8'±	99.8%±	-	-	-
EXISTING SEPTIC TANK TO EXISTING BUILDING	10'	0.6' ±	9.6' ±	96.0%±	-	-	-
EXISTING SEPTIC TANK TO WETLANDS	50'	5.5' ±	44.5' ±	89.0% ±	-	-	-
PROPOSED ABSORPTION BED TO EXISTING BUILDING	20'	-	-	-	7.3'	12.7'	63.5%
PROPOSED ABSORPTION BED TO EXISTING BARN	20'	-	-	-	17.9'	2.1'	10.5%
PROPOSED ABSORPTION BED TO WETLANDS	100'	-	-	-	58.0'	42.0'	42.0%
PROPOSED BUILDING SEWER TO WETLANDS	50'	-	-	-	8.3'	41.7'	83.4%
PROPOSED PRECAST CONCRETE SEPTIC TANK TO WETLANDS	50'	-	-	-	8.9'	41.1'	82.2%

PROPOSED EFFLUENT LINE TO WETLANDS	50'	-	-	-	15.6'	34.4'	68.8%
PROPOSED PRECAST CONCRETE PUMP CHAMBER TO WETLANDS	50'	-	-	-	16.8'	33.2'	66.4%
PROPOSED 2" FORCE MAIN TO WETLANDS	50'	-	-	-	23.5'	26.5'	53.0%
PROPOSED 2" FORCE MAIN TO EXISTING BUILDING	20'	-	-	-	7.2'	12.8'	64.0%

3) APPROVE SEPTIC VARIANCE #SV2021-05 FOR A REPLACEMENT SEPTIC WASTEWATER TREATMENT SYSTEM. PROPERTY IS LOCATED AT 97 EAST SHORE DRIVE, IDENTIFIED BY TAX MAP PARCEL #: 69.18-1-3

WHEREAS, the Town Board acting as the Local Board of Health has received a completed application and has held a public hearing on September 14, 2021 regarding the Septic Variance #SV2021-05 for Christopher Grimaldi and Michele Stefanucci, 97 East Shore Drive, identified by Tax Map #: 69.18-1-3, 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 Christopher Grimaldi and Michele Stefanuci, 97 East Shore Drive, identified by Tax Map #: 69.18-1-3 as designed and presented by Bret Winchip, Winchip Engineering (Site Plan prepared for: Stefanucci Property, dated 07/27/2021 and **last revised DATE**) and reviewed by Cedarwood Engineering on behalf of the Town, 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;

BE IT FURTHER RESOLVED, the Local Board of Health grants the following variances listed in the table below:

SETBACK SCHEDULE							
SETBACK	REQUIRED DISTANCE	EXISTING DISTANCE	EXISTING NON-CONFORMITY		PROPOSED DISTANCE	PROPOSED VARIANCE	
			DISTANCE	PERCENT		DISTANCE	PERCENT
EXISTING SEEPAGE PIT TO EXISTING BUILDING	20'	2.1'±	17.9'±	89.5%±	-	-	-
EXISTING SEEPAGE PIT TO EXISTING DRILLED WELL	150'	86.4' ±	63.6'±	42.4%±	-	-	-
EXISTING SEEPAGE PIT TO EXISTING NEIGHBORING SHALLOW WELL	225'	164.8' ±	60.2' ±	26.8%±	-	-	-

PROPOSED ABSORPTION BED TOE OF FILL SLOPE TO EXISTING BUILDING	20'	-	-	-	0.0'	20'	100%
PROPOSED ABSORPTION BED TOE OF FILL SLOPE TO PROPERTY LINE	10'	-	-	-	2.2'	7.8'	78.0%
PROPOSED ABSORPTION BED TOE OF FILL SLOPE TO EXISTING DRILLED WELL	100'	-	-	-	83.4'	16.6'	16.6%
PROPOSED ABSORPTION BED TOE OF FILL SLOPE TO MEAN HIGH WATER OF LAKE	100'	-	-	-	80.0'	20.0'	20.0%
PROPOSED SEPTIC TANK TO EXISTING BUILDING	10'	-	-	-	3.3'	6.7'	67.0%

BE IT FURTHER RESOLVED, all three (3) recommendations by Cedarwood Engineering are to be followed and a representative from Cedarwood Engineering is to be contacted to schedule a site visit when the percolation tests are conducted.

- 1) DEEM SEPTIC VARIANCE APPLICATION #SV2021-06 FOR KAY CERRINA FOR PROPERTY LOCATED AT 114 JONES ROAD TO BE COMPLETE AND SET A PUBLIC HEARING FOR OCTOBER 12, 2021 AT 7 P.M.**

WHEREAS, SRA Engineers have submitted a Septic Variance Application (#SV2021-06) for Kay Cerrina for property located at 114 Jones Road, Chestertown, New York Tax Map #: 86.10-1-55, and

WHEREAS, the Town Board, acting as the Local Board of Health, has reviewed the septic variance application and is satisfied with its completeness,

BE IT RESOLVED, the Town Board, acting as the Local Board of Health, deems Septic Variance Application #SV2021-06 for Kay Cerrina for property located at 114 Jones Road, Chestertown, New York to be complete, and

BE IT FURTHER RESOLVED, the Town Board, acting as the Local Board of Health, sets a Public Hearing for #SV2021-06 on Tuesday, October 12, 2021 at 7 pm at a Regular Town Board Meeting and directs the Town Clerk to notice the public hearing in the Post Star newspaper, and

BE IT FURTHER RESOLVED, to refer Septic Variance Application #SV2021-06 to Cedarwood Engineering as Town Engineer for its evaluation and opinion at the expense of the applicant.

2) DEEM SEPTIC VARIANCE APPLICATION #SV2021-07 FOR CHARLES AND JOAN LINTON FOR PROPERTY LOCATED AT 3182 SCHROON RIVER ROAD TO BE COMPLETE AND SET A PUBLIC HEARING FOR OCTOBER 12, 2021 AT 7 P.M.

WHEREAS, Hutchins Engineering has submitted a Septic Variance Application (#SV2021-07) for Charles and Joan Linton for property located at 3182 Schroon River Road, Chestertown, New York Tax Map #: 87.12-1-23, and

WHEREAS, the Town Board, acting as the Local Board of Health, has reviewed the septic variance application and is satisfied with its completeness,

BE IT RESOLVED, the Town Board, acting as the Local Board of Health, deems Septic Variance Application #SV2021-07 for Charles and Joan Linton for property located at 3182 Schroon River Road, Chestertown, New York to be complete, and

BE IT FURTHER RESOLVED, the Town Board, acting as the Local Board of Health, sets a Public Hearing for #SV2021-07 on Tuesday, October 12, 2021 at 7 pm at a Regular Town Board Meeting and directs the Town Clerk to notice the public hearing in the Post Star newspaper, and

BE IT FURTHER RESOLVED, to refer Septic Variance Application #SV2021-07 to Cedarwood Engineering as Town Engineer for its evaluation and opinion at the expense of the applicant.

3) AUTHORIZE CLERK TO ADVERTISE FOR BIDS FOR BTI PROGRAM

WHEREAS, the Town of Chester awards a 1-year contract for control of black flies in certain areas of the Town, and

WHEREAS, the current contract for black fly control ends in 2021,

WHEREAS, the current contract is for one (1) year and new contract should have a term of 1 to 3 years,

BE IT RESOLVED, the Town Clerk is authorized to advertise for bids for a 1 to 3 year contract for black fly control with bids to be opened at the October 12, 2021 Town Board meeting.

4) AUTHORIZE THE TOWN JUDGE TO APPLY FOR A JCAP GRANT TO HELP ENHANCES THE COURT'S ABILITY TO PROVIDE SUITABLE AND SUFFICIENT SERVICES TO OUR COMMUNITY

WHEREAS, the Town Justice Court is requesting authorization from the Town Board to apply for funding from the Justice Court Assistance Program during the upcoming grant cycle for two (2) chairs, Court Clerk's desk, and calculator,

WHEREAS, the State of New York Unified Court System is soliciting applications from local governments under the Justice Court Assistance Program to assist local Justice Departments with needed equipment, automation, furniture, supplies and training,

BE IT RESOLVED, the Board of the Town of Chester authorizes the Town of Chester Town Court to apply for a JCAP grant in the 2021-22 grant cycle up to \$30,000.00 with no expense to the Town.

5) ACCEPT THE RESIGNATION OF ARNOLD JENSEN FROM THE ZONING BOARD OF APPEALS

WHEREAS, Arnold Jensen has resigned from his position as Board member on the Town of Chester Zoning Board of Appeals effective October 1, 2021,

BE IT RESOLVED, the Town Board accepts the resignation of Arnold Jensen and thanks him for his service to the Town.

6) APPOINT JIM BATSFORD TO THE ZONING BOARD OF APPEALS

WHEREAS, Jim Batsford currently is an Alternate on the Town Zoning Board of Appeals,

BE IT RESOLVED, the Town Board appoints Jim Batsford to fill Arnold Jensen's unexpired term on the Zoning Board of Appeals starting on October 01, 2021 and expiring December 31, 2025, and

BE IT FURTHER RESOLVED, the Town Board directs Mr. Batsford to take the oath of office with the Town Clerk within 30 days.

7) APPROVE APPOINTMENT OF VICTOR GRECO AS ZBA ALTERNATE

WHEREAS, the Town has advertised for Zoning Board of Appeals Alternate Members, and

WHEREAS, the Town has received a letter of interest from a resident of the Town to sit on the ZBA,

BE IT RESOLVED, the Town Board appoints Victor Greco as ZBA Alternate for a period beginning September 14, 2021 and ending December 31, 2021, and

BE IT RESOLVED, the Town Board may reappoint Mr. Greco for following years as needed, and

BE IT FURTHER RESOLVED, the Town Board directs Mr. Greco to take the oath of office with the Town Clerk within 30 days.

8) APPROPRIATING MONIES TO PAY COST OF PREPARING MAP, PLAN AND REPORT FOR PROVIDING AQUATIC PLANT GROWTH CONTROL SERVICES WITHIN PROPOSED FRIENDS LAKE AQUATIC PLANT GROWTH CONTROL DISTRICT

WHEREAS, although a 2015 aquatic plant survey of Friends Lake found no current established population of invasive species, many of the property owners who have lakefront property or rights to access the Lake have requested that the Town of Chester establish an Aquatic Plant Growth Control District under Town Law Article 12-A to provide for funding by the District of the prevention and control of invasive species if they are detected in the Lake; and

WHEREAS, the Chester Town Board (the "Board") is considering forming the Friends Lake Aquatic Plant Growth Control District (the "District") in accordance with Article 12-A of New York Town Law for the purpose of controlling milfoil and other non-native, invasive aquatic plant species in Friends Lake; and

WHEREAS, the Friends Lake Property Owners Association (FLPOA), on behalf of its members, has requested that the Town Board form such a District and has prepared a Map, Plan and Report (the "Map, Plan and Report") concerning the proposed District;

NOW, THEREFORE,

BE IT RESOLVED, that, subject to permissive referendum as provided below, the sum of Six Thousand Six Hundred Dollars (\$6,600) is hereby appropriated to pay the cost of preparation of the Map, Plan and Report for providing aquatic plant growth control services in the portion of the Town of Chester where the District is proposed to be established; and

BE IT FURTHER RESOLVED, that the amount appropriated by the Town Board to pay the cost of preparation of the Map, Plan and Report shall be used to reimburse the Friends Lake Property Owners Association for \$4,600 of the amount it has expended in connection with preparation of the Report and the survey which will be given to the Town and to pay additional costs that may be incurred by the Town for that purpose, including updating the survey; and

BE IT FURTHER RESOLVED, that if the Town Board establishes the District, the expenses incurred by the Town for preparation of the Map, Plan and Report shall be deemed to be part of the cost of the District services and the Town shall be reimbursed by the District for the full amount paid; and

BE IT FURTHER RESOLVED, that upon completion of the final Map, Plan and Report it shall be filed in the office of the Chester Town Clerk; and

BE IT FURTHER RESOLVED, that this Resolution shall be subject to permissive referendum pursuant to Article 7 of New York Town Law and shall not take effect until such time as provided therein. The Town Clerk is hereby authorized and directed to post and publish the notice required for Resolutions subject to permissive referendum.

9) RESCIND RESOLUTION #40 OF 2011

WHEREAS, by advice of Town Counsel, the Town Board rescinds Resolution #40 of 2011 naming the playing field on Little Tannery Road in memory of Douglas Vanweelden,

WHEREAS, the Town of Chester would like to establish a Dog Park on the property on Little Tannery Road,

BE IT RESOLVED, the Town Board rescinds Resolution #40 of 2011.

10) AUTHORIZE ESTABLISHMENT OF A DOG PARK ON TOWN PROPERTY ON LITTLE TANNERY ROAD

WHEREAS, a group of dedicated citizens have approached the Town Board with the request to establish a dog park in or near the hamlet of Chestertown, and

WHEREAS, a committee was set up to organize the effort and raise the funds to build fencing for a dog park, and

WHEREAS, after discussion and review of options for placement of a dog park, the location on Little Tannery Road was deemed to be the best choice at this time,

BE IT RESOLVED, the Town Board authorizes the placement and development of a dog park in the field owned by the Town on Little Tannery Road.

11) AUTHORIZE CLERK TO ADVERTISE FOR YOUTH COMMISSION DIRECTOR

WHEREAS, due to a resignation, the position of Youth Commission Director is vacant as of October 22, 2021, and

WHEREAS, an Ad Hoc committee made up of members from Chester and Horicon have met and discussed the needs of the Chester Horicon Youth Commission and have developed a job description,

BE IT RESOLVED, the Town Clerk is authorized to advertise for the Youth Commission Director position.

12) ACCEPT THE RESIGNATION OF LYNN DOUGLAS FROM PERMANENT PART TIME TRANSFER STATION LABORER

WHEREAS, Lynn Douglas submitted a letter of resignation dated August 10, 2021 to the Town,

WHEREAS, the Town wishes to thank Lynn Douglas for her service to the Town and will be greatly missed,

BE IT RESOLVED, the Town of Chester Town Board accepts the resignation of Lynn Douglas from permanent part time Transfer Station Laborer and thanks her for her years of dedicated service.

13) APPOINT A PART-TIME LABORER POSITION FOR THE TRANSFER STATION DUE TO VACANCY

WHEREAS, the resignation of Lynn Douglas left a part-time position available at the Transfer Station,

WHEREAS, the Town Board wishes to fill that part-time position,

BE IT RESOLVED, the Town of Chester Town Board appoints Jaime Swan as a part-time Transfer Station laborer at the rate set at the 2021 Organizational Meeting.

14) APPOINT TO FILL A FULL-TIME PARKS AND RECREATION LABORER POSITION

WHEREAS, at the March 09, 2021 Town Board meeting, the Board discussed advertising and fulfilling a position with the Parks and Recreation Department effective April 01, 2021,

WHEREAS, the Parks and Recreation Department have a full-time position open due to resignation in April 2021, and

WHEREAS, the Parks and Recreation Department recommends filling the position with a person who has worked 3 years as a seasonal part time laborer,

BE IT RESOLVED, the Town Board approves the hire of James Rooker as permanent full time Laborer for the Parks and Recreation Department beginning November 1, 2021 at a rate defined in the CSEA Agreement.