

**Town of Chester Town Board
AGENDA**

October 11, 2022 – 7:00 PM

Meeting Room - Town of Chester Municipal Center, 6307 State Rte. 9, Chestertown

Zoom details:

<https://us02web.zoom.us/j/83433395517?pwd=R1ZOWWIPTUpLWWINTXBDRWxInk5NQTO9>

Meeting ID: 834 3339 5517

Passcode: 458784

One tap mobile +16465588656,,83433395517# US (New York)

Call to Order

- Pledge of Allegiance: led by Councilwoman Packer

Acceptance of Minutes

- September 13, 2022, Regular Town Board Meeting and October 4, 2022, Tentative Budget Meeting

Committee Reports

- Town Clerk, Town Board, Highway Superintendent, P&R Foreman, Supervisor

Public Hearing

- Septic Variance #2022-07 for Devaney
- Proposed Local Law overriding Tax Cap

Privilege of the Floor for Old & New Business Items

Old Business

1. Act on Septic Variance #2022-07 for Devaney
2. Act on proposed Local Law overriding Tax Cap
3. Discuss request for Town to obtain Carl Turner Rd from NYSDOT- Tabled at request from Thomas and Darlene Luciano
4. Looni/Wen Variance (tabled at request of applicant on September 13,2022)

New Business

5. Set date for Public Hearing for the Preliminary Budget
6. Size ad for the North Warren Yearbook
7. Authorize Clerk to advertise for BTI bids for 2023
8. Authorize Clerk to advertise for Pellets and Fuel for 2023
9. Authorize Supervisor to attend AOT&V
10. Discussion on which Board Members will be attending AOT. Decision needs to be made before November 2023.
11. Action on Health Insurance plans and reimbursements
12. Approval of Abstract of Claims, Budget Adjustments and Budget Amendments
13. Executive session to discuss acquisition of property

1. APPROVE SEPTIC VARIANCE APPLICATION #SV2022-07 FOR A REPLACEMENT SEPTIC WASTEWATER TREATMENT SYSTEM. PROPERTY IS LOCATED AT 104 JONES ROAD, IDENTIFIED BY TAX MAP PARCEL #: 86.10-1-59

WHEREAS, the Town Board acting as the Local Board of Health has received a completed application and has held a public hearing on October 11, 2022 regarding the Septic Variance #SV2022-07 for Christopher Devaney, 104 Jones Road, identified by Tax Map Parcel #: 86.10-1-59, 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 septic wastewater system for a, identified by Tax Map #: 86.10-1-59 as designed and presented by Bret Winchip, Winchip Engineering PC (Site Plan dated 08-08-2022) 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 resources;

BE IT FURTHER RESOLVED, the Local Board of Health grants the following variances listed in the table below:

Devaney SV2022-07							
Setback	Required Distance	Existing Distance	Existing Non-Conformity		Proposed Distance	Proposed Variance	
			Distance	Percent		Distance	Percent
Existing Septic Tank to Residence	10'	1.9'±	8.1'±	81.0%±	-	-	-

Existing Seepage Pit to Residence	20'	6.6'±	13.4'±	67.0%±	-	-	-
Existing Seepage Pit to Drilled Well	150'	74.7'±	75.3'±	50.2%±	-	-	-
Existing Seepage Pit to Neighboring Drilled Well A	150'	82.0'±	68.0'±	45.3%±	-	-	-
Existing Seepage Pit to Neighboring Drilled Well B	150'	102.6'±	47.4'±	31.6%±	-	-	-
Existing Seepage Pit to Water Supply Line	10'	0'	10'±	100.0%±	-	-	-
Existing Septic Tank to Water Supply Line	10'	7.9'±	2.1'±	21.0%±	-	-	-
Existing Effluent Sewer to Residence	10'	3.7'±	6.3'±	63.0%±	-	-	-
Existing Effluent Sewer to Water Supply Line	10'	7.9'±	2.1'±	21.0%±	-	-	-
Proposed Wastewater Absorption Bed to Property Line	10'	-	-	-	1.1'	8.9'	89.0%
Proposed Pump Chamber to Property Line	10'	-	-	-	6.3'	3.7'	37.0%
Proposed Septic Tank to Property Line	10'	-	-	-	5.5'	4.5'	45.0%
Proposed Force Main to Property Line	10'	-	-	-	8.4'	1.6'	16.0%
Proposed Effluent Line to Property Line	10'	-	-	-	8.3'	1.7'	17.0%
Proposed Wastewater Absorption Bed to Residence	20'	-	-	-	1.1'	18.9'	94.5%
Proposed Pump Chamber to Residence	10'	-	-	-	3.1'	6.9'	69.0%
Proposed Septic Tank to Residence	10'	-	-	-	1.8'	8.2'	82.0%
Proposed Force Main to Residence	10'	-	-	-	6.2'	3.8'	38.0%
Proposed Effluent Line to Residence	10'	-	-	-	4.9'	5.1'	51.0%
Proposed Wastewater Absorption Bed to Drilled Well	100'	-	-	-	64.2'	35.8'	35.8%
Proposed Wastewater Absorption Bed to Neighboring Drilled Well A	100'	-	-	-	74.2'	25.8'	25.8%

Proposed Wastewater Absorption Bed to Water Supply Line	10'	-	-	-	5.9'	4.1'	41.0%
Proposed Distribution Box to Residence	20'	-	-	-	8.0'	12.0'	
Proposed Distribution Box to Property Line	10'	-	-	-	7.9'	2.1'	21.0%
Proposed Distribution Box to Drilled Well	10'	-	-	-	91.8'	8.2'	8.20%

2. ADOPT LOCAL LAW NO. OF 2022 A LOCAL LAW TO OVERRIDE TAX LEVY LIMIT ESTABLISHED IN GENERAL MUNICIPAL LAW §3-C FOR FISCAL YEAR 2023

WHEREAS, a public hearing has been held October 11, 2022 for proposed a Local Law that would allow the Town to override the tax levy limit set for the Town by New York State, and **WHEREAS**, the Town Board has reviewed the Tentative Budget and foresees the potential need to override the tax levy limit set for the Town,

BE IT RESOLVED, the Town Board hereby adopts Local Law No. of 2022 A Local Law to Override Tax Levy Limit Established in General Municipal Law §3-C for Fiscal Year 2023.

3. APPROVAL OF ABSTRACT OF CLAIMS, BUDGET ADJUSTMENTS AND BUDGET AMENDMENTS