



**MINUTES OF MEETING
TOWN OF CHESTER PLANNING BOARD
APRIL 15, 2019**

Chairman Little called the meeting to order at 7:01 p.m.

ATTENDANCE:

Chairperson Paul Little, John Nick, George Hilton, Harold Ellsworth, Bob Walp, George Stannard, Al Matrose, and Jeremy J. Little (Secretary and Zoning Administrator).

PUBLIC HEARINGS: None.

MINUTES:

Mr. Ellsworth made a motion to accept the minutes from the February 25, 2019 regular meeting; motion seconded by Mr. Walp. Motion carried 7-0.

CORRESPONDENCE:

- Zoning Administrator's Activity Report for February and March 2019.
- Request for Consultation (APA) for 2019-0013 Montgomery Trust RE: Five-Lot Subdivision.

OLD BUSINESS:

#SPR2019-01: Stewarts Shops Corp. is seeking Site Plan Review approval for the construction of a new 3,696 square ft. convenience store and an approximately 3,212 square ft. gasoline canopy. Property is located at 6151 State Route 8, identified by Tax Map Parcel #s: 87.20-1-1, 87.20-1-7, 87.20-1-8, in Zone Classification Hamlet.

Ryan Rubado from Stewart's Shop Corporation presented the proposal. Mr. Rubado mentioned that the retaining wall has been removed which was originally shown on the initial plans reviewed by the Board in February. Mr. Rubado stated that the Stormwater Pollution Prevention Plan (SWPPP) has been done and submitted as part of the review. Proposed landscaping includes red maples placed on the property, with perennial gardens around the sign and each entrance. Mr. Rubado mentioned that the color scheme of the building has been changed from when it was initially presented to the Board at the February meeting. Mr. Rubado stated that he felt the building will fit in nicely with the environment and surroundings. Variances for the proposed signs received approval from the Zoning Board of Appeals in March.

Chairman Little said that the Board is to determine Application completeness. Chairman Little believed that the parking is more than adequate for the size of the

building, landscaping is satisfactory, and the proposal is a Type II action. Chairman Little mentioned at the meeting in March, a discussion ensued regarding the right-of-way and a boundary line adjustment request. He asked if the right-of-way has been resolved. Mr. Rubado stated that Stewarts has to “give the land” to Gill as the property is required to have road frontage. Mr. Rubado also said that an agreement as to the boundaries of the properties has not been made as of yet and the property owned by Gill is currently being used for storage of logs. Mr. Rubado said that the road to access the back of the property has to be sized to allow for entry and exit for a 53 ft. trailer with a sleeper truck. Chairman Little was concerned with the right-of-way. Mr. Rubado stated that currently Stewarts’ real estate department is working with the landowner to come to an agreement. Chairman Little stated that it would certainly help to receive some type of agreement from Gill if the Board determines the Application is complete and a public hearing is scheduled for next month.

Chairman Little asked the Board if the Application can be declared as complete and submit it to the County for referral. Mr. Nick was unsure if the proposal could be sent to the County without the subdivision being completed. Brief discussion ensued regarding the subdivision and submission of a minor subdivision application. Chairman Little stated that the concession of the Board is to have the configuration of property lines and minor subdivision resolved before moving on to site plan review of the project.

NEW BUSINESS:

#SPR2019-02: KDBF Ventures, LLC is seeking Site Plan Review approval for expansion of a previously approved addition (#SPR2018-07 on 12/17/18) to the existing cultivation and warehouse processing/manufacturing facility from 50,000 square ft. to 62,000 square ft. Property is located at 6030 State Route 9, identified by Tax Map Parcel #: 121.-1-61, in Zoning District Industrial Use.

Bob Holmes, Engineer from JARRETT Engineers, PLLC, presented the proposal. Amy Peckham and Tim & Anita Needham were also present. Mr. Holmes stated that since the December 2018 approval, the Peckham family realized that the building configuration needed to be adjusted and that the adjustment with the additional square footage works out to their advantage. Mr. Holmes stated that the stormwater is being revised accordingly and also presented a rendering of what currently exists on the property. Mr. Holmes stated that the bulk of the additional square footage will be to the east of and away from State Route 9. There will not be an increase in the amount of light coming towards State Route 9. Chairman Little mentioned that since the project is so far away from the road, landscaping was not of concern. An amendment will be made to the existing SWPPP for the additional square footage. Mr. Holmes stated that the letter of intent from Peckham Materials Corp. has been updated, with a revised letter dated April 10, 2019. The letter was submitted to the Secretary and included with the project file.

Mr. Holmes said the parking that was previously approved by the Board in December will be left unchanged and Chairman Little felt the parking is more than adequate for the employees at the present time.

Mr. Matrose made a motion to deem Site Plan Review Application **#SPR2019-02** complete and schedule a public hearing on May 20, 2019; motion seconded by Mr. Ellsworth. Motion carried 7-0.

#SPR2019-03: Word of Life Fellowship is seeking Site Plan Review approval for the construction of an aerobics and fitness center addition to a previously approved gymnasium & infirmary by the Planning Board (#SPR2018-06) on 11/19/18. 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 Cordis and Eric Messer from Word of Life Fellowship presented the proposal. Jeff Doak, Project Manager, was also present. Mr. Messer provided a background to the Board. At the November 19, 2018 Planning Board meeting, the Board approved the plan (#SPR2018-06) for the construction of a three-court gymnasium, a ten (10) bed infirmary, and a dormitory with approximately 104 beds. Mr. Messer stated that Word of Life plans on beginning site work based on the approval shortly. Mr. Messer said that in conjunction with the community, Word of Life has mutually agreed to end the festival this summer and there will not be an outdoor music festival this summer.

Mr. Messer explained that Word of Life is requesting approval for an aerobics room addition to the gymnasium facility. The aerobics room will be adjacent to the fitness center. The addition will increase the square footage by approximately 2,525 square ft. with a total square footage of 50,305 for the entire building. The proposed space will give an additional fitness and aerobics room for athletic teams, students and community members. Mr. Messer said that the SWPPP will be adjusted accordingly by Word of Life's engineers.

Mr. Nick asked if the proposal will change the landscaping plan and Mr. Cordis stated that there would be minimal changes. Mr. Messer said that the proposed addition will make the building look more symmetrical as well. Chairman Little mentioned that the proposal will need to be referred to the County Planning Department. Chairman Little believed that there will be no increase in the amount of noise coming from Word of Life relating to this proposal. It was briefly discussed that the project will not result in additional students to the campus and will not impact traffic of any consequence. Chairman Little stated that there are minor changes as to what the Board has already approved in November. Mr. Ellsworth asked if the proposed addition would be visible from the Glendale Road and Mr. Cordis said that it would not be.

Mr. Ellsworth made a motion to schedule a public hearing for Site Plan Review Application **#SPR2019-03** on May 20, 2019; motion seconded by Mr. Hilton. Motion carried 7-0.

PUBLIC PRIVILEGE:

Doug Bensen from Word of Life Fellowship passed out copies of a proposed miniature golf course at the Pines Campground located at 8119 State Route 9 in Pottersville. Mr. Bensen stated that this would be a replacement of an existing miniature golf course on the campground property. Mr. Bensen asked if this project would be considered a Class B Regional Project. Mr. Bensen said that the proposed miniature golf course would be in a slightly different location and larger than the existing. The new golf course will be approximately one-quarter ($\frac{1}{4}$) of an acre in size (12,209 square ft). Mr. Bensen said that the existing golf course is approximately 3,700 square ft. Mr. Bensen said that the golf course would be used only by guests of the campground and would not be open to the public. Mr. Walp asked if the golf course would be operational after dark and if lighting is proposed. Mr. Bensen said there will be not be lighting this year, but will most likely be in the future.

A brief discussion ensued regarding lighting. Mr. Matrose asked how late at night the campground operates. Mr. Bensen answered 10-11 p.m. at night. Chairman Little asked the Board for their thoughts and if this would be considered a Class B Regional Project. Chairman Little mentioned that in the Zoning Local Law under Class B Regional Projects in Zoning District Moderate Intensity, it lists "golf courses". Chairman Little did not believe that the proposal falls under that category and would not be classified as a golf course. Mr. Nick stated that it does not decipher what type of golf course. Mr. Nick asked if the campground is open to the public and Mr. Messer said that anyone can go online and book a site. Chairman Little stated that the campground is a commercial use; however, this proposal was not considered commercial. Zoning Administrator mentioned that the area of lot coverage will be increased minimally. Mr. Cordis stated that it would be increased some but it is an 80 acre parcel. Chairman Little and the Board were in agreement to allow the project to proceed and was determined by the Board the miniature golf course is not a Class B Regional Project.

Mr. Stannard made a motion that the proposal for a miniature golf course on the Pines Campground is not a Class B Regional Project; motion seconded by Mr. Ellsworth. Motion carried 7-0.

John and Cynthia Behan, owners of property located at 6 Skeet Drive, mentioned that the property is currently on the market and they are requesting for the renewal of the Site Plan Approval granted in 2008 (#SPR2008-02). Mr. Behan explained that the proposal was for a two-story mixed-use building, approximately 10,000 square ft. in size, with 55 parking spaces. Brief discussion ensued regarding stormwater, drainage, and wastewater. Mr. Behan stated that the property is being marketed with the approval of the project in 2008, but is requesting for the Permit to be renewed. Chairman Little read a portion of a letter by the Planning Board where it stated that the Permit expired on January 23, 2012 unless construction has begun. Chairman Little stated that for all of the other members of the Board and to check to see if there are new requirements or items that were missed or not dealt with during the Board's review in 2008 (i.e. Approvals from NYSDOT, NYSDEC), that a new site plan review

application with plans be submitted to the Board. As part of the 2008 proposal, Mrs. Behan stated that Cedarwood Engineering designed plans, which included a stormwater drainage plan with a retention pond. Chairman Little said that the proposal would also have to be referred to the County and further stated that there is no provision in the Zoning Local Law for renewal of a decision on any site plan review application after two (2) years.

BOARD PRIVILEGE:

Board briefly reviewed the APA's Letter of Request for Consultation regarding the Montgomery Five-Lot Subdivision. The Board had no advisory comments pertaining to the subdivision proposal.

ADJOURNMENT:

Mr. Ellsworth made a motion to adjourn the meeting at 8:18 p.m.; motion seconded by Mr. Nick. Motion carried 7-0.

Respectfully submitted,

Jeremy J. Little
Secretary