



**MINUTES OF MEETING  
TOWN OF CHESTER  
PLANNING BOARD  
JULY 16, 2018**

In the absence of Harold Ellsworth, Barb Kearney sat on the Board in his place. In the absence of Christine Hayes, Al Matrose sat on the Board in her place.

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

**ATTENDANCE:**

Chairperson Paul Little, George Hilton, John Nick, Al Muench, George Stannard, Barbara Kearney, Al Matrose, Jeremy J. Little (Secretary). Absent were Harold Ellsworth, Christine Hayes, and Walter J. Tennyson (Zoning Administrator).

**OLD BUSINESS:** None.

**NEW BUSINESS:**

**#SD2018-01:** Jacqueline Avignon and Jennifer Sausville are seeking approval for a two-lot subdivision, on property located at 16 Lake View Lane, identified by Tax Map Parcel #: 68.20-1-10.1, in Zone Classification Moderate Intensity.

Matthew Steves from Van Dusen and Steves Land Surveyors represented the property owners and presented the proposal. Mr. Steves briefly explained the proposal involved the creation of two lots: one lot of 7.83 +/- acres and one lot consisting of 9.54 +/- acres. The property is located Northeasterly of the Bonnie Belle Farm subdivision and has some road frontage on the Bonnie Belle Farm Rd. and frontage on State Route 9. Currently, the existing parcel has a single family dwelling located on the property. Lot 1 would contain the existing single family dwelling and Lot 2 is a proposed residential building lot with shoreline frontage. The proposal was also submitted to the Adirondack Park Agency for review and an APA Jurisdictional Determination was received that a permit was not required for the subdivision proposal or construction of a single family dwelling. Mr. Steves briefly explained that there are wetlands associated with the existing parcel; however, the wetlands are located along the waterfront and will not be impacted by the proposal. Lot 2 will use an existing gravel driveway with access from State Route 9 to the site of the new dwelling. Mr. Steves stated that the APA has no concern of the location of the proposed dwelling or septic wastewater system as long as each are located 100 ft. from the wetlands.

Mr. Nick questioned Mr. Steves why the combined acreage of the parcels on the Map did not match the acreage as described in the APA Jurisdictional Determination. Mr. Steves mentioned that the sketch from the initial field work before the mapping was complete had been submitted to the Agency, as requested by the APA. The acreage was taken from the current assessment roll and not from the actual meets and bounds survey. Mr. Steves stated that the full survey was subsequently forwarded to the APA. Mr. Muench said that Lake View Lane is not currently marked on the Map

and that it should be included. Mr. Steves stated he would add the private road "Lake View Lane" to the Map. The proposed subdivision will not have an impact on the property currently owned by Michael J. Blaskewicz and Christina M. Brown, as depicted on the Map. Mr. Muench also recommended that Note 9 on the Map be changed from 16 inches to 16 ft. regarding the width of the crushed stone drive. There are currently no plans to expand the dirt road on Lot 2 or to construct any new streets. Mr. Matrose questioned what the leach field is based on (i.e. size of the house). Mr. Steves stated that Lot 2 is a proposed lot that will be for sale and was not sure what size dwelling would be exactly built; however, he showed 240 ft. of lateral for a four bedroom dwelling (1800 square ft. footprint). He further stated that the proposed dwelling would have to be to the Town for a permit and at that time, the septic system would have to be designed according to the number of bedrooms, etc.

Mr. Steves stated the soil type that is typical and on record for a previous subdivision (Bonnie Belle Farm) was shown as sandy with gravel and low drain soils. A recent perc test had not been performed. A question was asked whether a perc test had to be completed for subdivision approval. Mr. Steves said that he certainly could have a perc test done in the general vicinity of the septic, but strongly suggested that the perc test be done at the time of filing a septic application and permit for the dwelling.

The proposed subdivision will not have any impact on the shoreline of proposed Lot 2 and there are currently no docks, floats, moorings along the shoreline for Lot 2. On the Map, Mr. Hilton questioned a solid line that runs adjacent to the "crushed stone drive" and Mr. Steves stated that it was the centerline of an easement for the driveway to the lot in the middle of the current property, owned by Blaskewicz and Brown. Chairman Little asked if only the owners of Lot 2 will have access to the shoreline associated with Lot 2. Mr. Steves said yes and that there are no intentions for contractual access to that shoreline. Lot 1 will have access to the common beach on property located across State Route 9, currently owned by Bonnie Belle Association, Inc.

The Board reviewed questions in Part II of the Short Environmental Assessment Form. The Board agreed to answer and mark questions 1-11 in Part II of the Short EAF as "No, or small impact may occur."

Mr. Muench made a motion to declare the sketch plan be a minor subdivision, that the Planning Board finds a negative declaration for the environmental impact assessment, the application is declared as complete subject to the revised map being submitted, and a public hearing be scheduled for the next scheduled meeting on August 20, 2018 at 7 p.m.; motion seconded by Mr. Nick. Motion carried 7-0.

#### **MINUTES:**

Mr. Muench made a motion to accept the minutes from the June 18, 2018 meeting; motion seconded by Mr. Hilton. Motion carried 7-0.

**CORRESPONDENCE:** Zoning Administrator and Sanitary Code Enforcement Officer's Activity Report for June 2018; Letter from Adirondack Park Agency, dated June 28, 2018, regarding a five-lot subdivision on Tax Map Parcel #: 87.-1-40.1; Letter dated July 10, 2018 from Vista View Condominium re: Loonhaven Realty, LLC's Site Plan Review Application #SPR2018-04 and Notice of Easement Uses.

No additional documents have been received for the five lot subdivision proposal involving Tax Map Parcel #: 87.-1-40.1, as outlined in the Correspondence section.

**PUBLIC PRIVILEGE:**

Keeley Peckham from Etain LLC was present to preliminarily discuss the expansion of the existing Chestertown cultivation and manufacturing facility with a 30-60,000 square foot cultivation and warehouse structure. As part of the proposal, Ms. Peckham stated that they have started working on stormwater and drainage concerns and are currently seeking written confirmation from the APA regarding the proposal. Presently, the current facilities total approximately 20,000 square ft. At this time, she discussed that there are two factors playing a role in determining the size of the proposed building: expense and market demand. She stated that she hoped to have a Site Plan Review Application and accompanying paperwork submitted for the August 20<sup>th</sup> meeting.

Sarah Peterson, who owns property located at 7189 State Route 9 and belongs to the Vista View Condo Association, expressed her concerns regarding the Loonhaven Realty LLC timber harvesting proposal (#SPR2018-04). She mentioned that when she read the minutes from the February 26, 2018 Board meeting, the Agent had stated that the access to the property would be through a nearby property owner's driveway and right-of-way. She explained her concern regarding the access, as she stated "Loonhaven has a right-of-way through our driveway to a small cottage behind their main house which they rent out during the summer." She further explained that the driveway serves as access to the cottage for the renters. She stated that under the driveway, there are electrical wires, water pipes, and septic components that are not meant to be driven over by heavy equipment (i.e. log trucks). If the driveway of Vista View was not to be used, she stated that there still remain concerns. One concern being in the springtime when the snow melts, the back part of the Vista View property floods and becomes unusable for a period of time. She questioned the Board if harvesting of the trees would change the flow/direction of water and increase the amount of water pooling on the rear of the property. In addition, she mentioned that the leach field is toward the rear of the property and would be significantly impacted if water flow was to increase.

Chairperson Little stated that he received the letter from Vista View Condominium dated July 10, 2018 regarding Notice of Easement Uses and contacted the Zoning Office. The tape for the February 26, 2018 meeting had not been erased and at this time during the meeting, the tape was played for the Board and audience to listen to the Loonhaven Realty discussion. Recorded on the tape from the February 26<sup>th</sup> meeting, John Bradway who acted as agent for the property owner, mentioned that the access would be through Gary Clark's driveway and Mr. Clark's right-of-way through property owned by Jennifer D'Andrade.

After the portion of the tape was played, Chairperson Little mentioned that Mr. Bradway stated the drainage would enter a "depression". Mrs. Peterson felt that with the lack of trees there would be an increase in runoff onto the Vista View property. Chairperson Little recommended to Mrs. Peterson to contact Mr. Bradway with any questions regarding the logging operation.

**BOARD PRIVILEGE:**

Mr. Muench mentioned the necessity to hold a public hearing for each application, unless there is a good reason not to schedule one. Brief discussion ensued regarding the logging operation. Mr.

Matrose questioned if the location of the septic system should be provided on any subdivision Plat that is submitted to the Board. Mr. Nick felt that the Planning Board is only giving confirmation that the proposed dwelling or septic on the Plat can meet required setbacks and not necessarily be concerned with how the septic system will function. The Secretary read Section 3.01(B) Discussion of Requirements and Classification regarding Sketch Plan on Page 4 of the Subdivision Regulations, which states in part, “After submission of a Sketch Plan, the subdivider shall meet with the Planning Board to discuss the requirements of these regulations, including those relating to street design and construction, placement of utilities, drainage, sewerage, water supply, fire protection...” The Secretary then read Section 5.02(A)(2): Minor Subdivision Plat on Page 37 of the Subdivision Regulations which states, “Design of all proposed on-site sanitation and water supply facilities, meeting the minimum specifications of the State Department of Health and the Town sanitary code.” Lengthy discussion ensued regarding maintaining consistency for septic requirements and what septic information should be submitted with a Subdivision Application and on a Subdivision Plat.

**ADJOURNMENT:**

Mr. Nick made a motion to adjourn the meeting at 8:26 p.m.; motion seconded by Mr. Stannard. Motion carried 7-0.

Respectfully submitted,

Jeremy J. Little  
Secretary