

**AGENDA / February 08, 2022 @ 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=R1ZOWWIPTUpLWWINTXBDRWxInk5NQOT09>

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)

Find your local number: <https://us02web.zoom.us/u/kezAmLvnVx>

**Call to Order**

- Pledge of Allegiance: led by Councilman Packer

**Acceptance of Minutes**

- January 11, 2022 Regular Town Board Meeting

**Committee Reports**

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

**Public Hearing**

- Septic Variance Application #SV2021-08, Katherine and Joshua Gruner
- Septic Variance Application #SV2021-09, Chris Campbell

**Privilege of the Floor for Old & New Business Items**

- EMS Report

**Old Business**

1. Act on Septic Variance Application #SV2021-08 for Katherine and Joshua Gruner on property located at 122 Chester Shores Drive, identified by Tax Map #: 86.18-1-58.
2. Act on Septic Variance Application #SV2021-09 for Chris Campbell for property located at 54 Riverside Drive, identified by Tax Map #: 104.10-6-8.
3. Friends Lake Aquatic Plant Control District update.

**New Business**

4. Deem Septic Variance #SV2022-01, Feeny Family Trust, complete and schedule a public hearing for March 09, 2022.
5. Authorize Friends of the Town of Chester Library to build a Storybook Trail at Dynamite Hill.
6. Authorize Town Clerk to advertise for Pottersville Wellhouse bid
7. Chestertown Water District Pre Engineering Report for replacement of main along Rt 9
8. Authorize Town Clerk to advertise for Sand Bids
9. Re-advertise for the position of Zoning Assistant
10. Appoint Mindy Conway to the Board of Assessment and Review
11. Appoint Carol Goody to the Board of Assessment and Review

12. Approve abstract of claims and budget amendments

Discussion Items

13. Discussion of LED programmable sign for Town Hall

14. 88 Riverside Drive

**RESOLUTIONS FEBRUARY 08, 2022**

1. **APPROVE SEPTIC VARIANCE #SV2021-08 AND GRANT THE REQUESTED VARIANCES FOR A REPLACEMENT SEPTIC WASTEWATER TREATMENT SYSTEM. PROPERTY IS LOCATED AT 122 CHESTER SHORES DRIVE, IDENTIFIED BY TAX MAP PARCEL # 86.18-1-58.**

**WHEREAS**, the Town Board acting as the Local Board of Health has received a completed application and has held a public hearing on February 08, 2022 regarding the Septic Variance #SV2021-08 for Katherine and Joshua Gruner, located at 122 Chester Shores Drive, identified by Tax Map #: 86.18-1-58, 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 Katherine and Joshua Gruner, located at 122 Chester Shores Drive, identified by Tax Map #: 86.18-1-58 as designed and presented by Robert Mann, P.E. of Consultant Engineering Services PLLC (Site Plan and Details (Pages 1-5) prepared for: Joshua and Kate Gruner, dated 12/22/2021 and last revised **DATE**) 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:

| PROPOSED VARIANCE SCHEDULE            |                   |                   |                   |
|---------------------------------------|-------------------|-------------------|-------------------|
| SETBACK                               | REQUIRED DISTANCE | PROPOSED DISTANCE | PROPOSED VARIANCE |
| ABSORPTION FIELD TO PROPERTYLINE EAST | 10'               | 4'5"              | 5'7"              |
| ABSORPTION FIELD TO DWELLING          | 20'               | 3'8"              | 16'4"             |
| DISTRIBUTION BOX TO DWELLING          | 20'               | 14'               | 6'                |

2. **APPROVE SEPTIC VARIANCE #SV2021-09 AND GRANT THE REQUESTED VARIANCES FOR A SEPTIC WASTEWATER TREATMENT SYSTEM. PROPERTY IS LOCATED AT 54 RIVERSIDE DRIVE, 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 February 08, 2022, regarding the Septic Variance #SV2021-09 for Chris Campbell, 54 Riverside Drive, identified by Tax Map #:104.10-6-8, 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 Chris Campbell, located at 54 Riverside Drive, identified by Tax Map #: 104.10-6-8 as designed by Winchip Engineering and presented by Chris Campbell (Site Plan prepared for: Riverside Drive Properties, dated 04/05/2021 and last revised 12/27/2021) 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;

**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'               | 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±              | 9.4'±                   | 94.0%±  | -                 | -                 | -       |
| EXISTING SEPTIC TANK TO WETLANDS                   | 50'               | 5.5+              | 44.5+                   | 89.0%+  | -                 | -                 | -       |
| EXISTING SEPTIC TANK TO WATER MAIN                 | 10'               | 0.0±              | 10.0±                   | 100.0%± | -                 | -                 | -       |
| EXISTING SEEPAGE PIT TO WATER MAIN                 | 10'               | 0.0+              | 10.0+                   | 100.0%+ | -                 | -                 | -       |
| PROPOSED ABSORPTION BED TO EXISTING BARN           | 20'               | -                 | -                       | -       | 11.3'             | 8.7'              | 43.5%   |
| PROPOSED ABSORPTION BED TO WETLANDS                | 100'              | -                 | -                       | -       | 22.9'             | 77.1'             | 77.1%   |
| PROPOSED BUILDING SEWER TO WETLANDS                | 50'               | -                 | -                       | -       | 15.2'             | 34.6'             | 69.6%   |
| PROPOSED PRECAST CONCRETE SEPTIC TANK TO WETLANDS  | 50'               | -                 | -                       | -       | 18.6'             | 31.4'             | 62.8%   |
| PROPOSED EFFLUENT LINE TO WETLANDS                 | 50'               | -                 | -                       | -       | 24.7'             | 25.3'             | 50.6%   |
| PROPOSED PRECAST CONCRETE PUMP CHAMBER TO WETLANDS | 50'               | -                 | -                       | -       | 23.6'             | 26.4'             | 52.8%   |
| PROPOSED 2" FORCE MAIN TO WETLANDS                 | 50'               | -                 | -                       | -       | 26.6'             | 23.4'             | 46.8%   |
| PROPOSED 1" FORCE MAIN TO BUILDING                 | 20'               | -                 | -                       | -       | 5.7'              | 14.3'             | 71.5%   |
| PROPOSED SEPTIC TANK TO BUILDING                   | 10'               | -                 | -                       | -       | 4.2'              | 5.8'              | 58.0%   |
| PROPOSED EFFLUENT LINE TO BUILDING                 | 10'               | -                 | -                       | -       | 5.8'              | 4.2'              | 42.0%   |
| PROPOSED PUMP CHAMBER TO BUILDING                  | 10'               | -                 | -                       | -       | 2.4'              | 7.6'              | 76.0%   |
| PROPOSED SEPTIC TANK TO WATER MAIN                 | 10'               | -                 | -                       | -       | 5.6±              | 4.4±              | 44.0%±  |
| PROPOSED PUMP CHAMBER TO WATER MAIN                | 10'               | -                 | -                       | -       | 5.9±              | 4.1±              | 41.0%±  |
| PROPOSED ABSORPTION BED TO WATER MAIN              | 10'               | -                 | -                       | -       | 8.5±              | 1.5±              | 15.0%±  |
| PROPOSED SEWER LINE TO WATER MAIN                  | 10'               | -                 | -                       | -       | 8.2±              | 1.8±              | 18.0%±  |
| PROPOSED EFFLUENT LINE TO WATER MAIN               | 10'               | -                 | -                       | -       | 8.3±              | 1.7±              | 17%±    |

3. **DEEM SEPTIC VARIANCE APPLICATION #SV2022-01 FOR FEENEY FAMILY TRUST (MARY T. FEENEY, TRUSTEE) FOR PROPERTY LOCATED AT 24 MILLS RD. TO BE COMPLETE AND SET A PUBLIC HEARING FOR FEBRUARY 08, 2022 AT 7 P.M.**

**WHEREAS**, Winchip Engineering PC has submitted a Septic Variance Application (#SV2022-01) for Feeney Family Trust (Mary T. Feeney, Trustee) for property located at 24 Mills Road, Chestertown, New York, Tax Map #: 120.10-1-32, 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 #SV2022-01 for Feeney Family Trust (Mary T. Feeney, Trustee) for property located at 24 Mills Roads, 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 #SV2022-01 on Tuesday, March 09, 2022 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 #SV2022-01 to Cedarwood Engineering as Town Engineer for its evaluation and opinion at the expense of the applicant.