



**MINUTES OF MEETING
TOWN OF CHESTER
PLANNING BOARD
DECEMBER 15, 2014**

Mr. Little called the meeting to order at 7:00 p.m.

ATTENDANCE:

Chairman Paul Little, Al Muench, Suzanne Robbins, George Hilton, Harold Ellsworth, Eugene Dutcher, Rick Bump, John Nick, and Jeremy J. Little (Secretary). Absent was Walter J. Tennyson (Zoning Administrator).

MINUTES:

Mr. Muench mentioned he would like to remove the last paragraph on Page 4 of the November 17, 2014 Meeting and replace it with the following:

As a continuation of a matter discussed at the previous meeting, Mr. Muench followed up on the Frettoloso matter and discussed his meeting with the Warren County Clerk. His meeting included a review of the process used by the County Clerk to receive and file deeds; and how it is possible for a deed for a subdivision not approved by the Planning Board to be submitted to and filed by the County Clerk. Mr. Muench stated that all deeds submitted to the County Clerk for filing must be accompanied by Form RP-5217 (Real Property Transfer Report). If any of the three boxes in Section 4 are checked to indicate a subdivision is involved, or if the deed refers to a subdivision, the Real Property Tax Services Office staff knows that before the deed can be filed, they must verify receipt of a mylar signed by the appropriate Planning Board to indicate Planning Board Approval of the subdivision. With the Frettoloso deed in question, the RP-5217 Form was not accurately completed since none of the boxes in Section 4 were checked to indicate the deed was for a subdivision. Mr. Muench said that in conversations with the Clerk in our Assessor's Office, Mr. and Mrs. Frettoloso did subsequently file a new deed that returned the property to its original state before the unapproved subdivision. The Frettoloso's may soon return to the Planning Board with a request to properly subdivide their property.

Mr. Dutcher made a motion to accept the amended minutes for the November 17, 2014 Meeting with the above paragraph; motion seconded by Mr. Bump. Motion carried 7-0.

CORRESPONDENCE:

Zoning Administrator and Sanitary Code Enforcement Officer's Activity Report for November 2014.

Mr. Muench quoted the statement under each Use Chart in Section 4.02 of the Zoning Local Law, which reads:

For all commercial uses any change of use or any increase in the size of the structure or in the area of lot coverage shall be subject to project review.

Mr. Muench highlighted Zoning Certificates that were issued to “Commercial Entities that involve commercial use” for the month of November. Mr. Muench referenced a building located at 6283 State Route 9 (Mountain Sports, LLC), which he believes is still classified as commercial. A Zoning Certificate was recently issued for the construction of a front porch addition to the building. After a discussion with the Zoning Administrator earlier in the day, it was determined that the above sentence in bold face type does not apply since the building is not currently aimed at being used for a commercial purpose. Mr. Muench was also concerned about a Zoning Certificate that was issued for TAZ Adirondack LLC (Bullhouse Restaurant) for the installation of a hot water solar system. Mr. Muench believed that Site Plan Review was required for the solar project.

Chairman Little entertained a motion to instruct the Zoning Administrator to notify TAZ Adirondack, LLC that a Site Plan Review Application is necessary and required for the installation of the hot water solar system. Motion made by Mr. Dutcher; seconded by Mrs. Robbins. Motion carried 7-0.

NEW BUSINESS:

#SPR2014-05: Joseph Brand is seeking Site Plan Review approval for the relocation of the “All Brands Redemption Center” and “Susan Brand Salon” to property located at 6393 State Route 9, identified by Tax Map Parcel #: 104.10-2-8, in Zone Classification Hamlet.

Mr. Brand or a representative was not present at the Planning Board meeting. Mr. Brand came in to the Zoning Office earlier in the day and said that he would like to have this application placed on the agenda for the January 26, 2015 Meeting.

Mr. Muench made a motion to table Site Plan Review Application **#SPR2014-05** and to postpone review of the application for the next Planning Board meeting on January 26, 2015 at 7 p.m.; motion seconded by George Hilton. Motion carried 7-0.

#SPR2014-06: Tim Beadnell of Loon Lake RV Park, LLC is seeking Site Plan Review approval for the construction and placement of a Camp Store and the addition of eight new RV sites. Property is located at 5400-5408 State Route 8, identified by Tax Map Parcel #: 103.-1-18.1, in Zone Classification Low Intensity.

The submitted Application for Site Plan Review was discussed by the Board and highlighted the construction of the 56’ x 28’ Camp Store, addition of eight (8) new RV sites, and the requirement for a boundary line adjustment.

Mr. Beadnell stated his opinion of the appeal process and that he believed the sixty (60) day time frame had expired since the Zoning Certificate for the Camp Store was issued in July and an appeal had not been submitted during that time period.

Mr. Muench stated that the Zoning Certificate had been issued in error, which was the basis for his recommendation to have Mr. Beadnell file a Site Plan Review Application for the Camp Store. Mr. Muench did not believe that the appeal process applied to this circumstance.

Mr. Beadnell explained his proposal on the addition of the eight (8) new RV Sites and the necessity for a boundary line adjustment. The boundary line adjustment is essential because without it, where the property line exists at the present, would extend through the proposed sites on the provided Site Plan.

Mr. Muench mentioned *Section 7.12: Travel Trailer Campgrounds* of the Zoning Local Law and believed the proposed sites do not comply with the required total area of 3,600 square feet for each travel trailer lot, with a minimum width of forty (40) feet.

Mr. Beadnell stated the proposed lots were designed similar to the approved lots in the thirty-three (33) lot expansion approved in 2011. He was unsure of the dimensions of each lot and would find out how the sizes of each lot were generated. Mr. Little read *7.12(C): Travel Trailer Placement on Lot*.

Mr. Beadnell questioned the Board if it would be possible to eliminate the addition of the eight (8) new sites and the boundary line adjustment from **#SPR2014-06** and only approve the construction of the camp store. Mr. Beadnell stated he would submit a Site Plan Review Application for the eight (8) new sites and the boundary line adjustment which he hopes to have submitted for the January 26, 2015 meeting.

Mr. Little questioned what the “covering of the store” would be. Mr. Beadnell replied that it would have “novelty brown siding” and would be consistent with the surrounding buildings. Mrs. Robbins asked if the store would be open to the public and he stated it would.

Mr. Ellsworth made a motion to waive the public hearing for **#SPR2014-06** for only the camp store, excluding the addition of the eight (8) proposed RV sites; motion seconded by Mr. Dutcher. Motion carried 7-0.

Mr. Ellsworth made a motion to approve **#SPR2014-06** including only the camp store with the exclusion of the eight (8) proposed RV sites; motion seconded by Mr. Bump. Motion carried 7-0.

OLD BUSINESS: None.

PUBLIC PRIVILEGE:

After the public hearing for **#SPR2014-06** was waived and approval was given, individuals in the audience were not in favor of the Board’s decision on waiving the public hearing. Mary Tierney of 54 Pine Notch Road was concerned about her opinion not being heard for

both the camp store and the future addition of the eight (8) new RV sites (to be reviewed at a later meeting once a new application has been submitted). Mr. Dutcher stated that if a project meets the Zoning Local Law, the Planning Board technically has to approve it. Mr. Muench said that the Planning Board has the flexibility of determining if there are additional requirements or documents in order to satisfy the Board.

Noelle McCrum of 47 Clarkson Road was concerned about the addition of more sites to the campground. She stated that there was minimal landscaping on the campground and that the trailers are packed closely together. She was also concerned about the Town Beach occupancy exceeding 75 persons, which could potentially make it difficult for the lifeguards to ensure that all safety precautions are met. Parking of patrons was also discussed by Mrs. McCrum and she believed that cars of beachgoers were being parked at the Boat Inspection Center.

Mr. Bump explained that the safety and parking concerns have been discussed for quite some time and the establishment of a crosswalk has been considered. Mr. Beadnell stated that he believed the majority of those that occupy the campground walk from their site to the Town Beach.

Susan Sliva, who owns property located at 38 Clarkson Road Extension, expressed her concern about docking and that if the eight (8) additional sites were to be approved in a future meeting, that there should be a condition for no future docking in the approval.

Mr. Little expressed his appreciation for public comment, but stated the concerns for safety should be referred to the Town Board and suggested those concerned should attend a Town Board Meeting.

BOARD PRIVILEGE:

Mr. Muench gave an update on the Boundary Line Adjustment for the North Warren Trailblazer's Club that was approved on October 20th. The deed is in the process of being drafted and once complete, will be submitted to the Secretary with all of the pertinent language requested by the Board.

Mr. Hilton discussed a conversation he had with Carrie Mundrick, who currently owns property that is adjacent to Tartan Realty. The property owned by Tartan Realty is the possible location for Mr. Brand's Redemption Center in connection to **#SPR2014-05**. He believed that there is an issue in terms of advertising for a public hearing. He fully supported notifying property owners that are within five-hundred ft. (500') of the targeted property. Mr. Muench referred to Section 12.06: Notice of Public Hearing in the Zoning Local Law pertaining to Site Plan Review applications, which partially reads:

"...at least fifteen (15) days prior to the date of the hearing, notices shall be mailed to all adjacent owners of the property for which the application is made..."

ADJOURNMENT:

Mr. Muench made a motion to adjourn the meeting at 8:26 p.m.; seconded by Mr. Ellsworth.
Motion carried 7-0.

Respectfully submitted,

Jeremy J. Little

Secretary