



**MINUTES OF MEETING  
TOWN OF CHESTER  
PLANNING BOARD  
JULY 21, 2014**

**ATTENDANCE:**

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

**MINUTES:**

Chairman Paul Little asked for a motion to accept or amend the previous Planning Board Meeting minutes held on June 16, 2014. Mrs. Robbins made a motion to accept; seconded by Mr. Bump. Motion carried 7-0.

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

**CORRESPONDENCE:**

Zoning Administrator and Sanitary Code Enforcement Officer's Activity Report for June 2014.

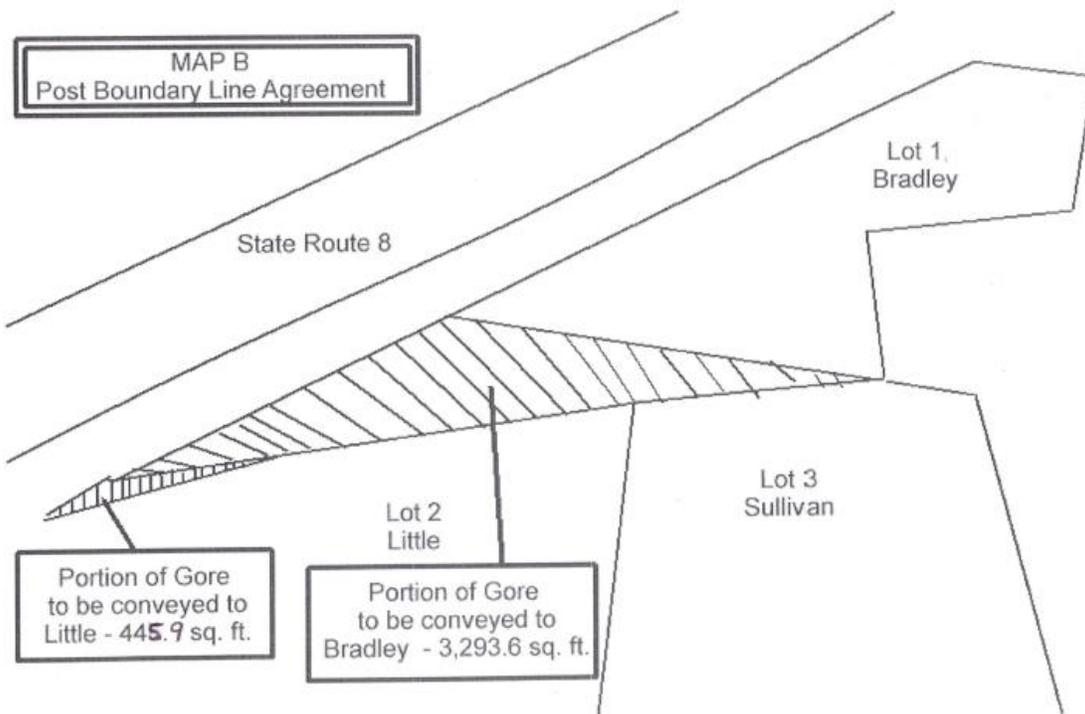
**NEW BUSINESS:**

**Boundary Line Adjustment:** Proposal of a boundary line adjustment between three parties seeking approval for the split and allocation of land of a gore located on State Route 8. Mr. Bradley's parcel (Lot 1), identified by Tax Map Parcel #: 102.6-1-5 (*4700 State Route 8*) will acquire 3,293.6 sq. ft. and Mr. Paul Little's parcel (Lot 2), identified by Tax Map Parcel #: 102.6-1-6 (*4682 State Route 8*) will acquire 445.9 sq. ft. No portion of the gore will be conveyed to Mr. Sullivan's parcel (Lot 3), identified by Tax Map Parcel #: 102.6-1-9 (*17 East Hudson River Drive*).

Due to Mr. Little's involvement in the proposal, Mr. Little recused himself from the position as Chairperson. George Hilton assumed the position as Chair.

Robert Simon from Smith and Simon LLC was present to represent all parties for the proposal.

Mr. Simon began by stating the proposal of the boundary line adjustment is to eliminate the gore of approximately 3,740.5 feet that is situated close to State Route 8. As aforementioned in the above proposal, the gore will be divided up into the following: Mr. Little will acquire 445.9 square ft. and Mr. Eric Jackson Bradley will acquire 3,293.6 square ft. (***see below diagram***). In addition, Mr. Simon said that with the newly added land to Mr. Bradley's parcel, he might possibly have enough room to place a well and a septic on the lot.



Mr. Nick questioned Mr. Simon who the owner of the gore was and Mr. Simon affirmed that the owner is unknown. Mr. Hilton asked Mr. Simon if a deed existed for the gore. Mr. Simon said that he could not locate a deed, if one exists at all. Chairman Hilton believed it would be in good practice to set a condition on the approval of the boundary line adjustments between the properties to include a copy of the quitclaim deed. Mr. Simon stated that he would submit a copy of the agreement to the Secretary of the Board which could then be distributed to the Board members after submission.

Mr. Muench stated that in the agreement, it would be wise to include Section 7.22 (B) of the Town of Chester Zoning Local Law, which states:

**The deed describing the boundary line adjustment parcel must contain 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 must state that these covenants “run with, touch and concern the land”.**

Once the proposal is approved, Mr. Simon explained that the boundaries of Mr. Little and Mr. Bradley’s parcel will “come up to the highway boundaries” on State Route 8.

Mr. Bump made a motion to approve the boundary line adjustment with the condition that a quitclaim deed is to be provided to substantiate the completeness of the proposal with the insertion of language from Section 7.22 (B); Mr. Dutcher seconded the motion. Motion carried 7-0.

After approval of the boundary line adjustment, Paul Little assumed the position as Chair.

**SPR2014-03:** Mr. John Russell Sr. is seeking site plan review approval for the sale of used cars, with no more than 6 cars being for sale at one time, on property located at 7774 State Route 9, Pottersville, identified by Tax Map Parcel #: 52.-1-12.1, in Zone Classification Hamlet.

Sterling T. Goodspeed, Attorney at Law, was present to represent Mr. Russell and speak on behalf of the proposal. John Russell Sr. and his son Joseph Russell were also present.

Mr. Goodspeed enlightened the Board of Mr. Russell's property. He stated that Mr. Russell currently owns 8.52 acres on his parcel, which presently contains a commercial apartment complex with three apartments altogether and a 24' x 24' Pole Barn. Mr. Russell's proposal is to have a maximum of six (6) cars on the property, which would be for sale.

Mr. Goodspeed told the Board that Mr. Russell received a letter from Mr. Tennyson, Zoning Administrator for the Town of Chester, which notified Mr. Russell that a Site Plan Review application was necessary for the sale of used cars.

Mr. Russell's property at 7774 State Route 9 is in two zone classifications: Hamlet and Rural Use. Mr. Muench questioned Mr. Goodspeed if Mr. Russell will be selling the used cars in the Hamlet or Rural Use Zone. Mr. Goodspeed stated it would be in the Hamlet Zone Classification, as per his discussion with Mr. Tennyson who affirmed that it was in fact in the Hamlet Zone.

Mr. Muench asked if there would be more than six cars on the lot at one time. Mr. Russell stated that there is a possibility that more than six cars would be on the parcel at once; however, only six (6) cars would be for sale.

Mr. Bump believed that the installation of a "yard light" would be beneficial to Mr. Russell's proposed business to deter possible vandals. Mr. Muench asked which buildings would be used for the business. There is currently a 24' x 24' pole barn on the property which would be used for minor car repairs, as Mr. Goodspeed affirmed.

Mr. Bump made a motion to schedule a public hearing for **SPR2014-03** on August 18, 2014; motion seconded by Mrs. Robbins. Motion carried 7-0.

**Boundary Line Adjustment:** Paul and Rosalie Frettoloso are seeking approval for a boundary line adjustment at 56 West Road, identified by Tax Map Parcel #: 16.-1-42, in Zone Classification Low Intensity.

Mr. Muench began by stating that the proposed boundary line adjustment, in his opinion, is a two-lot subdivision. Mr. Ellsworth concurred. Mr. Ellsworth questioned Mr. Frettoloso if there are wetlands on the property and Mr. Frettoloso stated that there are wetlands on the property.

Mr. Frettoloso told the Board that there is currently a dwelling on the parcel and he would like to subdivide the current lot, which consists of 42.09 +/- acres (according to Warren County GIS Parcel Viewer), into two parcels. The first parcel would consist of six (6) plus or minus acres and the remaining would consist of approximately thirty-six (36) plus or

minus acres. Mr. Frettoloso stated that if approved, he would like to sell the proposed six (6) plus or minus acre parcel which contains the dwelling. Mr. Frettoloso mentioned that the remaining parcel of thirty-six (36) plus or minus acres, would be owned by his daughter.

Chairman Little stated it would be beneficial to Mr. Frettoloso to retain an attorney for his proposal. The Board agreed that Mr. Frettoloso needs to submit a Jurisdictional Inquiry Form to the Adirondack Park Agency and wait for a response from the Agency before obtaining approval from the Planning Board for a Minor Subdivision. Mr. Nick believed that it would be helpful for every person reviewing this project if the wetlands on the site plan were also included.

As a result, Mr. Frettoloso acknowledged that he would like to withdraw his application for a boundary line adjustment regarding this proposal. *(Please see August 18, 2014 minutes for an emendation/addition to the proposal, in Bold Face Type).*

**OLD BUSINESS:** None.

**PUBLIC PRIVILEGE:** None.

**BOARD PRIVILEGE:**

**A discussion ensued regarding the parking issue near the Loon Lake Beach and the Loon Lake RV Park. Mr. Nick stated that with the expansion of sites at the RV Park, the amount of cars has increased, which creates a great deal of congestion in regards to parking along State Route 8 and the Loon Lake Beach. This concern was mentioned at a previous Loon Lake Park District Association meeting and Mr. Nick was asked by the members to address the concern. The Planning Board members agreed that the issue should be addressed at the next Town Board Meeting in August.**

**ADJOURNMENT:**

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

Respectfully submitted,

Jeremy J. Little

Secretary