



**MINUTES OF MEETING  
TOWN OF CHESTER  
PLANNING BOARD  
JANUARY 22, 2018**

Chairman Little called the meeting to order at 7:05 p.m.

**ATTENDANCE:**

Chairperson Paul Little, John Nick, George Hilton, Christine Hayes, Rand Fosdick, George Stannard, Jeremy J. Little (Secretary). Absent were Al Muench and Walter J. Tennyson (Zoning Administrator).

In the absence of Al Muench, George Stannard sat on the Board in his place.

**PUBLIC HEARING:**

Having been duly advertised, the public hearing for Site Plan Review Application **#SPR2017-04** was opened by Chairman Little at 7:06 p.m.

**#SPR2017-04:** VI Enterprises, Ltd. is seeking Site Plan Review approval for the use of an existing commercial structure as an auto parts wholesale/retail store. Property is located at 7903 State Route 9, identified by Tax Map Parcel #: 52.8-1-33, in Zone Classification Hamlet.

Attorney Matthew Fuller from Meyer and Fuller, PLLC was present to represent the applicant. Pat Vitlo, owner of VI Enterprises, Ltd., was also present. Attorney Fuller made reference to a letter dated January 09, 2018 with answers to questions regarding lighting, landscaping, and unlicensed cars on a portion of the property being leased by the applicant. Existing landscaping and lighting will remain unchanged, with planters near the front door. Attorney Fuller stated that his client is not in the business of repairing or storing cars and as stated in the letter, there will not be any unlicensed cars on the property as part of his client's lease. Attorney Fuller mentioned a new plan was submitted showing the internal split of the building and portions that are being used for retail, warehouse, and other uses: 2,500 square ft. each for retail and warehouse use and 1,500 square ft. for other purposes (office, restrooms). Parking spaces required total 32.5, with a breakdown of the following:

Use	Square Footage	Requirement	Spaces Required	Available
Retail	2,500	1 space per 100 sf.	25	
Wholesale	2,500	1 space per 1,000 sf.	2.5	
Other (office, restrooms)	1,500	1 space per 300 sf.	5	
			32.5	38

Attorney Fuller stated that there would be no issue inserting conditions, if imposed by the Board, into the lease agreement. Ms. Hayes questioned where the garbage or dumpsters would be located. Mr. Vitlo said that there would be minimal garbage and that it would stay inside the building.

Dumpsters would not be used. Brief discussion ensued regarding the loading area. There are no plans for displaying of merchandise (i.e. racks of tires) outside of the building. Parking spaces will be striped appropriately and handicap parking signs will be installed.

Chairman Little stated that the Board has received the recommendation from the Warren County Planning Department regarding the proposal and it was determined that there would not be any significant inter-municipal or county-wide impacts to the items identified in GML §239. Chairman Little read the informal comments included in the referral:

In 2011, the Town of Chester completed the "Pottersville Streetscape Enhancement Report". The plan identified the right-of-way in front of this parcel (then Railroads on Parade) as lacking in pedestrian amenities. In reviewing this application, the board may wish to consider asking the applicant to provide clearly defined ingress/egress points, as in its current state is absent of curbing or other pedestrian features.

Brief discussion ensued regarding the County's comment. In response to the County's informal comments, the Board believed that it is more of a Town or State issue and not the applicant's responsibility.

In the audience, Patrick Powers questioned what the additional building in the rear of the property is being used for. Mr. Vitlo stated that he does not have access to the building in the rear. Supervisor Leggett stated that the building is being used for the storage of vehicles in connection with Pottersville Garage. Mary Clark expressed her concern regarding vehicles entering and leaving the apartment building on an adjoining parcel, using an existing road which is adjacent to the proposed business. Chairman Little believed that the proposed parking spaces will not interfere with incoming and outgoing traffic. Brief discussion ensued regarding the concern of unlicensed vehicles on properties owned by Pottersville Garage/Roger Peet.

Mr. Ellsworth made a motion to close the public hearing at 7:26 p.m. for Site Plan Review Application **#SPR2017-04**; motion seconded by Ms. Hayes. Motion carried 7-0.

Chairman Little read questions 1-11 in Part II of the Short Environmental Assessment Form. All questions were answered as "No, or small impact may occur." Chairman Little affirmed that the second box in Part III (Determination of Significance) will be checked indicating that the proposed action will not result in any significant adverse environmental impacts.

Ms. Hayes made a motion to approve #SPR2017-04 as there will be negative impact on the public health, safety, and general welfare of the public, the project is compatible with the Town Master Plan, will be a benefit to the economy of the Hamlet of Pottersville and the Town of Chester, the project meets parking, signage and lighting requirements, landscaping is little impact as there is insufficient area for the landscaping, Part II of the Environmental Review has been completed and reflects the findings of the Board and that the Chairman has checked and signed Part III indicating that the proposed action will not result in any significant adverse environmental impact as there are no negative impacts on nearby land uses, water supply or sewage disposal system, no negative visual impacts with the surroundings, no effect on air, water quality, or energy consumption, and that the Warren County Planning Department finds that there will be no significant impact pursuant to GML §239.

Motion seconded by Mr. Ellsworth. Motion carried 7-0.

**OLD BUSINESS:** None.

**NEW BUSINESS:**

**#SPR2018-01:** Sarah Harvey is seeking Site Plan Review approval for the use of an existing vacant commercial storefront as a hair salon. Property is located at 102 Riverside Dr., identified by Tax Map Parcel #: 104.10-6-23, in Zone Classification Hamlet.

Sarah Harvey presented the proposal. She briefly explained that she would like to have a hair salon at the above referenced property. Currently, she operates a hair salon in Warrensburg and would like to re-locate her business to Chestertown. There will be two hair stylists, including herself, and both would work on a part time basis. She briefly discussed her business hours and said that the salon would generally be open Tuesday through Saturday. Parking will be provided in the front of the business, which would be used by clients. There are currently 8 parking spaces in front of the building, with one space being occupied. She said that she has discussed with management at the Panther Mountain Inn regarding employee parking and management did not see an issue allowing the salon employees to park in their lot.

Chairman Little stated that the proposal is subject to referral to the Warren County Planning Department. It was also mentioned that the project is subject to SEQRA. Mr. Fosdick noted that question 12(a) and 12(b) were not answered in Part I of the Short EAF and as a result, both questions were marked and answered as “No.” Chairman Little and other Board members did not feel that a public hearing would be necessary.

Ms. Hayes made a motion to deem Application **#SPR2018-01** complete, Tax Map #: 104.10-6-23, Sarah Harvey to use vacant commercial storefront as a hair salon, refer the application to the Warren County Planning Department, and not schedule a public hearing for next month, with the Board taking final action next month; motion seconded by Mr. Hilton. Motion carried 7-0.

**MINUTES:**

Mr. Fosdick made a motion to accept the minutes for the December 18, 2017 meeting; motion seconded by Mr. Nick. Motion carried 7-0.

**CORRESPONDENCE:** Zoning Administrator and Sanitary Code Enforcement Officer’s Activity Report for December 2017; Planning Board Tentative Meeting Schedule for 2018; Letter from Matthew F. Fuller, Esq., dated January 09, 2018, re: VI Enterprises, LTD; Revised Site Plan for VI Enterprises.

**PUBLIC PRIVILEGE:**

Supervisor Leggett discussed his timber harvesting proposal with the Board, which will be reviewed at the February 26<sup>th</sup> meeting. The timber harvesting would occur on a 19.32 acre parcel currently owned by Mr. Leggett with access from Rock Ave. Lengthy discussion ensued regarding forestry use being an allowed use by right or subject to site plan review. Board discussed a contradiction with Section 4.02(A) as forestry use being an allowed use by right and forestry use listed under the section “Subject to Site Plan Review” in the Moderate Intensity Use Chart. The proposal will

require referral to the Warren County Planning Department. The Board was unsure if the proposal would also require a Phase II SPDES Permit.

**BOARD PRIVILEGE:** None.

**ADJOURNMENT:**

Mr. Ellsworth made a motion to adjourn the meeting at 8:10 p.m.; motion seconded by Mr. Nick.  
Motion carried 7-0.

Respectfully submitted,

Jeremy J. Little  
Secretary