

**AGENDA / June 08, 2021 @ 7 PM / TOWN BOARD MEETING ROOM
TOWN OF CHESTER MUNICIPAL CENTER, 6307 STATE RTE. 9, CHESTERTOWN,**

DUE TO COVID-19 PANDEMIC AND NY ON PAUSE RESTRICTIONS, THE TOWN BOARD MEETING WILL BE AVAILABLE TO THE PUBLIC ON ZOOM AND A RECORDING OF THE MEETING WILL ALSO BE AVAILABLE FOR VIEWING. PUBLIC ACCESS WILL BE LIMITED IN THE TOWN MEETING ROOM DUE TO SOCIAL DISTANCING REQUIREMENTS.

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)

Call to Order

- Pledge of Allegiance: led by Councilman Packer

Public Hearing

- Kelly Septic Variance #SV2021-03

Acceptance of Minutes

- May 11, 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

- Presentation of South Main Street Sidewalk Extension Project
- Schroon Lake Park District update

OLD BUSINESS

1. Act on Septic Variance Application (#SV2021-03) for Joseph and Andrea Kelly for a property located at 23 Cunningham Loop, Chestertown, New York, Tax Map #121.6-1-3

NEW BUSINESS

1. Discuss ToC accepting Darrowsville Church Cemetery from the Historical Society
2. Authorize use of Front Lawn for Rotary Garage Sale on July 10th.
3. Authorization to provide 35% match to FEMA grant for Loon Lake Dam engineering
4. Act on Proposed Revisions to Town of Chester Use Chart in the Zoning Local Law
5. Authorize Supervisor to send a letter of support to DOT regarding Adk Distance Festival
6. Authorize appropriation of \$3,600 for cabinets and counter for Multi Use Community Room (Senior Adult Center)
7. Discuss Marshall Fish road process for changing turn around location
8. Budget adjustments and Audited Claims

RESOLUTIONS 6-08-2021

1. APPROVE SEPTIC VARIANCE #SV2021-03 FOR A REPLACEMENT SEPTIC WASTEWATER TREATMENT SYSTEM. PROPERTY IS LOCATED AT 23 CUNNINGHAM LOOP, CHESTERTOWN IDENTIFIED BY TAX MAP PARCEL # 121.6-1-3

WHEREAS, the Town Board acting as the Local Board of Health has received a completed application and has held a public hearing on June 08, 2021 regarding the Septic Variance #SV2021-03 for Joseph and Andrea Kelly, 23 Cunningham Loop, identified by Tax Map #:121.6-1-3; 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 Joseph and Andrea Kelly, 23 Cunningham Loop, identified by Tax Map #: 121.6-1-3 as designed and presented by Bret Winchip, Winchip Engineering (Site Plan Project Name titled "Kelly Residence", dated 04/21/2021 and last revised 04/28/2021) 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; and,

BE IT FURTHER RESOLVED, the Local Board of Health grants variance for separation from the proposed absorption bed to the drilled well (100 ft. required, 73.5 ft. proposed; variance of 26.5 ft.).

2. AUTHORIZE THE CHESTERTOWN ROTARY CLUB TO USE THE FRONT LAWN OF THE TOWN HALL FOR THEIR ANNUAL GARAGE SALE ON JULY 10, 2021

WHEREAS, the Chestertown Rotary Club desires to use the front lawn of the Town Hall for their annual Garage Sale,

BE IT RESOLVED, the Town Board authorizes the Chestertown Rotary Club to use the front lawn of the Town Hall for their annual Garage Sale on July 10, 2021.

3. AUTHORIZE TO PROVIDE 35% MATCH TO FEMA GRANT FOR LOON LAKE DAM ENGINEERING

WHEREAS, the Town Board of the Town of Chester is undertaking a capital project called the Loon Lake Dam Rehabilitation project (hereinafter referred to as “the Project”) in order to address a Notice of Violation from the New York State Department of Conservation which has designated the Loon Lake Dam (a Class C High Hazard Dam) as “Unsound – Deficiency Recognized”; and

WHEREAS, the Town Board of the Town of Chester in support of the rehabilitation of the Loon Lake Dam is applying for grant funds through the NYSDEC High Hazard Dam Rehabilitation Grant to offset the pre-construction activities necessary to design and finance the improvements to the dam; and

WHEREAS, the Town Board of the Town of Chester intends to finance the costs of the rehabilitation of the Loon Lake Dam (minus any grants obtained) by means of long-term bonds, the debt service of which will be assessed to those parcels comprising the Loon Lake Park District.

NOW, THEREFORE BE IT RESOLVED, that the Town Board of the Town of Chester provides the following certifications in support of the NYSDEC High Hazard Dam Grant Application:

1. The Town Board of the Town of Chester certifies it will comply with Title 42, Section 5196(j)(9) of the U.S. Code with regard to overtime wages for laborers and mechanics employed by contractors in performance of the construction work financed with the assistance of any contribution of Federal funds; and
2. The Town Board of the Town of Chester certifies it will comply with the requirements of U.S. Code, Title 40, Chapter 11 – Selection of Architects and Engineers with regard to the selection of Architects and Engineers; and
3. The Town Board of the Town of Chester commits the 35% local share for the grant, or \$47,201 to the project in “Cash” form. This cash will be a debt service assessed to those parcels comprising the Loon Lake Park district and is authorized by appropriation under Budget Code SP7110.2 in the adopted FY 2021 Budget.

4. TOWN OF CHESTER TO DECLARE INTENT TO BE LEAD AGENCY FOR SEQRA REVIEW FOR THE PROPOSED ZONING AMENDMENTS

WHEREAS, the Town of Chester administers The Town Zoning Local Law; and,

WHEREAS, the Town Board recognized 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 wishes to revise the Town of Chester Use Chart located in Section 4.02 of the Zoning Local Law; and,

NOW, THEREFORE, BE IT RESOLVED, that the Town Board hereby declares its intent to be Lead Agency for SEQRA review of the proposed amendment to the Zoning Local Law and directs the Town Clerk to send copies of the proposed revisions to the Use Chart located in Section 4.02 of the Zoning Local Law, Part I of the Full Environmental Assessment Form, and copy of this Resolution stating the Town Board's intention to be Lead Agency for SEQRA review, to the Adirondack Park Agency and Warren County Planning Department, as required by law.

5. AUTHORIZE SUPERVISOR TO SEND A LETTER OF SUPPORT TO DOT REGARDING ADK DISTANCE FESTIVAL

WHEREAS, the Adirondack Distance Festival plans to hold the 25th annual Adirondack Marathon on Saturday and Sunday October 2nd and 3rd of 2021, and
WHEREAS, the NYS DOT requires a letter of support and approval from each municipality and county for the event being held within their jurisdictions,

BE IT RESOLVED, the Town Board authorizes the Supervisor to send a letter to NYS DOT in support of and approval for the Adirondack Distance Festival to use roads within the Town of Chester on Saturday and Sunday October 2 and 3, 2021.

6. AUTHORIZE EXPENDITURE OF UP TO \$3,600 FOR CABINETS, COUNTER AND SINK FOR THE MULTI-USE COMMUNITY ROOM / SENIOR ADULT CENTER ROOM

WHEREAS, the Town of Chester Senior Adult Center has obtained designs and quotes for kitchen base and wall cabinets with counter and sink for installation in the Multi-Use Community Room, also known as the Senior Adult Center room, and
WHEREAS, such items will be useful for the programming and events sponsored by the Senior Adult Center,

BE IT RESOLVED, the Town Board authorizes the expenditure of up to \$3,600 for kitchen style base and wall cabinets along with countertop, sink, faucet and other related items from Budget Code 162. 4 Town Hall Contractuals.