

## **TOWN OF CHESTER PLANNING BOARD**

### **MINUTES OF SEPTEMBER 20, 2010**

ATTENDANCE: Eugene Dutcher, Rick Bump, Paul Little, Harold Ellsworth, George Hilton, Bob Thurling, Suzanne Robbins, Ken Raisner, and Secretary, Pat Smith. Also in attendance was Zoning Administrator, Walt Tennyson.

MINUTES: On a motion by Mr. Bump, seconded by Mrs. Robbins, the Minutes of the August 23<sup>rd</sup>, 2010 meeting were accepted, as presented.

CORRESPONDENCE: Zoning Office Activity Report for August 2010.

PUBLIC HEARING: #SPR2010-08 ~ Having been duly advertised, Chairman Raisner opened the Public Hearing at 7:00 p.m. Independent Towers Holdings, LLC. Mr. Ken Curley was in attendance to represent this project. Project proposes a 75' x 75' compound, with an access road, using a partially constructed drive to the site on property of Margaret Swinton, Old Schroon Road. Within the compound will be located a 90 ft. monopole telecommunications tower. At the top half of the tower will be simulated tree branches to blend it into the surrounding vegetation currently in existence. At the current time, the carrier that will be going on the tower will be AT&T. Application has been sent to the APA, and they are currently reviewing the application, pending local approval. Site map was reviewed by the board showing location of the tower and the shelter housing the components of the tower, and the generator that will go outside of it. Map also showed the access road, and the easement branching off of it to cross under the power lines. The tower has the capability of co-locating two more carriers.

Following presentation, there were no questions or comments from the public. The board questioned visibility of the tower, and applicant referred to the simulated pictures that had been presented, showing it blended into the existing vegetation.

On a motion by Mr. Thurling, seconded by Mr. Hilton, the public hearing was closed at 7:05. With APA as lead agency, SEQRA will be reviewed by them. On a motion by Mr. Thurling, seconded by Mr. Bump, application for #SPR2010-08 was approved, as presented, pending approval by the Park Agency. Motion carried 7/0.

OLD BUSINESS: None.

NEW BUSINESS: #SPR2010-09 ~ Vasilios Stertsios. Applicant appeared before the board following complaints from neighbors regarding noise, rowdiness, and illegal use of fireworks. Information obtained online suggested the residence was open for rental to large groups, and able to sleep up to 28 people.

Applicant was in attendance, and explained that it is a private residence which has been rented out to groups, those groups being either biological families, or related in

common. He explained that rentals were either weekenders or of 6 to 7 day duration. He explained that as far as the Dept. of Health is concerned, it is not classified under the jurisdiction of the NYS Sanitary Code as a hotel, a B&B, or a temporary residence. The house is located at 6324 State Route 9, across from the Post Office. It is called "Elizabeth's Guest House", and it has 3 bathrooms and 6 bedrooms. Applicant stated that it has been rented to only as many as 22 people, and he stated that he has changed his website to read "up to 20 people," not 28. He explained that renters must sign a contract, and they must be over 21 years of age, adding that he carefully scrutinizes each one. He said the average request goes from 8 to 16 people. His manager is Dick Doux, who stated that he likes to be on site when guests are arriving, so that he can explain the parking, and other information that they will need during their stay. There is a pool in the back yard, and the contract explains that there is no lifeguard in attendance, and guests are responsible for their own safety during its use. Applicant explained that they have a pool service open it in the spring, and close it at the end of the season.

Applicant explained that there is a gravel parking area in the rear with a turn-around to allow for parking of up to 5 vehicles. There were questions from the board regarding the capability of the existing septic waste disposal system to handle the usage of so many people, as the residence will be available for rent 12 months of the year. Mr. Tennyson recommends having an engineer check the system to determine what is there, and what it is capable of. Applicant agreed to have this done, and the board requests a copy of this report, along with a plan of the parking area. Following discussion, applicant stated that the guests are very happy to have a central location from which they can walk around town and patronize the various shops and eateries.

With no further discussion, Mr. Thurling made a motion to approve Application #SPR2010-09 as a rental, subject to a favorable report of the existing septic wastewater system, and submission of the driveway plan. Motion was seconded by Mr. Bump, and carried 7/0.

#SPR2010-10 ~ Hayes Landholdings, LLC. Applicant was in attendance to present the project, which will be located on Cougar Lane, between the NWCS bus and the North Warren Emergency Squad off Route 8. Proposal is to construct a 6,250 square foot building with a large Garage/Shop area for Mr. Hayes' Adirondack Construction Enterprises, and a smaller stick frame addition either on the front of the building, or on the side, for the Law Office of Erin Hayes, Esq. There will be a paved parking area for six cars, and a gravel parking area in the rear of the of the building for parking and access to the garage bays. Signage would be limited to the building, and only some small accent lighting will be present on the building. There will be some shrubbery planted along the Cougar Lane side, and other attractive landscaping, but basically everything will be pretty unobtrusive. There will not be any signage visible from Route 8. Applicant explained that the Construction Company does a lot of State Contracts, so it is not the type of business to attract residential customers, and a lot of the work is bid work. As an Attorney, Mrs. Hayes does a lot of assigned counsel law guardian projects, so a lot of her work comes to her through the Court system. She also has a lot of the local realtors refer her other clients to her, and she also does work for the construction company, so she is not looking to advertise, either.

Following brief discussion, Mr. Dutcher made a motion for approval of Application #SPR2010-10, with a negative declaration. Motion seconded by Mrs. Robbins and carried 7/0.

ADJOURNMENT: On a motion by Mrs. Robbins, seconded by Mr. Bump, the meeting adjourned at 7:55 p.m.

Respectfully submitted,

Patricia M. Smith  
Secretary