

**AGENDA / AUGUST 09, 2022 @ 7 PM / TOWN BOARD MEETING ROOM
TOWN OF CHESTER MUNICIPAL CENTER, 6307 STATE RTE. 9, CHESTERTOWN**

THE TOWN BOARD MEETING WILL BE AVAILABLE TO THE PUBLIC ON ZOOM AND A RECORDING OF THE MEETING WILL ALSO BE AVAILABLE FOR VIEWING.

<https://us02web.zoom.us/j/83433395517?pwd=R1ZOWWIPTUpLWWINTXBDRWxInk5NQTO9>

Meeting ID: 834 3339 5517

Passcode: 458784

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

Call to Order

- Pledge of Allegiance: led by Councilwoman DuRose

Acceptance of Minutes

- July 6, 2022 Special Town Board Meeting, July 12, 2022 Regular Town Board Meeting, July 29, 2022 Special Town Board Meeting

Committee Reports

- Town Clerk, Town Board, Highway Superintendent, P&R Foreman, Supervisor, EMS, Special Districts, Youth Commission, Highway Garage Committee

Public Hearing

- EMS Tax District Formation
- Septic Variance #SV2022-04, Uerz Irrevocable Trust (David Uerz, Trustee)

Privilege of the Floor for Old & New Business Items

Old Business

1. Act on formation of EMS Tax District
2. Act on Septic Variance #SV2022-04, Uerz Irrevocable Trust (David Uerz, Trustee)

New Business

3. Deem Septic Variance #SV2020-03 complete for Thomas Loonie and Amy Wen and schedule a public hearing for September 13, 2022
4. Deem Septic Variance #SV2022-05 complete for Adam Riley and schedule a public hearing for September 13, 2022
5. Deem Septic Variance #SV2022-06 complete for the Suzanne S. Lemka Family Trust and schedule a public hearing for September 13, 2022
6. Authorize Planning Board and Zoning Board members to attend the 2022 Fall Planning and Zoning Schools in Lake Placid on Thursday, October 6, 2022
7. Chester 5K/10K request \$1,500 for Occupancy Tax money
8. Town of Chester 5K/10K request to use front lawn of the Town Municipal Center on September 17, 2022.
9. Lake George Tiathalon
10. Act on Health Insurance company for retirees
11. Approval of Abstract of Claims, Budget Adjustments and Budget Amendments

RESOLUTIONS

1. RESOLUTION APPROVING ESTABLISHMENT OF CHESTER AMBULANCE DISTRICT

WHEREAS, the Chester Town Board is considering forming a Chester Ambulance District in accordance with Article 12-A of New York Town Law for the purpose of providing emergency medical and ambulance services within the Town; and

WHEREAS, the Town Board adopted a Resolution authorizing the preparation of a Map, Plan and Report for the purpose of analyzing the formation of the District; and

WHEREAS, a Map, Plan and Report was prepared concerning the proposed District and was filed in the Town Clerk's Office and made available for public inspection; and

WHEREAS, the Map, Plan and Report describes the boundaries of the proposed District, the proposed method of operation, the maximum amount proposed to be expended for the ambulance services and the cost of the proposed District to the typical property and, if different, the typical one or two family home; and

WHEREAS, on July 12th, 2022, subsequent to the filing of the Map, Plan and Report with the Town Clerk, the Town Board adopted an Order reciting (a) the boundaries of the proposed District; (b) the proposed services and proposed method of operation; (c) the maximum amount proposed to be expended for the services; (d) the cost of the District to the typical property and the typical one or two family home (if not the typical property); (e) that no capital improvements are anticipated for the proposed District and, therefore, no financing will be employed; (f) the fact that a Map, Plan and Report describing the proposed District, services and capital improvements is on file in the Town Clerk's Office; and (g) the time and place of a public hearing on the proposed District; and

WHEREAS, copies of the Public Hearing Order were duly published and posted and were filed with the Office of the State Comptroller, all as required by law; and

WHEREAS, prior to publication of the Public Hearing Order, a detailed explanation of how the estimated costs of the District to the typical property and typical one or two family home (if not the typical property) were computed was filed with the Town Clerk for public inspection as part of the Map, Plan and Report; and

WHEREAS, a public hearing on the proposed Chester Ambulance District was duly held on August 9th, 2022 and the Town Board has considered the evidence given together with other information, and

WHEREAS, establishment of the proposed District was determined not to be an Action under the State Environmental Quality Review Act (SEQRA),

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board hereby determines that:

1. Notice of the Public Hearing was published and posted as required by law and is otherwise sufficient;
2. All of the property and property owners within the District are benefited thereby;
3. All of the property and property owners benefited are included within the limits of the District;
4. It is in the public interest to establish the District as described in the Map, Plan and Report; and

BE IT FURTHER RESOLVED that the Town Board hereby approves the establishment of the District in accordance with the boundaries and descriptions set forth in the Map, Plan and Report, and providing of the services described in the Map, Plan and Report, subject to the following:

1. Permissive referendum in the manner provided in Town Law Article 7; and
2. Adoption of a Final Order by the Town Board; and

BE IT FURTHER RESOLVED, that this Resolution is subject to permissive referendum in accordance with the provisions of Town Law Articles 7 and 12-A and the Town Board authorizes and directs the Town Clerk to file, post and publish such Notice of this Resolution as may be required by law and if no Petition is duly filed within 30 days after adoption of this Resolution to file a Certificate to that effect in the Office of the County Clerk.

2. APPROVE SEPTIC VARIANCE APPLICATION #SV2022-04 FOR A REPLACEMENT SEPTIC WASTEWATER TREATMENT SYSTEM. PROPERTY IS LOCATED AT 18 GROVE STREET, IDENTIFIED BY TAX MAP PARCEL # 137.14-1-11

WHEREAS, the Town Board acting as the Local Board of Health has received a completed application and has held a public hearing on August 09, 2022 regarding the Septic Variance #SV2022-04 for Uerz Irrevocable Trust (David Uerz, Trustee), 18 Grove Street, identified by Tax Map #: 137.14-1-11, 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 replacement septic wastewater system for Uerz Irrevocable Trust (David Uerz, Trustee), 18 Grove Street, identified by Tax Map #: 137.14-1-11 as designed and presented by Bret Winchip, Winchip Engineering PC (Site Plan dated 06-09-2022 and last revised 06-28-2022) 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:

VARIANCE SCHEDULE							
SETBACK	REQUIRED DISTANCE	EXISTING DISTANCE	EXISTING NON-CONFORMITY		PROPOSED DISTANCE	PROPOSED VARIANCE	
			DISTANCE	PERCENT		DISTANCE	PERCENT
EXISTING DRILLED WELL TO SEEPAGE PIT	150'	116.0'±	34.0'±	22.73±	-	-	-
EXISTING NEIGHBORING DRILLED WELL TO SEEPAGE PIT	150'	102.3'±	47.7'±	31.83±	-	-	-
EXISTING SEEPAGE PIT TO PROPERTY UNE	10'	4.2'±	5.8'±	58.03±	-	-	-
EXISTING SEPTIC TANK TO BUILDING	10'	6.3'±	3.7'±	37.03±	-	-	-
PROPOSED WASTEWATER FIELD TO BUILDING	20'	-	-	-	3.8'	16.2'	0.81%
PROPOSED WASTEWATER FIELD TO DRILLED WELL	100'	-	-	-	80.3'	19.7'	19.73%
PROPOSED SEPTIC TANK TO DECK	10'	-	-	-	5.0'	5.0'	50.03%

3. DEEM SEPTIC VARIANCE APPLICATION #SV2020-03 FOR THOMAS LOONIE AND AMY WEN FOR PROPERTY LOCATED AT BIRCHWOOD DRIVE TO BE COMPLETE AND SET A PUBLIC HEARING FOR TUESDAY, SEPTEMBER 13, 2022 AT 7 P.M.

WHEREAS, Bret Winchip, Winchip Engineering PC have submitted a Septic Variance Application #SV2020-03 for Thomas Loonie and Amy Wen for property located at Birchwood Drive, Chestertown, New York, identified by Tax Map #: 86.13-2-20; and

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

BE IT RESOLVED, the Town Board, acting as the Local Board of Health, deems Septic Variance Application #SV2020-03 for Thomas Loonie and Amy Wen for property located at Birchwood Drive, Chestertown, New York to be complete;

BE IT FURTHER RESOLVED, the Town Board, acting as the Local Board of Health, sets a Public Hearing for #SV2020-03 on Tuesday, September 13, 2022 at 7 p.m. at a Regular Town Board Meeting and directs the Town Clerk to notice the public hearing in the Post Star newspaper.

4. DEEM SEPTIC VARIANCE APPLICATION #SV2022-05 FOR ADAM RILEY FOR PROPERTY LOCATED AT 48 LANDON HILL ROAD TO BE COMPLETE AND SET A PUBLIC HEARING FOR TUESDAY, SEPTEMBER 13, 2022 AT 7 P.M.

WHEREAS, Adam Riley has submitted a Septic Variance Application #SV2022-05 for property located at 48 Landon Hill Road, Chestertown, New York, identified by Tax Map #: 87.-1-8; and

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

BE IT RESOLVED, the Town Board, acting as the Local Board of Health, deems Septic Variance Application #SV2022-05 for Adam Riley for property located at 48 Landon Hill Road, Chestertown, New York to be complete;

BE IT FURTHER RESOLVED, the Town Board, acting as the Local Board of Health, sets a Public Hearing for #SV2022-05 on Tuesday, September 13, 2022 at 7 p.m. at a Regular Town Board Meeting and directs the Town Clerk to notice the public hearing in the Post Star newspaper.

5. DEEM SEPTIC VARIANCE APPLICATION #SV2022-06 FOR SUZANNE S. LEMKA FAMILY TRUST FOR PROPERTY LOCATED AT 737 ATATEKA DRIVE TO BE COMPLETE AND SET A PUBLIC HEARING FOR TUESDAY, SEPTEMBER 13, 2022 AT 7 P.M.

WHEREAS, Matthew Bond, P.E. of Barber Engineering PLLC has submitted a Septic Variance Application #SV2022-06 for the Suzanne S. Lemka Family Trust for property located at 737 Atateka Drive, Chestertown, New York, identified by Tax Map #: 120.15-1-29 and

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

BE IT RESOLVED, the Town Board, acting as the Local Board of Health, deems Septic Variance Application #SV2022-06 for Suzanne S. Lemka Family Trust for property located at 737 Atateka Drive, Chestertown New York to be complete;

BE IT FURTHER RESOLVED, the Town Board, acting as the Local Board of Health, sets a Public Hearing for #SV2022-06 on Tuesday, September 13, 2022 at 7 p.m. at a Regular Town Board Meeting and directs the Town Clerk to notice the public hearing in the Post Star newspaper.

6. AUTHORIZE PLANNING BOARD AND ZONING BOARD MEMBERS TO ATTEND THE 2022 FALL PLANNING AND ZONING SCHOOLS IN LAKE PLACID ON THURSDAY, OCTOBER 6, 2022

WHEREAS, the Planning and Zoning Board members are required to attain at least four (4) educational credits per year and appropriations are included in the budget for registration and travel,

BE IT RESOLVED, the Town Board authorizes Mary Clark, Patrick Powers, John Nick, _____, _____ to attend the 2022 Fall Planning and Zoning Schools in Lake Placid on Thursday, October 6, 2022 and funds be appropriated out of budget code A8010.4 and A8020.4 for registration and travel.

7. CHESTER 5K/10K REQUEST \$1,500 FOR OCCUPANCY TAX MONEY

WHEREAS, The Town of Chester is organizing, promoting, and running a 5K/10K race in conjunction with the Adirondack Distance Festival, and

WHEREAS, the race attracts participants and visitors from multiple states and

WHEREAS, the proceeds go to fund either local organizations or public works that benefit the local community,

BE IT RESOLVED, the Town Board authorizes the appropriation of \$1,500 from the Occupancy Tax fund for the purpose of promoting and purchasing allowable goods for the production of the Chester 5K/10K race to be held on September 17, 2022

8. TOWN OF CHESTER 5K/10K REQUEST TO USE FRONT LAWN OF THE TOWN MUNICIPAL CENTER ON SEPTEMBER 17, 2022.

WHEREAS, The Town of Chester is organizing, promoting, and running a 5K/10K race in conjunction with the Adirondack Distance Festival to be held on Saturday September 17, 2022, and

WHEREAS, the race is traditional held on the front lawn of the Town Municipal Center,

BE IT RESOLVED, the Town Board authorizes the use of the front lawn of the Town Municipal Center for the Chester 5K/10K race on September 17, 2022

9. LAKE GEORGE TRIATHALON

BE IT RSOLVED, the Town Board authorizes the use of Town roads for the purpose of the Lake George Triathlon.

10. ACT ON HEALTH INSURANCE COMPANY FOR RETIREES

11. APPROVAL OF ABSTRACT OF CLAIMS, BUDGET ADJUSTMENTS AND BUDGET AMENDMENTS