



**PLANNING BOARD**  
**Regular Meeting – April 17, 2023**

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

**Attendance:**

Vice Chairperson George Hilton, John Nick, Patrick Powers, Kathy Bilfield (7:02 pm), Bruce Goody, Zoning Administrator Jeremy J. Little (via Zoom) and Mindy Conway (Acting Secretary) were present. Chairman Paul Little and Greg Taylor were absent.

**Public Hearings and Old Business:**

None.

**Minutes:**

John Nick commented that in the APA Project for RHR Farms there was a discrepancy in the square footage, there were no plans for a sign, and there was no secondary septic plans.

On a motion by Bruce Goody, seconded by John Nick, minutes for the March 20, 2023 Planning Board Meeting were accepted.

AYE 4      NO 0  
Absent - Kathy Bilfield

**Correspondence:**

- Zoning Administrator’s Activity Report for March 2023;
- Warren County Planning Department Project Review and Referral Form, reviewed by Department on March 31, 2023 for #SPR2023-08. Form received by the Zoning Office on March 31, 2023;
- Adirondack Park Agency Major Project Public Notice (Application Received) dated March 30, 2023 and received by the Zoning Office on March 31, 2023 RE: APA Project No. 2023-0053;
- Adirondack Park Agency Request for Consultation, including proposed plans, dated April 05, 2023 and received by the Zoning Office on April 05, 2023 RE: APA Project No. 2023-0053;
- Adirondack Park Agency Major Project Public Notice (Application Completed) dated April 05, 2023 and received by the Zoning Office on April 05, 2023 RE: APA Project No. 2022-0247;
- Adirondack Park Agency Request for Consultation, including proposed plans, dated April 05, 2023 and received by the Zoning Office on April 05, 2023 RE: APA Project No. 2022-0247.

Kathy Bilfield entered the meeting at 7:02 pm.

**Old Business:**

**#SPR2020-13: Loon Lake RV Park LLC (Tim Beadnell)** is seeking Site Plan Review approval to finish and renovate the upstairs of the existing Camp Store to offer coin operated video games and coin operated laundry (2 sets). Property is located at 5400-5408 State Route 8, identified by Tax Map Parcel #: 103.-1-18.1, in Zoning District Low Intensity **\*\*TABLED UNTIL FURTHER NOTICE BY REQUEST OF APPLICANT\*\***

**#SPR2023-08: Richard Stolen and Cheryl Carlson** are seeking Site Plan Review approval for the construction of a 24' x 24' second-story addition (After-the-Fact) to an existing two-car garage with 3' x 5' landing and stairs. Addition is only to be used for storage. The proposed addition will increase the square footage of the existing detached garage by more than fifty percent (50%). Property is located at 43 Marina Road, identified by Tax Map Parcel #: 86.13-1-18, in Zoning District Moderate Intensity.

Vice Chairperson Hilton said that Warren County came back with no County impact and read the Findings of Fact:

**Findings of Fact:**

1. There will be little or no negligible 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 Local Law;
2. The Project agrees with the Town of Chester Master Plan;
3. The Town of Chester Zoning Board of Appeals approved an 18 ft. front yard setback variance on February 28, 2023 (Variance Application #528-V) in connection with the Project;
4. As per Section 5.06(G)(1) of the Zoning Local Law, a public hearing was not held as the expected level of public interest is negligible;
5. The Project is a Type II action, requiring no further review under SEQRA;
6. The Project will have negligible negative impacts on the environment;
7. The Project Review and Referral Form has been received from the Warren County Planning Department with the response that there will be no County Impact.

On a motion by John Nick, seconded by Patrick Powers, **Site Plan Review Application #SPR2023-08: Richard Stolen and Cheryl Carlson** was approved with the above Findings of Fact.

AYE 5 NO 0

**New Business:**

**#SD2023-03: Donald J. Stadler Family Trust** is seeking approval for a two-lot minor subdivision on property located at 241 Perry Road, identified by Tax Map Parcel #: 51.-1-12.11, in Zoning District Rural Use.

John Bradway was present representing John Stadler. John Bradway commented that he has agreed that there will be no buildings or septic on the property, it will be for hunting. The land is 60% wetlands and has a logging road.

On a motion by Vice Chairperson Hilton, seconded by Patrick Powers, **Subdivision Application #SD2023-03: Donald J. Stadler Family Trust** was deemed complete and scheduled a public hearing for May 15, 2023 at 7 pm.

AYE 5 NO 0

**#SPR2023-09: John and Caroline LaFleche** are seeking Site Plan Review approval to demolish an existing deck, construct a 721 sq. ft. addition (1,442 total sq. ft. for both floors) and a 16' x 14' deck to an existing single-family dwelling. The proposed addition will expand the existing kitchen and living/dining area on the first floor and create a new bedroom and storage area in the finished basement. The proposed addition will also increase the square footage of the existing single-family dwelling by more than fifty percent (50%). Property is located at 185 Chester Shores Drive, identified by Tax Map Parcel #: 86.18-1-24, in Zoning District Moderate Intensity.

John and Caroline LaFleche were present. John LaFleche said that they are now living here permanently and both work from home. They would like to increase the square footage.

Vice Chairperson Hilton asked if the Board had any questions.

Kathy Bilfield asked about the site area. John LaFleche said that the area is 0.27 acres and you can have finished space up to 75% and they are at 25%.

Kathy asked if the addition was going to make them less than 50 ft from the Lake. John LaFleche said no, they will be maintaining about 52 ft from the Lake and 15 ft on each side.

John LaFleche commented that they went to the Zoning Board of Appeals last month to get a variance for the 35 ft to the road.

John Nick asked if they were adding a bedroom. John LaFleche said no.

Kathy Bilfield asked about the size of the septic. John LaFleche replied that the septic tank is 1000 gal.

Vice Chairperson Hilton read the Findings of Fact:

**Findings of Fact:**

1. There will be little or no negligible 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 Local Law;
2. The Project agrees with the Town of Chester Master Plan;

3. The Town of Chester Zoning Board of Appeals approved a 24.3 ft. front yard setback variance on March 28, 2023 (Variance Application #529-V) in connection with the Project;
4. As per Section 5.06(G)(1) of the Zoning Local Law, a public hearing was not held as the expected level of public interest is negligible;
5. The Project is a Type II action, requiring no further review under SEQRA;
6. The Project will have negligible negative impacts on the environment.

On a motion by Patrick Powers, seconded by Bruce Goody, **Site Plan Review Application #SPR2023-09: John and Caroline LaFleche** was approved with the above Findings of Fact.

AYE 5      NO 0

**#SPR2023-10: Small Tales Day Care** is seeking Site Plan Review for before and after school elementary childcare for ages five (5) to twelve (12) years old utilizing the property and the second floor of the existing “Ski Lodge” building at Dynamite Hill. A full-day day care camp with weekly themes will also be offered in the Summer. Property is located at 3-23 Dynamite Hill Road, identified by Tax Map Parcel #: 87.-1-5, in Zoning District Moderate Intensity.

There was no one present from Small Tales. Mindy Conway said that she would try to answer any questions.

Vice Chairperson Hilton asked if there were any questions or comments from the Board Members.

John Nick asked if there needed to be a public hearing, Vice Chairperson Hilton said it was optional and he does not think one is needed.

Kathy Bilfield asked if the public health department had to look at it. Mindy Conway commented that the Health Department will look at the space because they will be a certified day camp for the summer.

Vice Chairperson Hilton asked if by 2<sup>nd</sup> story they meant main level. Mindy Conway said yes, the level with the two (2) bathrooms. They will also be using the pavilion.

Kathy Bilfield asked if the public shares those bathrooms while this is in operation. Mindy Conway replied no, usually that building is locked and there will be a port-a-potty down by the ball field like there is every summer during baseball season. The warming hut is never open for public use except during ski season, when the lift or sledding hill is open the Town provides an attendant in there for the bathrooms.

Vice Chairperson Hilton asked if this was going through the winter. Mindy Conway replied that for the summer it would be an all-day summer camp and then they are trying to do a before school and after school program once school starts.

Mindy Conway commented that the Town Board has already approved for them to apply.

On a motion by John Nick, seconded by Vice Chairperson Hilton, **Site Plan Review Application #SPR2023-10: Small Tales Day Care** was deemed complete and referred the Application to the Warren County Planning Department.

AYE 5 NO 0

**#SD2023-04: Varick W. Stringham** is seeking approval for a two-lot minor subdivision on property located at 222 Indian Springs Road, identified by Tax Map Parcel #: 120.10-1-50.1, in Zoning District Moderate Intensity.

Jim Fayette was present and commented that he is looking at purchasing 0.34 acres from his neighbor to merge with his current lot of 0.50 acres.

Vice Chairperson Hilton asked if there were any questions or comments from the Board.

Terry Mooney (via Zoom) asked if this would be adding more docks or water access. Jim Fayette said no.

On a motion by Kathy Bilfield, seconded by Vice Chairperson Hilton, **Subdivision Application #SD2023-04: Varick W. Stringham** was deemed complete and scheduled a public hearing May 15, 2023 at 7 pm.

AYE 5 NO 0

**Family Gift Subdivision (Section 8.02 of the Zoning Local Law; Article III of the Subdivision Regulations):** Philip Sr. and Elaine K. Rinaldi are seeking confirmation from the Planning Board that the proposed division of land constitutes a gift:

- **Grantors: Philip Sr. and Elaine K. Rinaldi**
- **Grantee: Philip Rinaldi, Jr.**
- **Property Address: 25 Woodridge Road**
- **Tax Map Parcel #: 104.14-1-61**
- **Zoning District: Hamlet**
- **Proposed Lot 3 to be gifted from the Grantors to the Grantee will consist of 1.082 ± acres.**
- **Proposed Lot 4 to be retained by the Grantors will consist of 1.064 ± acres.**

Elaine Rinaldi and Philip Rinaldi Jr were present to ask questions.

Vice Chairperson Hilton commented that the potential problem that he is seeing is that the proposed line on the map dissects the garage (boat house).

John Nick asked if they were going to build on the new lot. Elaine Rinaldi said yes. John Nick said that if they plan to build on the lot, they need to provide a proposed building lot and septic.

John Nick asked the Zoning Administrator if they have to show a proposed location for a house and septic. The Zoning Administrator replied no, not if the Planning Board determines it a gifted lot subdivision, then it would be non jurisdictional with the Planning Board. John Nick asked if

he would come back to the Planning Board if he wanted to build on it. The Zoning Administrator replied that he would come to the Zoning Office with a site plan.

A lengthy discussion ensued about the discrepancies in the maps.

The Zoning Administrator commented that if the Planning Board is not comfortable deeming it a gift because of the potential encroachment of the structure on the property line then his recommendation would be to get the one property line surveyed to see where the structures fall.

John Nick commented that if there are other structures on the property they should also be on the survey.

Kathy Bilfield would like to have the location of the propane tank on the map.

Vice Chairperson Hilton asked the Zoning Administrator to clarify a couple of things. If the Board does not deem it a gift, there is the potential to submit a new subdivision application proposing to create two (2) properties. The Zoning Administrator replied correct. Vice Chairperson Hilton said that if that were the case, given the acreages that you see in total would there be enough to split this property in to two (2) as a subdivision. The Zoning Administrator said yes.

The Zoning Administrator asked that the survey be submitted to the Zoning Office for review.

On a motion by Vice Chairperson Hilton, seconded by John Nick, **Family Gift Subdivision (Section 8.02 of the Zoning Local Law; Article III of the Subdivision Regulations): Philip Sr. and Elaine K. Rinaldi** was tabled until further notice.

AYE 5 NO 0

**Public Privilege:**

None.

**Board Privilege:**

The APA is seeking comments for **APA Project No. 2022-0247 (Verizon Wireless Cell Tower)**.

Jared Lusk, the Attorney for the Project, was present via Zoom for questions.

John Nick asked if the tower would be decorated like a tree. Jared Lusk commented that 40% – 50% of the cell towers they construct in the Adirondack Park these days are monopine towers.

John Nick commented that cell phone coverage on Loon Lake is needed.

Bruce Goody asked if you would be able to see the tower from the Lake.

John Nick asked if there was a completion date. Jared Lusk commented that it all depends on when they can get fiber to the property.

Kathy Bilfield asked if the tower needed a light. Jared Lusk commented that every cell tower over 200 ft, the FAA requires a light. That does not mean that towers under 200 ft don't need to be lit, but generally speaking since these towers are just above the trees in the Adirondack Park they are not needed to be lit, because the towers themselves are just above the tree line. Jared Lusk said that the height is 94 ft. with the lightning rod.

Vice Chairperson Hilton asked if there were any more questions from the Board.

Jared Lusk thanked the Zoning Administrator and the Board.

The APA is seeking comments for **APA Project No. 2023-0053 (Alpine Meadows)** dock installation.

Vice Chairperson Hilton asked the Zoning Administrator if this application was still incomplete. The Zoning Administrator replied yes. The Application has only been received by the Agency and they are looking for comments from the Board.

The Zoning Administrator commented that they are proposing to construct the two (2) docks to the right of the boathouse.

John Nick asked what the existing unusable dock was.

Terry Mooney (via Zoom) commented that it is the shallower end of Friends Lake, and it is where the nursery is, and all the fish are spawned. It is beautiful and undeveloped.

Terry Mooney's question is if this is going to be private for family or for sale.

Vice Chairperson Hilton commented that the APA asked for comments, and this is their permit.

John Nick said that they could ask if the docks are going to be for private use by the current owner.

The Vice Chairperson asked if there were any additional questions.

The Zoning Administrator commented that the APA is concerned about the compliance of our current regulations.

Terry Mooney commented that the residents are concerned about the ecological damage at that end of the Lake. John Nick said that the Friends Lake Association could comment on that if he elected to.

The Zoning Administrator said that the notice was sent to adjoining land owners.

John Nick reminded everyone about the public hearing for the proposed Short-Term Rental Local Law on May 30, 2023 at 7 pm.

**Adjournment:**

On a motion by John Nick, seconded by Vice Chairperson Hilton, meeting adjourned at 8:24 pm.

AYE 5      NO 0

Respectfully submitted,

Mindy Conway  
Acting Secretary