



**MINUTES OF MEETING
TOWN OF CHESTER
PLANNING BOARD
JANUARY 23, 2017**

Chairman Little called the meeting to order at 7:00 p.m.

ATTENDANCE:

Chairperson Paul Little, George Hilton, Al Muench, Harold Ellsworth, Rick Bump, Christine Hayes, Rand Fosdick, Walter J. Tennyson (Zoning Administrator), Jeremy J. Little (Secretary). Absent was John Nick and George Stannard (Alternate).

Due to the absence of Board member John Nick, Rand Fosdick sat on the Board in his place.

OLD BUSINESS:

#SD2016-01: GILMA Enterprises, Inc. is seeking approval for a 3-lot subdivision, on property located at State Route 8, identified by Tax Map Parcel #: 87.-1-41.11, in Zone Classifications Hamlet and Moderate Intensity.

No one was present to represent the applicant or the Subdivision proposal.

#BLA2016-01: All Brands Redemption Center, LLC is seeking approval for a boundary line adjustment for properties located at 6393 State Route 9 and 17 LaFlure Lane. The lot identified by Tax Map Parcel #: 104.10-2-8 will decrease from .70 acres to 29,125 square feet and lot identified by Tax Map Parcel #: 104.10-2-9 will increase from 9,918 square feet to 11,285 square ft. Conveyance is approximately 1,367 square feet.

No one was present to represent the applicant or the Boundary Line Adjustment proposal.

NEW BUSINESS:

#BLA2017-01: Keith Fish is seeking approval for a boundary line adjustment for properties located at 26 Perry Road and 46 Perry Road. The lot identified by Tax Map Parcel #: 51.-1-39.1 (Heath) will decrease from 15.64 acres to 14.62 acres and lot identified by Tax Map Parcel #: 51.-1-38 (Fish) will increase from 16.82 acres to 17.84 acres. Conveyance is 1.02 acres.

Keith Fish presented the proposal. Ms. Hayes recommended that the deed and map should indicate the property being conveyed will be merged with the larger parcel prior to the map being signed by the Chair. Mr. Muench mentioned that in the application, it was checked that there are wetlands on the property. Mr. Fish said that there is a small brook on his property, and is not located on the 1.02 acres being conveyed.

Motion to Approve:

Findings of Fact:

Pursuant to Section 7.22 of the Zoning Law the Planning Board finds that:

- 1.) The grantee of the boundary line adjustment parcel is the same as the landowner of the receiving parcel;
- 2.) The boundary line adjustment parcel is adjacent to the receiving parcel;
- 3.) The boundary line adjustment parcel is merged with and becomes a part of the receiving parcel;
- 4.) The project map will be revised to include a statement to the effect that “No principal dwellings or structures are to be constructed or placed on the 1.02 acre proposed conveyance.”
- 5.) The boundary line adjustment will not allow for any increase in the number of principal buildings on the resulting, merged parcel; and
- 6.) The boundary line adjustment will not result in or increase any non-conformance with the provisions of Section 7.01, 7.02 or 7.03 of the Local Law.

Therefore, the Planning Board has determined that the request is a boundary line adjustment.

Consequently, Mr. Muench made a motion that the requested boundary line adjustment **#BLA2017-01** be approved subject to the following conditions:

- 1.) The project map must be revised to include a statement to the effect that “No principal dwellings or structures are to be constructed or placed on the 1.02 acre proposed conveyance.”
- 2.) Prior to filing with the Warren County Clerk, the new deed must be submitted to the Planning Board to verify that the new deed contains the following provisions:
 - A covenant stating that no principal dwellings or structures are to be constructed or placed on the 1.02 acre conveyance; and,
 - A covenant stating that the conveyance is a boundary line adjustment and that the boundary line adjustment parcel is to merge with the receiving adjacent parcel and may not be sold separately; and,
 - A statement that these covenants “run with, touch and concern the land”.
- 3.) Following verification of the project map and the deed language by the Planning Board, the approved map will be stamped and signed by the Chairman of the Planning Board as a non-jurisdictional project. It will then be the responsibility of the applicant to file the signed map and approved deed in the office of the Warren County Clerk.

Mr. Hilton questioned if the proposal should be determined as a Type II action with no impact on the environment. Mr. Muench said the project is non-jurisdictional and that the application does not ask for SEQRA.

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

MINUTES:

Ms. Hayes mentioned that Page 1 of the minutes from the October 17, 2016 meeting should be amended to state that Mr. Fosdick sat in place of Mr. Bump, who recused himself from the Board for review of #SPR2016-06.

Ms. Hayes made a motion to accept the minutes as amended for the October 17, 2016 meeting; motion seconded by Mr. Muench. Motion carried 7-0.

CORRESPONDENCE: Zoning Administrator and Sanitary Code Enforcement Officer's Activity Report for October, November, December 2016.

PUBLIC PRIVILEGE: None.

BOARD PRIVILEGE:

Brief discussion ensued regarding #SD2016-01 and #BLA2016-01, both of which are waiting for determinations/action from the Adirondack Park Agency. The Board decided that those applications (#SD2016-01 and #BLA2016-01) are to be included on future meeting agendas under "Old Business" until resolved.

Mr. Hilton mentioned a free training opportunity on February 17th at the Horicon Town Hall, from 9-11 a.m., offered by Warren and Essex County Soil and Water Conservation District highlighting Erosion and Stormwater Management.

ADJOURNMENT:

Mr. Muench made a motion to adjourn the meeting at 7:16 p.m.; motion seconded by Mr. Hilton. Motion carried 7-0.

Respectfully submitted,

Jeremy J. Little
Secretary