



**MINUTES OF MEETING
TOWN OF CHESTER
PLANNING BOARD
FEBRUARY 23, 2015**

Mr. Little called the meeting to order at 7:01 p.m.

ATTENDANCE:

Chairman Paul Little, Al Muench, George Hilton, Harold Ellsworth, Eugene Dutcher, Rick Bump, John Nick, Walter J. Tennyson (Zoning Administrator) and Jeremy J. Little (Secretary). Absent was Suzanne Robbins.

MINUTES:

Mr. Bump made a motion to accept the minutes for the January 26, 2015 Meeting; motion seconded by Mr. Muench. Motion carried 7-0.

CORRESPONDENCE:

Zoning Administrator and Sanitary Code Enforcement Officer's Activity Report for January 2015.

OLD BUSINESS: None.

NEW BUSINESS:

#SPR2015-03: Jessica Phillips, owner of Rustic Charm Pottery, is seeking Site Plan Review Approval for a Retail Art Studio, located at 102 Riverside Drive, identified by Tax Map Parcel #: 104.10-6-23, in Zone Classification Hamlet.

Kathryn Davis, mother of Jessica Phillips, stated her proposal is for a retail art studio. The studio would mainly consist of renting space to artists to showcase their work, offering of arts and crafts for sale, and classes and lessons in various artistic forms. Mrs. Davis and her daughter would establish the business hours. She stated the reasoning for having multiple vendors is that the space is too large for the two of them to showcase their works. They believed it would be a great opportunity for them and other artists to display their talents in a retail setting.

Mr. Muench asked if there would be any structural changes to the building, either exterior or interior. Mrs. Davis affirmed there would not be any changes to the structure.

Chairman Little stated that since the project is within five-hundred ft. of State Route 9, the project is required to be referred to Warren County.

The Board asked the Secretary to send Site Plan Review Application **#SPR2015-03** for referral to the Warren County Planning and Community Development Department.

There was discussion about the procedure for public hearings established by the Planning Board. Mr. Muench stated that the past usage of the site has been a photography studio, a quilt shop, and a bagel shop—all of which the public hearings were waived, and none of the past uses generated any complaints to the Planning Board or Zoning Office. Mr. Muench believed that since the proposal for the retail art studio is consistent with the past uses of the site, he was in favor of waiving the public hearing for the project.

Mr. Muench made a motion to waive the public hearing and to approve Site Plan Review Application **#SPR2015-03**; motion seconded by Mr. Dutcher. Motion carried 7-0. ***(Please see the Minutes from April 20, 2015 Meeting for emendatory statements by Mr. Muench, in Bold Face Type).***

PUBLIC HEARING:

#SPR2014-05: Joseph Brand is seeking Site Plan Review approval for the relocation of the “All Brands Redemption Center” and “Susan Brand Salon” to property located at 6393 State Route 9, identified by Tax Map Parcel #: 104.10-2-8, in Zone Classification Hamlet.

Joseph Brand was present to represent the proposal. Mr. Brand stated he would like to move the Redemption Center and the Salon from their current location known as “Chester Commons” to the proposed site. Mr. Brand mentioned that what was requested by the Board at the last meeting, he has provided to them. A survey of his property as well as an updated Site Plan showing the required parking and landscaping have been submitted to the Board. Renovation and ADA plans were also submitted.

Mr. Brand stated that he owns 16.1’ from the South side of the building to the end of the southerly property line and would like to install an eight ft. (8’) high fence. Mr. Muench questioned if the “driveway” to the South side of the business could accommodate employee parking and Mr. Brand was in the affirmative it would be used as such.

Mr. Nick questioned the location of the propane tank and Mr. Brand stated it would be next to the fence and nearly one hundred and fifty ft. (150’) from the “brook area”. Mr. Nick was concerned about the possibility of the tank being struck by vehicles and Mr. Brand stated that the propane tank could easily be moved to comply with the conditions made by the Planning Board, if any were imposed.

Mr. Muench questioned if the County had any concerns regarding the placement or sale of propane. No concerns were issued by the County. Mr. Brand stated the propane tank would be screened. ***(Please see the Minutes from April 20, 2015 Meeting for emendatory statements by Mr. Muench, in Bold Face Type).***

Mr. Brand explained the building would be redesigned to have redwood siding. Parking spaces were also a concern by Mr. Muench. There was discussion at the previous meeting of Mr. Brand creating 14 parking spaces for the businesses. All fourteen spaces were provided and plotted on the Site Plan. Additional landscaping ideas were also discussed.

Chairman Little referred to the Project review and Referral Form received from the Warren County Planning Department and it was declared the project would have no County impact.

Having been duly advertised, the public hearing for Site Plan Review Application **#SPR2014-05** was opened by Chairman Little at 7:24 p.m.

Carrie Mundrick, who currently owns property at 17 LaFlure Lane, expressed her concern about property lines and the ownership of the “asphalt driveway between the two buildings which has the property line going right down the middle of it.” She felt the addition of a fence would inhibit her from accessing certain portions of her property. As previously discussed at the meeting in January, Mrs. Mundrick expressed her concern of the outside storage of bottles and cans. She stated the placement of a propane tank on the property is no longer a concern. There was discussion by Mrs. Mundrick pertaining to the ownership of the “driveway” and access to her garage. Chairman Little stated that it is a civil matter and is not in the authority of the Board to determine ownership.

Mr. Hilton recommended the lighting to be completely downcast. Mr. Brand said that there would be low-level LED lighting.

In the audience, Deborah Buttino questioned the location of the septic and its capacity to withstand both businesses. She also inquired about the design of the proposed fencing. Mr. Brand stated the fencing would not be constructed of metal material and would be consistent with the surrounding properties. Mr. Bump recommended Mr. Brand gather the documents pertaining to the septic in the property file located in the Zoning Office. Mr. Brand’s daughter, Gabriel, who is employed at the Salon, added that the the Salon does not receive a high volume of customers and she believed the septic system would not be affected.

Chairman Little closed the public hearing for Site Plan Review Application **#SPR2014-05** at 7:43 p.m.

Mr. Hilton made a motion to classify this project, **#SPR2014-05**, as a Type II action which does not require further review under SEQRA and to declare a negative declaration due to the project having no significant impact on the environment. Mr. Ellsworth seconded the motion. Motion carried.

Mr. Nick made a motion to approve **#SPR2014-05** with the following conditions: (1) No living space allowed in the building; (2) Firewood and propane tank will be screened from view with privacy fencing; (3) No outside storage of empty containers or devices to hold empty containers; (4) No outside storage of garbage or trash dumpsters or similar containers; (5) External lighting will be positioned and timed so as to not have a negative impact on neighbors or neighboring properties and all lighting will be downcast; (6) Approval of fencing material, other than redwood fencing, is required from the Planning Board before installation; (7) Approval of the septic system by the Zoning Administrator; (8) Prior approval of the siting of the propane tank is required from the Planning Board; (9) References to lighting and landscaping to be added to the provided Site Plan and copy filed with the Zoning Administrator. Motion seconded by Mr. Bump. Motion carried 7-0.

#SPR2015-01: Tim Beadnell of Loon Lake RV Park, LLC is seeking Site Plan Review approval for the addition of eight (8) new RV sites. Property is located at 5400-5408 State Route 8, identified by Tax Map Parcel #: 103.-1-18.1, in Zone Classification Low Intensity. Mr. Beadnell began by stating that the eight (8) proposed sites would be on the South end of the property, not visible from State Route 8. It was discussed that a new septic wastewater treatment system will be installed to accommodate the proposed sites and was further explained the water supply has more than enough capacity to service them.

Mr. Muench asked Mr. Beadnell to submit a table that would list dimensions/square footage for each site. Chairman Little read *Section 7.07(C) Tourist Accommodations: Shoreline Frontage* of the Local Law. He explained that due to the number of campsites at the campground, the required shoreline frontage is two-hundred eighty-five ft. (285') and Mr. Beadnell has approximately 370 ft. of shoreline (TM #: 86.19-1-66). Mr. Little stated that after a discussion with those associated with the operation of the Town Beach, it was determined that it was infrequent for the maximum occupancy of the Beach (75 persons) to be exceeded.

Having been duly advertised, the public hearing for Site Plan Review Application **#SPR2015-01** was opened by Chairman Little at 7:55 p.m.

Noelle McCrum was concerned what actions, if any, Mr. Beadnell would take to improve the landscape (i.e. planting of trees, shrubs) and questioned if a landscape plan had been provided along with the Site Plan.

Ann Coberg submitted a letter to the Board regarding her concerns of the RV Park (*letter on file with application*). She suggested to the Planning Board to require that the septic and leach fields for the proposed sites would not impact the nearby waters and if additional sites are proposed in the future, the Board should consider the impact those sites would have on waste management. Mrs. Coberg also addressed traffic and safety concerns.

In reply, Mr. Beadnell stated for any of the approved additional sites, there have been newly constructed engineered septic systems to accommodate those sites. Further, it was explained the proposed sites would have a new leach field and septic tank. All sites on the campground have been approved by the New York State DOH and DEC. Mr. Muench questioned the direction of the effluent if the new septic system was to fail and Mr. Beadnell stated it would flow away from the lake and other water bodies.

Ed Griesmer, President of the Loon Lake Park District Association, was also concerned of the increased traffic on Route 8 and the safety issues. He suggested Mr. Beadnell team up with the Town Board and DOT to mitigate or lessen the safety risk. There was also concern pertaining to those patrons from the Campground driving to and from the Beach and parking their vehicles there during the day; therefore, restricting the parking. He also suggested to the Board to consider having Mr. Beadnell create a parking area on the property of the RV Park, to be provided to his patrons. Mr. Griesmer also mentioned the necessity of a landscaping plan be provided, pursuant to Section 7.20 (B) of the Local Law. It was also questioned if the docks were rented or any fee was charged for the use of the docks on the waterfront parcel.

Mr. Beadnell made it known that he was aware of the safety and traffic concerns. Mr. Beadnell stated the docks are rented to those that occupy the campsites and campers only. He stated he was willing to work with the Town for creation of a parking area. Mr. Nick suggested having parking available to the campers on the property of the RV Park and installing barriers, which he believed would limit the parking to the campers only. Harold Townley, who owns property at 89 Marina Road, agreed with Mr. Nick and believed that since the proposed sites were quite a distance away from Route 8, those campers would drive and not necessarily walk to the Beach.

There were also concerns regarding the addition of porches to some camper trailers. Mr. Muench asked the Zoning Administrator to report to the Board of his findings of the structures as well as the possible issue of rental of docks.

It was discussed that the request has been submitted by the Town Board for DOT to consider establishment of a crosswalk, reduced speed limit and addition of signage on Route 8 by the Town Beach. Mr. Dutcher stated if the establishment of a crosswalk did not occur and the parking area on the Park's side is created, that it would create more of a hazard to patrons crossing the road.

Mr. Muench mentioned that he believed this proposal is classified as a Class B Regional Project and appeared to be a Type II Action. The Warren County Planning Department reviewed the application and concluded there would be no County Impact. Mr. Muench read Section 6.04-4 of the Local Law regarding the requirements for Class B Regional Project Approval and suggested to the Board that Mr. Beadnell submit a plan to address the public hazard issues.

Mr. Bump made a motion to close the public hearing at 9:08 p.m. for Site Plan Review Application **#SPR2015-01**; seconded by Mr. Ellsworth. Motion carried 7-0.

Mr. Hilton made a motion to classify this project, **#SPR2015-01**, as a Type II action which does not require further review under SEQRA and to declare a negative declaration due to the project having no significant impact on the environment. Mr. Ellsworth seconded the motion. Motion carried.

Mr. Bump made a motion to approve **#SPR2015-01** with the following conditions: (1) Request for designated parking for campers as close to the Town Beach as possible, with a minimum of four (4) to a maximum of eight (8) parking spaces; (2) Submission and addition of a table listing the precise dimensions and square footage of each site on the Site Plan. Motion seconded by Mr. Dutcher. (6) Aye; (1) Nay. Motion carried. ***(Please see the Minutes from May 18, 2015 Meeting for emendatory statements by Mr. Muench, in Bold Face Type).***

#SPR2015-02: Word of Life Fellowship, Inc. is seeking Site Plan Review approval for the construction of a Student Life Center, located at 4200 Glendale Road, identified by Tax Map Parcel #: 36.-1-20, in Zone Classification Moderate Intensity.

Lisa Tonneson-McCorkell (LA Group), Roger Peace (Word of Life), and Eric Cordis (Word of Life Project Engineer) were present to propose the project.

Chairman Little read the letter received from the Pottersville Fire Department concerning the project. A Jurisdictional Determination letter from the APA was also read. The proposal was reviewed by the Warren County Planning Department and declared to have no County Impact.

Mr. Peace mentioned the safety concern of students walking down Glendale Road. The construction of a walkway to State Route 9 was also discussed.

Mrs. Tonneson-McCorkell recapitulated the proposal to the Board and the audience. She also explained the width of the roads and stated that near the fire hydrants, it would be approximately twenty-six ft. (26") wide. As already discussed at the previous meeting, the sanitary sewer lines would connect on the East and West side of the building. A memo was also submitted to the Board regarding the conditions of approval for the proposal.

Mr. Nick questioned if there would be placement of Emergency Call Stations on the campus. Mr. Peace stated there is a command center that students would call if there were an emergency and that a safety plan has already been established.

Chairman Little questioned Section D.1(c) on the provided Full Environmental Assessment Form—the question “Is the proposed action an expansion of an existing project or use” and was marked as “No”. This concern was discussed between Word of Life and the APA and was a determined that it was classified more as an improvement rather than an expansion.

Having been duly advertised, the public hearing for Site Plan Review Application **#SPR2015-02** was opened by Chairman Little at 9:25 p.m.

John Greening, who owns property on Glendale Road, questioned the access points from Glendale Road to the Wyrzten Center and proposed building. Mr. Greening also agreed with the construction of a walkway to State Route 9 to eliminate students from walking on the main route. Jim Guyatte, owner of property located at 4231 Glendale Road, also agreed to the idea of having the walkway. Mr. Bump mentioned that he would prefer to have a lighted pathway.

Mr. Ellsworth made a motion to close the public hearing at 9:51 p.m. for Site Plan Review Application **#SPR2015-02**; seconded by Mr. Dutcher. Motion carried 7-0.

Mr. Muench made a motion to determine the proposal as an Unlisted Action pending the signature on the SEQRA form and that there would be no significant adverse environmental impact and to declare a negative declaration; the conditions outlined in the February 23, 2015 memo from the LA Group made part of the approval (*see attached*), and to ask the Chairman to complete Part II & III on the SEQRA form, therefore making the application complete; motion seconded by Mr. Ellsworth. Motion carried 7-0.

BOARD PRIVILEGE:

Mr. Muench mentioned to the Board he would follow up with the Town Supervisor regarding the crosswalk located near the Town Beach.

Mr. Muench also discussed a new form documenting the decisions of the Planning Board.

Mr. Muench made a motion to approve the Decision form for use by the Secretary and recording of decisions for each application made by the Planning Board; motion seconded by Mr. Nick. Motion carried.

ADJOURNMENT:

Mr. Nick made a motion to adjourn the meeting at 10:06 p.m.; seconded by Mr. Ellsworth. Motion carried 7-0.

Respectfully submitted,

Jeremy J. Little

Secretary