



**MINUTES OF MEETING
TOWN OF CHESTER
PLANNING BOARD
DECEMBER 17, 2018**

Chairman Little called the meeting to order at 7:03 p.m.

ATTENDANCE:

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

OLD BUSINESS & PUBLIC HEARINGS:

Having been duly advertised, the public hearing for Site Plan Review Application **#SPR2018-07** was opened by Chairman Little at 7:04 p.m.

#SPR2018-07: KDBF Ventures LLC is seeking Site Plan Review approval for the renovation of the existing cultivation and warehouse processing/manufacturing facility and construction of additional greenhouse and warehouse space to existing facility. Property is located at 6030-6032 State Route 9, identified by Tax Map Parcel #: 121.-1-61, in Zone Classification Industrial Use.

Bob Holmes, Engineer from JARRETT Engineering and agent for the property owner, presented the proposal. Keeley Peckham, Chief Horticulture Officer, for Etain and Paul Kudlacik, Director of Operations at the Marijuana Facility, were also present. Mr. Holmes mentioned that Etain is seeking approval for a 50,000 sq. ft. +/- expansion to the existing cultivation and warehouse facility. Plans have been created for stormwater mitigation and a SPDES Phase II Stormwater General Permit will be issued as there will be more one acre disturbance. There will be upgrades to the existing on-site wastewater system and as a result, a SPDES Permit will be obtained from the NYSDEC and NYSDOH. Keeley stated that the entrance and exit to the building will be changed, with incoming and outgoing traffic on separate ends. Mr. Holmes stated that the revised Page 2 of 3 of the short EAF and Letter of Intent were both submitted, as requested by the Board at the meeting in November. Chairman Little confirmed receipt of each requested item. Exterior lighting will be downcast.

Chairman Little stated that the Board has received the recommendation from the Warren County Planning Department regarding the proposal and it was determined that there would not be any significant inter-municipal or county-wide impacts to the items identified in GML §239.

Mr. Holmes briefly explained the new access road and the creation of additional parking spaces. Chairman Little questioned the life expectancy of the plants and Keeley stated that the plants last about sixteen (16) weeks. She stated that the bud material is dried, processed and extracted. The stalks and the root balls are ground up and placed into a compost pile. In addition, she further stated that no portion of the used plants are disposed of at a landfill.

Mr. Ellsworth made a motion to close the public hearing at 7:17 p.m. for Site Plan Review Application **#SPR2018-07**; motion seconded by Mr. Walp. Motion carried 7-0.

Chairman Little made the following Resolution with Findings of Fact:

Resolution

Findings of Fact:

- 1.) There will be little or negative impact on public health, safety and general welfare and satisfies all concerns stated in Section 5.06(E);
- 2.) The Project agrees with the Town Master Plan;
- 3.) The Project meets parking, signage, and lighting requirements;
- 4.) The landscaping proposal meets the Town of Chester requirements;
- 5.) The proposed action will have negligible negative impacts on the environment;
- 6.) Warren County finds no significant impact;
- 7.) No Permit required from the APA; and,
- 8.) The Board has received Letter of Intent regarding easement from Peckham Materials Corp. for purposes of stormwater control, a new access road and new parking area.

Chairman Little made a motion to approve **#SPR2018-07**; motion seconded by Mr. Hilton. Motion carried 7-0.

#SD2018-03: Florence and John Palermo Testamentary Trust and Leggett Family LLC are seeking approval for a two lot subdivision, on property located at Valley Farm Rd./Landon Hill Rd., identified by Tax Map Parcel #: 53.-2-1, in Zone Classifications Hamlet and Low Intensity.

Craig Leggett spoke on behalf of the proposal and stated that John Palermo was unable to make the meeting. Mr. Leggett mentioned that on the provided map, the location of the test pit was not marked properly and was performed in a different location. As a result, he stated that he has contacted the surveyor to send a map file to the Engineer so that the location of the test pit will be properly sited. Mr. Leggett stated that it would not be an issue to have a test pit done on the remaining 56.02 acre parcel. Mr. Leggett said that he is not asking for any action to be taken on the proposal as the map needs to be revised, which he stated should be submitted for the meeting in January.

Having been duly advertised, the public hearing for Site Plan Review Application **#SD2018-03** was opened by Chairman Little at 7:25 p.m.

Mr. Leggett stated that one of the concerns from the Board during the November meeting was that the perc rate as described in the letter from Winchip Engineering and the perc rate on the Map did not match. Chairman Little questioned the Board if there should be a test pit on the 56.02 acre parcel. Brief discussion ensued regarding the waiving of certain requirements. Chairman Little stated that the 9.08 +/- acre parcel is being proposed as a building lot and the development of the 56.02 acre parcel is unknown at this time. Further, he stated that he did not feel the Board should request a test pit to be done on the 56.02 acre parcel and that what has been done is sufficient.

Mr. Matrose read a portion of Article I: Declaration of Policy in the Town Subdivision Regulations, which states in part, “This means, among other things, that land to be subdivided shall be of such character that it can be used safely for building purposes without danger to health, or peril from fire, flood or other menace; that proper provision shall be made for drainage, water supply, sewerage and other needed improvements...” Mr. Matrose suggested that the Board should accept what has been submitted for the septic for the 9.08 +/- acre parcel and waive it for the 56.02 acre parcel. Mr. Hilton agreed that the Board has the ability to waive the requirement and to review each proposal on a case by case basis.

Mr. Walp made a motion to adjourn the public hearing for Subdivision Application #SD2018-03 at 7:36 p.m.; motion seconded by Mr. Hilton. Motion carried 7-0.

Subdivision Application #SD2018-03 was tabled, pending receipt of the revised documents.

NEW BUSINESS:

None.

MINUTES:

Mr. Ellsworth made a motion to accept the minutes from the November 19, 2018 regular meeting; motion seconded by Mr. Nick. Motion carried 7-0.

CORRESPONDENCE: Zoning Administrator’s Activity Report for November 2018; NYSDOS Division of Local Government Services – Winter Webinar Series Listing of Courses; Letter from John R. Peckham dated November 27, 2018 and received by Zoning Office on 11/29/18 re: KDBF Ventures/Etain LLC Property Easements for #SPR2018-07; Revised Short EAF (Page 2 of 3) for #SPR2018-07 received by the Zoning Office on 11/27/18.

PUBLIC PRIVILEGE: None.

BOARD PRIVILEGE:

Chairman Little mentioned the article highlighting the new SEQRA regulations in the November/December 2018 issue of the “Talk of the Towns & Topics”.

ADJOURNMENT:

Mr. Ellsworth made a motion to adjourn the meeting at 7:40 p.m.; motion seconded by Mr. Matrose. Motion carried 7-0.

Respectfully submitted,

Jeremy J. Little
Secretary