



**MINUTES OF SPECIAL MEETING
TOWN OF CHESTER
PLANNING BOARD
JUNE 03, 2015**

Mr. Little called the meeting to order at 7:02 p.m.

ATTENDANCE:

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

MINUTES:

Mr. Muench made a motion to accept the minutes for the May 18, 2015 Meeting; motion seconded by Mr. Bump. Motion carried 5-0.

CORRESPONDENCE: None.

PUBLIC HEARING:

#SPR2015-08: Etain, LLC is seeking Site Plan Review Approval for a medical marijuana cultivation and production facility, on property located at 6030-6032 State Route 9, identified by Tax Map Parcel #: 121.-1-48, in Zone Classification Industrial Use.

Having been duly advertised, the public hearing for Site Plan Review Application **#SPR2015-08** was opened by Chairman Little at 7:05 p.m.

Robert Holmes from Jarrett Engineering and Peter Simoneau presented the proposal. Further, in the audience were Amy and Keeley Peckham of Etain, LLC.

No persons from the public were present in the audience to express their concerns.

Mr. Simoneau mentioned the security fence surrounding the buildings and believed a vinyl fence would not be necessary. Exterior lighting was discussed and as a result, it was determined that it would be downcast and cut off LED lighting. Mr. Hilton believed that the lighting should be included as a condition with the approval.

Security procedures were also mentioned and discussed between the Board and the applicants. There are State requirements ensuring that the buildings and property will be secure 24 hours seven days a week. At least six security personnel have been budgeted as part of the proposal.

Amy Peckham mentioned the locations of the four dispensaries, with one situated in each location: Syracuse, Albany, Ulster, and Yonkers.

Chairman Little read a portion of the Jurisdictional Determination from the Adirondack Park Agency. It was determined that the proposal, as proposed, did not require a Permit from the Agency.

Mr. Simoneau mentioned to the Board that if there are changes made to the operation, they would return to the Planning Board with those alterations.

Mr. Nick made a motion to close the public hearing at 7:27 p.m. concerning Application **#SPR2015-08**; motion seconded by Mr. Bump. Motion carried 5-0.

Findings of Fact:

Pursuant to Sections 5.06(I), 6.04 and 6.05-2.C of the Zoning Law the Planning Board finds that this project will comply with all applicable provisions of the Zoning Law and meets the project review standards and requirements of Section 4.03. In particular, the Planning Board finds that the proposal for initially 24 employee and visitor parking spaces meets the requirements of Section 7.06.

The Planning Board further finds the proposed use complies with all requirements of the Zoning Law, including the dimensional regulations of the industrial district in which it is proposed to be located.

The Planning Board further finds the proposed use would be in harmony with the general purpose and intent of the Zoning Law.

The Planning Board further finds the establishment, maintenance or operation of the proposed use would not create public hazards from traffic, traffic congestion, or parking of automobiles or be otherwise detrimental to the health, safety or general welfare of persons residing or working in the neighborhood of the proposed use, or be detrimental or injurious to the property and improvements in the neighborhood or the general welfare of the Town.

The Planning Board further finds the proposed project will not have an undue adverse impact upon the natural, scenic, aesthetic, ecological, wildlife, historic, recreational, or open space resources of the Adirondack Park or upon the ability of the public to provide supporting facilities and services made necessary by the project, taking into account the commercial, industrial, residential, recreational or other benefits that might be derived from the project.

Finally, the Planning Board further finds a net overall positive evaluation of the proposed project in relation to the development objectives and general guidelines set forth in Appendix C and D of the Zoning Law.

Based on these findings of fact, Mr. Muench made a motion to move that the Planning Board approve **#SPR2015-08** subject to the following conditions:

- 1.) Receipt of the NYSDOH Medical Marijuana Registered Organization permit under the NYS Compassionate Care Act.

- 2.) Receipt of the NYSDEC SPDES Phase II stormwater permit.
- 3.) Exterior lighting will be downcast and cut off LED lighting.
- 4.) That the Zoning Administrator incorporate Conditions 1, 2 and 3 into any zoning certificate, permit, or certificate of occupancy issued for this project.

Mr. Bump seconded the motion. Motion carried 5-0.

Mr. Simoneau and the Board also discussed future subdivision and conveyance (from Peckham Materials Corp. to Etain, LLC) of a portion of TM #: 121.-1-48 (which would contain the medical marijuana facility) and other parcels that are currently owned by Peckham Materials Corp. Mr. Simoneau was unsure how it could be done and mentioned he would have a discussion with Mark Schachner (Town Counsel), along with surveyors, to determine what steps would need to be taken to make it possible. He stated he would be attending a Planning Board meeting in the near future to discuss his findings and/or a subdivision proposal.

NEW BUSINESS:

OLD BUSINESS: None.

BOARD PRIVILEGE:

ADJOURNMENT:

Mr. Muench made a motion to adjourn the meeting at 7:55 p.m.; seconded by Mr. Nick. Motion carried 5-0.

Respectfully submitted,

Jeremy J. Little

Secretary