



**MINUTES OF MEETING  
TOWN OF CHESTER PLANNING BOARD  
Special Meeting  
Thursday, October 10<sup>th</sup>, 2019**

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

Mrs. Hutton sat on the Board in Mr. Ellsworth's absence.

**ATTENDANCE:**

Chairperson Paul Little, George Hilton, Bob Walp, Al Matrose, Vanessa Hutton, and Jack D. Bartlett (Recording Secretary). Absent was John Nick, Harold Ellsworth, George Stannard, and Jeremy J. Little (Secretary & Zoning Administrator).

**PUBLIC HEARINGS AND OLD BUSINESS:**

Chairman Little stated that if there was no objection from the Public Present, he would entertain that the Board be presented #SPR2019-11, in order for the applicant to sit on the Board as a Board Member.

**#SPR2019-11:** Chester Four Corners, LLC is seeking Site Plan Review approval to convert an existing residential apartment into a law office and for the construction of a 12' x 9.5' portico addition to existing building over an existing rear deck. Property is located at 102 Riverside Dr., identified by Tax Map Parcel #: 104.10-6-23, in Zoning District Hamlet.

Vanessa Hutton of Chester Four Corners, LLC spoke of her request to change an existing residential apartment into a law office and the addition of a portico in order to protect a tenants entry way from the elements during the winter season.

Chairman Little entertained questions from the Board Members present, in which there were none.

Having been duly advertised, Chairman Little opened the Public Hearing at 7:04pm.

No Public Comments were made. A motion to close the Public Hearing at 7:04pm by Al Matrose, Seconded by George Hilton. All Board Members in favor, non-opposed, the motion was carried 4-0.

Chairman Little presented the Findings of Fact for #SPR2019-11:

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 Master Plan.
3. Proposed Action will have negligible impact on the environment.
4. Warren County finds no significant impact.
5. The project meets parking, signage, and lighting requirements.

A motion was made by Bob Walp, Seconded by George Hilton to approve #SPR2019-11 with the Findings of Fact presented by the Chairman. With all Board Members in favor, non-opposed, the motion was carried 4-0.

Vanessa Hutton sat on the Board at 7:05pm.

**#SPR2019-08:** Word of Life Fellowship is seeking Site Plan Review approval to retain and renovate a 78' x 40' x 28' (H) 2-Story Portion of the current Field House building, which was to be removed as per conditions of approval for #SPR2015-02. Property is located at 8072 State Route 9 (4200 Glendale Rd.), identified by Tax Map Parcel #: 36.-1-20, in Zoning District Moderate Intensity.

Eric Messer of Word of Life Fellowships presented the Site Plan to the Board in regards to seeking approval to renovate a 2-Story Portion of the Field House building. Chairman Little asked if the lighting for the proposed renovated building would be downcast. Mr. Messer stated that the lighting will only be at the entrances and will be downcast. Mr. Walp asked if any additional lighting was being added with the renovation. Mr. Messer stated that any additional lighting would just be at the entry ways for added safety. Chairman Little stated that 30 feet is needed between buildings and there is 31 feet between the Field House Building and the Student Life Center. The Chairman also stated that there is access between the buildings for Emergency Vehicles. Mr. Matrose asked the Chairman who sets the distance between buildings? The Chairman responded that it is in the Warren County Building Codes.

Having been duly advertised, Chairman Little opened the Public Hearing at 7:12pm.

No Comments were made by the Public. A motion to close the Public Hearing at 7:12pm by George Hilton, Seconded by Al Matrose. With all Board members in favor, non-opposed, the motion was carried 5-0.

Chairman Little presented the Findings of Fact for SPR#2019-08-

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 Master Plan. No extra landscaping would be added.
3. Proposed Action will have negligible impact on the environment.
4. Warren County finds no significant impact.
5. The project meets parking, signage, and lighting requirements.

A motion was made by Al Matrose, Seconded by Vanessa Hutton to approve #SPR2019-08 with the Findings of Fact presented by the Chairman. With all Board Members in favor, non-opposed, the motion was carried 5-0.

**#SPR2019-09:** Word of Life Fellowship is seeking Site Plan Review approval for the construction of a 40' x 84' open sided pavilion. Property is located 8119 State Route 9, identified by Tax Map Parcel #: 36.-1-26, in Zoning District Moderate Intensity.

Doug Bensen of Word of Life "The Pines" presented the proposal of a construction of an open sided pavilion to the property to better serve the needs of guests camping at the property. Mr. Walp asked if the roads shown in the plans were town roads. Mr. Bensen stated that they are Private Roads for 911 Access to the property.

Having been duly advertised, Chairman Little opened the Public Hearing at 7:16pm.

No Comments were made during the Public Hearing. A motion to close the Public Hearing at 7:16pm by Al Matrose, Seconded by George Hilton. With all Board Members in favor, non-opposed, the motion was carried 5-0.

Chairman Little presented the Findings of Fact for #SPR2019-09:

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 Master Plan. No extra landscaping would be added.
3. Proposed Action will have negligible impact on the environment.
4. Warren County finds no significant impact.
5. The project meets parking, signage, and lighting requirements.
6. No additional campsites are proposed.
7. Lighting for the Pavilion is on the inside only.

A motion was made by Vanessa Hutton, Seconded by Bob Walp to approve #SPR2019-09 with the Findings of Fact presented by the Chairman. With all Board Members in favor, non-opposed, the motion was carried 5-0.

**#SPR2019-10:** Doyle and Carla Ross are seeking Site Plan Review approval for the placement of a mobile/manufactured home. Property is located at 507 Rock Ave., identified by Tax Map Parcel #: 122.-1-36, in Zoning District Resource Management.

Carla and Doyle Ross spoke on the project stating that they were replacing an older model manufactured home with a new manufactured home. Chairman Little and Mr. Hilton spoke that this may be a Type II. The Board completed a "Short Environmental Assessment Form" with their findings being No or Small Impact on the Environment.

Having been duly advertised, Chairman Little opened the Public Hearing at 7:20pm.

No comments were made during the Public Hearing. A motion to close the Public Hearing was made by Vanessa Hutton, Seconded by George Hilton. The Public Hearing was closed at 7:20pm. With all Board Members in favor, non-opposed, the motion was carried 5-0.

Chairman Little presented the Findings of Fact for #SPR2019-10-

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 Master Plan.
3. APA finds no impact
4. The Zoning Board of Appeals approved a Variance Request.
5. Proposed Action will have negligible impact on the environment. The Board completed a "Short Environmental Assessment Form".

A motion was made by George Hilton, Seconded by Bob Walp to approve #SPR2019-10 with the Findings of Fact presented by the Chairman. With all Board Members in favor, non-opposed, the motion was carried 5-0.

## **MINUTES:**

A motion was made by Al Matrose, Seconded by Vanessa Hutton to approve the minutes from the September 16, 2019 Meeting of the Planning Board. With all Board Members in favor, non-opposed, the motion was carried 5-0.

## **CORRESPONDENCE:**

- Letter from “Rebuilding Together” dated September 16, 2019 and received by the Zoning Office on September
- 17, 2019 (RE: #SPR2019-10).
- Wastewater System Plan & Details for Doyle and Carla Ross dated 09/20/2019.
- Warren County Planning Department Project Review and Referral Forms, reviewed by Department on October
- 04, 2019, for #SPR2019-08, #SPR2019-09, and #SPR2019-11. Forms received by the Zoning Office on October 08, 2019.

**OLD BUSINESS:** None.

## **NEW BUSINESS:**

**#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.

Brett Winchip of Winchip Engineering representing Michael Legnard presented the proposal. Mr. Matrose asked about drainage from the property. Mr. Winchip stated that the drainage will only come from spring snow melt. Mr. Matrose asked why the property only had one pump. Mr. Winchip responded that you only need to supply one pump with storage and that there will be an audible alarm system for the pump as well. Mr. Matrose asked if the property would be used seasonally or year round. Mr. Winchip stated that it would be used seasonally at this time, however, could be used as a year round residence as well. Chairman Little asked about the drainage from the construction site and if it would run across the roadway. Mr. Winchip responded that there is a drainage ditch that will need to be cleaned out following construction, he stated that this could be made as a condition for approval. Mr. Matrose asked about the Bedrock at 45 inches where 4 feet is required. A discussion took place regarding the bedrock. Mr. Hilton asked if a variance was needed from the Board of Health, Mr. Winchip responded that it meets all setbacks.

Chairman Little presented the Findings of Fact in regards to #SPR2019-12:

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 Master Plan.
3. The Septic will require Town of Chester Approval
4. The runoff ditch will need to be redrained to Pre-Construction Condition. This is a condition of approval.
5. 5.06G1- There will be no Public Hearing as Public Interest is negligible.

A motion was made by Bob Walp, Seconded by George Hilton to approve #SPR2019-12 with the Findings of Fact presented by the Chairman and also the condition that the runoff ditch will need to be redrained to Pre-Construction Condition. With all Board members in favor, non-opposed, the motion was carried 5-0.

**PUBLIC PRIVILEGE:**

Chairman Little spoke to how a request has been made to approve allowing a late Site Plan Request to appear at the October 21, 2019 meeting of the Planning Board. Mr. Winchip stated the reason for the request to the Board. Mr. Matrose stated that he feels that this would be setting a precedent (*formerly "precedence" – please see October 21<sup>st</sup> Planning Board Meeting Minutes*) and said that he feels that the Board should do what Zoning Administrator Little feels should be done. John MacMillen spoke that the Slope Issue is new and is not being dealt with. There are currently ongoing projects in the Town of Chester that did not appear before the Planning Board for review.

Vanessa Hutton exited the meeting at 7:43pm.

Mr. MacMillen stated that there is projects using more than 15% of the slope that the Planning Board has not seen and they should be going before them. People did not realize that they had to come before the Board until now. Mr. Winchip stated that the Zoning Enforcement Officer should be going to visit these sites, however, he is not. The only reason that Mr. Legnard's request came before the Board was because a neighbor complained. The proposed late request popped up because of Mr. Legnard's request as it is a similar situation.

A discussion took place with the Board members present and the following recommendation was made-

Due to the lateness/nearness to the end of the construction season the Board is supportive of the Request of the applicant Chang to be included at the October 21<sup>st</sup> meeting and feels that this will not set precedent (*formerly "precedence" – please see October 21<sup>st</sup> Planning Board Meeting Minutes*) in the future. This support will be forwarded to the Zoning Administrator by the secretary so that he may make a final decision on this request.

**BOARD PRIVILEGE:**

A discussion took place on Slope Guidelines in the Codes.

**ADJOURNMENT:**

A motion was made by Bob Walp, Seconded by George Hilton to adjourn the meeting at 8:07pm. With all Board members in favor, non-opposed, the motion was carried 4-0.

Respectfully submitted,

Jack D. Bartlett  
Recording Secretary