

AGENDA / August 13, 2019 / TOWN BOARD MEETING  
Town of Chester Municipal Center, Board Meeting Room @ 7PM

**Call to Order**

- Pledge of Allegiance

**Regular Meeting**

- Open Regular Town Board Meeting

**Acceptance of Minutes**

- Regular Town Board meeting July 09, 2019 & Special Town Board Meeting July 17, 2019

**Public Hearing**

- Loonie and Wen Septic Variance Application #SV2019-03

**Committee Reports**

- Town Clerk // Town Board // Supervisor

**PRIVILEGE OF THE FLOOR FOR OLD & NEW BUSINESS ITEMS**

**NEW BUSINESS**

1. Consider action on Loonie and Wen Septic Variance Application #SV2019-03
2. Approve the addition of Section 7.01(D) and Section 7.03(C) with corrections recommended by APA.
3. Resolve to send Zoning Local Law revisions to the APA for formal review
4. Authorize signing of Intermunicipal Agreement between Warren County and the Town of Chester for Combating Aquatic Invasive Species
5. Authorize the signing of the Intermunicipal Agreement between the County of Warren and The Town of Chester Relating to Solid Waste and Recyclable Disposal Services, Solid Waste and Recycling, Transportation Services, Municipal Paper Recycling Services and Electronic Recycling
6. Discuss changing water warrant/billing from August to May
7. Approve water warrant
8. Review NW Chamber of Commerce application for Occupancy Tax funds
9. Approve use of roads in the Town by the Lake George Triathlon on August 31, 2019
10. Approve attendance at the 2019 Planning and Zoning School in the Town of Lake George for three Board members
11. Authorize Town Clerk to advertise for Trash Compactor bids.
12. Abstracts, budget transfers and accounting requirements

**RESOLUTIONS**

1. WHEREAS, the Town Board acting as the Local Board of Health has received a completed application and has held a public hearing regarding the Septic Variance Application #SV2019-03, Thomas Loonie & Amy Wen for a property located at 68 Birchwood Drive, Tax Map #: 86.13-2-19, and

WHEREAS, according to Section 5.060 — Variances of the Town of Chester On-Site Wastewater Treatment Local Law the Local Board of Health may vary or adapt the strict application of any of the requirements of this Ordinance in the case whereby such strict application would result in unnecessary hardship that would deprive the owner of the reasonable use of the land involved, and

WHEREAS, no variance in the strict application of any provision of the Ordinance shall be granted by the Local Board of Health unless it shall find the following criteria applicable:

BE IT RESOLVED, the Local Board of Health finds that:

- a) That there are special circumstances or conditions applying to such land and that such circumstances or conditions are such that strict application of the provisions of this Ordinance would deprive the applicant of the reasonable use of such land.
- b) That the variance would not be materially detrimental to the purposes and objectives of this Ordinance, or to other adjoining properties, or otherwise conflict with the purpose or objectives of any plan or policy of the Town.
- c) That the granting of the variance is necessary for the reasonable use of the land and that the variance, as granted by the Local Board of Health, is the minimum variance which would alleviate the specific unnecessary hardship found by the Local Board of Health to affect the applicant,
- d) The engineers for the Town have reviewed the application and approve its design and request to be notified when the percolation test are conducted on the fill material and for the applicant to file as-built drawings with the Zoning Administrator when complete.
- e) The septic system for Thomas Loonie & Amy Wen for a property located at 68 Birchwood Drive, Tax Map #: 86.13-2-19 as designed and presented by Hutchins Engineering (Site Plan prepared for Tom Loonie & Amy Wen, dated 06/06/18 and last revised 08/06/2019) and reviewed by Cedarwood Engineering on behalf of the Town to be the minimum allowable variance to the Town's On-Site Wastewater Treatment Local Law based on site conditions, lot size, and potential impact to adjacent private property and common natural resource.

BE IT FURTHER RESOLVED, the Local Board of Health grant variance for the proposed Presby absorption field to be 71' from the wetland, as flagged by the APA and located by survey, instead of the required 100'

2. WHEREAS, by recommendation of the Zoning Administrator, 5 definitions were added to Section 2.03, Section 7.01(D) and 7.03(C) of the Town of Chester Zoning Local Law, are added with corrections recommended by the APA,

BE IT RESOLVED, the Town Board approves Section 7.01(D) and 7.03(C) as amended.

3. WHEREAS, the Town Board has reviewed and discussed revisions to the Zoning Local Law as prepared by the Zoning Ordinance Review Committee, the Zoning Administrator, and the Zoning Enforcement Officer, and

WHEREAS, the proposed revisions include changes based on suggestions and recommendations as garnered through multiple public meetings,

BE IT RESOLVED, the Town Board directs the Town Clerk to send the Zoning Local Law Revisions, as presented, and requests the APA to conduct a formal review of the proposed revisions according to Steps 7 & 8 of the Process for Amending Local Land Use Controls for Towns/Villages with an Agency-Approved Local Land Use Program (ALLUP), and

BE IT FURTHER RESOLVED, as per Section 11.02 of the Zoning Local Law, the Town Board directs the Town Clerk to simultaneously refer such proposed amendments to the Town Planning Board and the Warren County Planning Department.

4. WHEREAS, Warren County has provided an Intermunicipal Agreement between Warren County and the Town of Chester for Combating Aquatic Invasive Species In Publicly Accessible Water Bodies Within The Town of Chester, and

WHEREAS, the IMA allows the County to give to the Town \$41,666.67 for aquatic invasive species remediation efforts,

BE IT RESOLVED, the Town Board authorizes the Supervisor to sign the Intermunicipal Agreement between Warren County and the Town of Chester for Combating Aquatic Invasive Species In Publicly Accessible Water Bodies Within The Town of Chester

5. WHEREAS, The County of Warren solicits and awards bids on behalf of the towns for certain goods and services in order to obtain the best pricing,  
BE IT RESOLVED, the Town Board authorizes the Supervisor to sign an Intermunicipal Agreement between the County of Warren and The Town of Chester Relating to Solid Waste and Recyclable Disposal Services, Solid Waste and Recycling, Transportation Services, Municipal Paper Recycling Services and Electronic Recycling.

6. WHEREAS, the Town of Chester reads water meters and sends out water rent bills in August each year for the Chestertown and Pottersville Water Districts, and WHEREAS, work load for Town employees makes it difficult to read water meters in July and August and to produce a water warrant and send out water rent bills, BE IT RESOLVED, the Town Board hereby changes the month of approving the Water Warrant for the Chestertown and Pottersville Water districts to May, starting in 2020.
7. WHEREAS, the Town Clerk has prepared the 2019 Water Warrant for the Chestertown and Pottersville Water Districts, and WHEREAS, the Chestertown Water District total warrant is \$ \_\_\_\_\_ and the Pottersville Water District total warrant is \$ \_\_\_\_\_, BE IT RESOLVED, the Town Board approves the 2019 Water Warrant as presented bthe Town Clerk so that water bills may be sent out and revenues collected.
8. WHEREAS, the North Warren Chamber of Commerce has submitted an Occupancy Tax application for funding improvements to their website, BE IT RESOLVED, the Town Board \_\_\_\_\_.
9. WHEREAS, The Lake George Triathlon Festival takes place August 31st and September 1nd this year and is based in the Town/Village of Lake George, and will utilize roadways in the Towns of Bolton, Chester, Horicon, Queensbury and Warrensburg, and WHEREAS, The Lake George Triathlon Festival is seeking written communication from each municipality (County, Town, City, and Village) through which the event passes indicating that the Municipality has no objection to our event taking place for their DOT Permit 33A, BE IT RESOLVED, the Town of Chester has no objection to the use of roads within the Town by the Lake George Triathlon Festival on August 31 and September 1, 2019.
10. WHEREAS, the Planning and Zoning Board members are required to attain at least four (4) educational credits per year and appropriations are included in the budget for such purpose, BE IT RESOLVED, the Town Board authorizes Barbara Kearney, Vanessa Hutton, and Bob Walp to attend the 2019 Planning and Zoning School in the Town of Lake George, Warren County, on Thursday, September 26, 2019.
- 11.
12. Abstracts, budget transfers and accounting requirements.