



**MINUTES OF MEETING  
TOWN OF CHESTER PLANNING BOARD  
NOVEMBER 18, 2019**

In the absence of Chairman Paul Little, Vice Chairman George Hilton called the meeting to order at 7:00 p.m.

**ATTENDANCE:**

Vice Chairman George Hilton, John Nick, George Stannard, Bob Walp, Al Matrose, Vanessa Hutton, and Jeremy J. Little (Secretary and Zoning Administrator). Absent was Chairman Paul Little.

**PUBLIC HEARINGS AND OLD BUSINESS:**

**#SPR2019-06:** John and Cynthia Behan are seeking Site Plan Review approval for the construction of a 10,000 sq. ft. two-story mixed use commercial building. Property is located at 6 Skeet Dr., identified by Tax Map Parcel #: 87.20-1-5, in Zoning District Hamlet.

The property owner/applicant were not present to represent **#SPR2019-06**.

**#SD2019-04:** Lasselle Enterprises, Inc. is seeking approval for a two-lot subdivision on property located at Valley Farm Rd., identified by Tax Map Parcel #: 70.-1-7, in Zoning District Resource Management.

Richard Lasselle, President of Lasselle Enterprises, Inc., presented the proposal. Mr. Lasselle stated that the property to be subdivided is located on Valley Farm Road, currently 86 ± acres. The small proposed portion of the 86 ± acre parcel, consisting of 3.13 ± acres, will be separated and merged with an existing parcel owned by Lasselle Enterprises, Inc. (TM #: 70.-1-9), which is currently 1.27 ± acres and improved with an existing camp. Once the merge of the two properties has been completed, the resulting acreage of TM # 70.-1-9 (593 Valley Farm Rd.) will be approximately 4.4 ± acres. As explained by Mr. Lasselle, the remaining 83 ± acre parcel will not be developed and will go to the owners along Valley Farm Road. Mr. Lasselle stated that the owners are in the process of forming an Association.

Having been duly advertised, Vice Chairman Hilton opened the public hearing for **#SD2019-04** at 7:02 p.m.

There were no comments or questions from the public regarding the proposal.

Mr. Nick made a motion to close the public hearing for **#SD2019-04** at 7:02 p.m.; motion seconded by Mr. Stannard. Motion carried 6-0.

Vice Chairman Hilton stated that the Board has determined the proposed project as a SEQR Unlisted Action.

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. Matrose made a motion to accept a SEQR negative declaration; motion seconded by Mr. Walp. Motion carried 6-0.

Vice Chairman Hilton stated that the project is deemed to not have a significant impact on the environment.

Vice Chairman Hilton addressed Findings of Fact for **#SD2019-04**:

1. #SD2019-04 is a minor subdivision;
2. The proposed project is an Unlisted Action;
3. The Planning Board finds SEQRA review completed with no significant environmental impact;
4. A public hearing was held on November 18, 2019;
5. The small proposed portion of the 86 ± acre parcel, consisting of 3.13 ± acres, will be separated and merged with an existing parcel owned by Mr. Lasselle (TM #: 70.-1-9), which is currently 1.27 ± acres and improved with an existing camp. Once the merge of the two properties has been completed, the resulting acreage of TM # 70.-1-9 (593 Valley Farm Rd.) will be approximately 4.4 ± acres. The remaining 83 ± acre parcel will be turned over to the Homeowner's Association; and,
6. Project Permit 2019-0060 for the subdivision has been received from the Adirondack Park Agency.

Mr. Nick made a motion to approve **#SD2019-04**; motion seconded by Mr. Stannard. Motion carried 6-0.

### **MINUTES:**

Mr. Stannard made a motion to accept the October 21, 2019 Planning Board Meeting Minutes; motion seconded by Mrs. Hutton. Motion carried 6-0.

### **CORRESPONDENCE:**

- Zoning Administrator's Activity Report for October 2019.
- Warren County Planning Department Project Review and Referral Forms, reviewed by Department on October 30, 2019, for #SPR2019-13, #SPR2019-14. Forms received by the Zoning Office on October 31, 2019.
- Letter dated November 17, 2019 from Al Muench regarding #SPR2019-16 with photographs, received by the Zoning Office on November 18, 2019.

### **OLD BUSINESS:**

**#SPR2019-13:** Glens Falls National Bank and Trust Co. is seeking Site Plan Review approval for the relocation of three employees from Upstate Insurance Agency to the Bank location. Property is located at 6353 State Route 9, identified by Tax Map Parcel #: 104.10-6-24 and 104.10-5-1, in Zoning District Hamlet.

Chip Butler, Facilities Manager for Glens Falls National Bank, presented the proposal. Mr. Butler explained that the Bank is seeking to relocate three employees from Upstate Insurance Agency to the current Bank location.

Vice Chairman Hilton stated the proposal is deemed as a Type II action and as a result, no further SEQR review is required. The referral response from the Warren County Planning Department has been received for the project with no County Impact.

Vice Chairman Hilton addressed Findings of Facts for **#SPR2019-13**:

1. There will be little or no negative impact on public health, safety, and general welfare and the project satisfies all concerns stated in section 5.06(E) of the Town of Chester Zoning Regulations;
2. The project agrees with the Town of Chester Master Plan;
3. The proposed action will have negligible negative impacts on the environment;
4. The proposed project is a Type II action, requiring no further review under SEQR;
5. Warren County finds no significant impact;
6. The project meets parking, signage, and lighting requirements.

Mr. Matrose made a motion to approve **#SPR2019-13**; motion seconded by Mr. Nick. Motion carried 6-0.

### **NEW BUSINESS:**

**#SPR2019-14:** Kevin Y. H. Chang is seeking Site Plan Review approval for the construction of a three-bedroom single family dwelling with attached two-car garage, front deck, rear porch, driveway, on-site septic wastewater treatment system, and well. The proposed land use and development will occur on the property where the slope is in excess of 15%. Property is located at 17 Kingsley Lane, identified by Tax Map Parcel #: 86.15-1-12, in Zoning District Moderate Intensity.

Bret Winchip from Winchip Engineering, representing Mr. and Mrs. Chang, presented the proposal. Mr. Winchip stated that the property owners are proposing to construct a single family dwelling with an attached garage on Kingsley Lane. The proposed construction and plan meets all of the setback requirements of the Town. Mr. Winchip stated a Jurisdictional Determination has been received from the APA, with the determination that a Permit is not required from the Agency. Mr. Winchip mentioned that the well was moved back approximately 15 ft. from where it was originally shown on the Plan.

The Board did not feel a public hearing was necessary to be scheduled for the project. Vice Chairman Hilton stated he believed the proposal is a Type II action, requiring no further SEQR review. The referral response from the Warren County Planning Department has been received for the project with no County Impact.

Vice Chairman Hilton addressed Findings of Fact for **#SPR2019-14**:

1. There will be little to no negative impact on public health, safety, and general welfare and satisfies all concerns as stated in Section 5.06(E) of the Town of Chester Zoning Local Law;
2. The project agrees with the Town of Chester Master Plan;
3. The Septic Wastewater Treatment System will require Town of Chester Approval;
4. The proposed action will have negligible negative impacts on the environment;
5. The proposed project is a Type II action, requiring no further review under SEQR;

6. Jurisdictional Determination (J2019-0602) has been received from the Adirondack Park Agency for the proposed construction of the single family dwelling, with the determination that no Permit is required from the Agency;
7. Warren County finds no significant impact; and,
8. The Planning Board has chosen to waive the public hearing as there will be little negligible amount of public interest for the project.

Mr. Stannard made a motion to approve **#SPR2019-14**; motion seconded by Mr. Walp. Motion carried 6-0.

**Amendment request to the following Site Plan Review #SPR2019-12 proposal to include a 6' x 32' deck not previously reviewed/approved by the Board:**

- **#SPR2019-12:** Michael Legnard is seeking Site Plan Review approval for the construction of a 28' x 32' 4-bedroom single family dwelling, driveway, septic wastewater treatment system, and well. The proposed land use and development will occur on the property where the slope is in excess of 15%. Property is located at Kingsley Lane, identified by Tax Map Parcel #: 86.14-1-15.2, in Zoning District Moderate Intensity.

Bret Winchip from Winchip Engineering presented the proposal. Mr. Winchip stated that the project was approved on October 10<sup>th</sup>, but the Plan did not include a 6' x 32' side entry deck, which meets all setback requirements. Vice Chairman Hilton stated that this would be a modification of the previous approval to include the deck.

Mr. Matrose made a motion to amend **#SPR2019-12** to include the proposed new 6' x 32' deck; motion seconded by Mr. Nick. Motion carried 6-0.

**#SPR2019-15:** James and Maribeth Batsford are seeking Site Plan Review approval for the construction of an addition to an existing 18' x 24' garage which will increase the square footage of the existing garage by more than 50%. The addition will consist of an attached 10' x 17' workshop and 40' x 60' building to be used as a garage and storage space. Property is located at 268 Perry Rd., identified by Tax Map Parcel #: 51.-1-26.1, in Zoning District Rural Use.

Mr. Batsford presented the proposal. Mr. Batsford briefly explained he would like the addition for storage of his vehicles, camper trailers, and other items, with a workshop to connect the existing garage to the proposed 40' x 60' building. Mr. Batsford stated the structures would only be used for personal use.

Vice Chairman Hilton said it appeared the project is classified as a Type II action, to which the Board agreed. The project is not required to be referred to Warren County Planning Department. Secretary briefly stated there is a 25 ft. front yard setback variance required for the project, as proposed, which will be reviewed at the November 26<sup>th</sup> Zoning Board of Appeals meeting. The Board did not feel that a public hearing was necessary to be scheduled for the project.

Vice Chairman Hilton stated the Board will table the Application until next month and until such time the variance is approved.

Mr. Walp made a motion to table **#SPR2019-15** until the December 16<sup>th</sup> meeting; motion seconded by Mr. Matrose. Motion carried 6-0.

**#SPR2019-16:** Michael Terry is seeking Site Plan Review approval to utilize the existing 36' x 40' shop for an excavation business, which will include the storing and repair of trucks/equipment and sandblasting of raw steel products to recondition truck bodies and equipment. Property is located at 24 Hill Park Rd., identified by Tax Map Parcel #: 120.9-1-4, in Zoning District Moderate Intensity.

Michael Terry was present in the audience. The Applicant, Steven Meade, was not present. Mr. Terry stated that he is currently renting the garage to Steven Meade and is using the property for storage. Mr. Nick believed that the "repair of trucks/equipment and sandblasting of raw steel products to recondition truck bodies and equipment", as stated in the Application, is contradictory. Mr. Nick further stated he is concerned of environmental issues and the current appearance of the facility, which he did not believe is appropriate. Mr. Matrose asked if the repairs would only be made to his own vehicles. Mr. Terry was not one-hundred percent sure, but to his knowledge, the repairs are only being made to Mr. Meade's trucks. Vice Chairman Hilton expressed his concern of having discussion without the Applicant being present to answer questions. The Board agreed that the Applicant will need to be present before moving forward. Vice Chairman Hilton did not feel the Board could deem the Application complete without getting further details from the Applicant regarding the proposal. If a public hearing was to be scheduled, the Secretary advised the Board adjoining property owners would be notified, a notice would be published in the Post Star newspaper, and the Application would be referred to the Warren County Planning Department. Vice Chairman Hilton referenced a letter with photographs received from Al Muench dated November 17, 2019 regarding #SPR2019-16. Mr. Nick asked if there are multiple businesses being conducted on the property. Mr. Terry stated that only one "business" is being conducted. Mr. Terry said that Mr. Meade is using the property for storage and the garage to work on his vehicles.

Vice Chairman Hilton allowed Al Muench, who lives at 146 Hill Park Road, to speak and express his concerns regarding the proposal. Mr. Muench stated that while the property does appear to be assessed as a commercial parcel, it has not been used as a commercial business for 15-20 years until this year. He said that there appears to be multiple businesses on-site, including Precision Powder Coating (located in the Town of Johnsbury) and a construction company. He expressed his concerns that the Applicant (Steven Meade) has been operating an illegal unapproved commercial business since at least April 2019. Mr. Muench believed property values would be significantly affected by the business at the entrance to a residential area. He referred to the photographs submitted with his letters which indicate a multitude of dump trucks (some running and some in disrepair), construction trailers, excavating equipment, concrete forms, all of which is visible from Hill Park Road. Mr. Muench also mentioned that in addition to what has been listed in the Application, Mr. Meade has performed auto-body, sand-blasting and painting outdoors on bare ground. Mr. Muench said that there is a stream located on the property or on an adjoining property, and expressed his concern of the paint potentially affecting groundwater and leaching into the stream. He further referred to maps he obtained from the Zoning Office that show wetlands on the property and suggested that the APA be consulted to determine if any wetlands will be affected by the business and its operation. Secretary provided Vice Chair Hilton the map showing the wetlands on the parcel.

Vice Chairman Hilton said he would be inclined to have the Applicant contact the Adirondack Park Agency and at least inquire if there are wetlands on the property. Mr. Nick stated his opinion would be to table the proposal until the Applicant states that he can show up on a

certain meeting date. Vice Chairman Hilton asked if there is additional information needed, in addition to a wetlands inquiry from the APA, that the Board will be looking for. Mr. Nick said he is concerned how many businesses are there, the nature of the businesses, and where it will be conducted, either inside or outside. Mr. Muench requested that he be notified of anything that happens regarding the proposal and if the Board members have not yet made a site visit, that they do so.

Vice Chairman Hilton briefly summarized that the Board is seeking information on how many businesses operate at the location and the nature of existing businesses and the nature of what is proposed, along with the Applicant to appear before the Planning Board to begin initial discussions. Vice Chairman Hilton further went on to state the Board is looking for the Applicant to contact the APA and inquire about the wetlands on the property. Brief discussion ensued regarding the ownership of the property, as Mr. Terry's wife, who is deceased, is the property owner of record.

Mr. Matrose made a motion to table **#SPR2019-16** until the Applicant can present the project to the Board; motion seconded by Mrs. Hutton. Motion carried 6-0.

**#SPR2019-17:** Word of Life Fellowship is seeking Site Plan Review approval for the construction of 12' x 32' wood framed addition and 9'-2" x 14'-6" service porch addition to the existing kitchen/storage building. Property is located at 8119 State Route 9, identified by Tax Map Parcel #: 36.-1-26, in Zoning District Moderate Intensity.

Doug Bensen, representing Word of Life, presented the proposal. He explained the project involves an approximately 517 square ft. addition to the existing kitchen building due to lack of adequate space to prepare meals for guests. The addition will include an area for dry storage and freezer space. There will be no change in occupancy and Word of Life is not seeking for more food service to expand their capacity. Proposed lighting will be downcast. The project will require referral to the Warren County Planning Department. The Board did not feel that a public hearing was necessary to be scheduled for the proposed project.

Mr. Stannard made a motion to deem **#SPR2019-17** complete and to refer the project to the Warren County Planning Department; motion seconded by Mrs. Hutton. Motion carried 6-0.

**#SPR2019-18:** Beadland Park, LLC (Andy Beadnell) is seeking Site Plan Review approval for the adjustment to the approved travel trailer lot locations in connection with #SPR2016-03 (approved on 08/15/16) and for use of the existing building on TM#: 36.3-1-13 as a campground office and bathrooms. Properties are located at 8021-8035 State Route 9, identified by Tax Map Parcel #: 36.3-1-12, 13, and 16, in Zoning District Hamlet.

Todd Beadnell presented the proposal. He briefly explained the project involves a site plan that was previously approved by the Board and mentioned that his father, Andy Beadnell, purchased the commercial building (formerly Café Adirondack) to be renovated as a campground office and bathrooms. No exterior changes to the existing building will be made and the access will remain to the front, with a door to the side with a deck and ramp. He stated the pavilion will still be constructed as an open facility. Mr. Nick asked if the pool will still be installed on the property, as it was not shown on the proposed site plan, and Mr. Beadnell said that it will be. There will be no changes to the previously approved lighting or landscaping. The Application will require referral to the Warren County Planning Department. The Board did not feel a public hearing was necessary to be scheduled for the proposed project.

Mr. Stannard made a motion to deem **#SPR2019-18** complete, refer the project to the Warren County Planning Department, waive the public hearing for the project and review the proposal at the December 16<sup>th</sup> meeting; motion seconded by Mr. Matrose. Motion carried 6-0.

In addition to the Findings of Fact for **#SD2019-04**, Vice Chairman Hilton read the following statement to include in the previously approved motion for **#SD2019-04**:

Pursuant to Section 3.06 of the Town of Chester Subdivision Regulations, the Planning Board grants final approve for **#SD2019-04** and authorizes the Chairman or Vice Chairman to sign the Subdivision Plat subject to the following conditions:

1. No changes, erasures, modifications, or revisions shall be made in this Plat after approval has been given by the Planning Board; and,
2. The 3.13 ± acre parcel will be merged with existing parcel TM # 70.-1-9, with a resulting acreage of 4.4 ± acres.

Mr. Matrose made a motion to amend the previously approved motion for **#SD2019-04** to include the above statement in the Findings of Fact; motion seconded by Mrs. Hutton. Motion carried 6-0.

**PUBLIC PRIVILEGE:** None.

**BOARD PRIVILEGE:** None.

**ADJOURNMENT:**

Mr. Nick made a motion to adjourn the meeting at 8:07 p.m.; motion seconded by Mr. Stannard. Motion carried 6-0.

Respectfully submitted,

Jeremy J. Little  
Secretary