



**MINUTES OF MEETING  
TOWN OF CHESTER PLANNING BOARD  
Regular Meeting  
February 28, 2022**

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

**ATTENDANCE:**

Chairman Paul Little, Patrick Powers, Kathy Bilfield, Bruce Goody (Via Zoom), George Hilton (Via Zoom), Jack D. Bartlett (Secretary), and Jeremy J. Little (Zoning Administrator) (Via Zoom). Absent was Greg Taylor and John Nick.

**OLD BUSINESS:**

**#SPR2020-13:** Loon Lake RV Park LLC (Tim Beadnell) is seeking Site Plan Review approval to finish and renovate the upstairs of the existing Camp Store to offer coin operated video games and coin operated laundry (2 sets). Property is located at 5400-5408 State Route 8, identified by Tax Map Parcel #: 103.-1-18.1, in Zoning District Low Intensity **\*\*TABLED UNTIL FURTHER NOTICE BY REQUEST OF APPLICANT\*\***

By the request of the Applicant this Site Plan Review was tabled until further notice.

**#SPR2022-01:** Lawrence and Janelle Turcotte are seeking Site Plan Review approval for the construction of a 27'-6" x 56'-0" Two-Bedroom Single Family Dwelling with a 12' x 24' deck, entry landings and other required infrastructure needed to serve the residence. Infrastructure includes but is not limited to electrical service, new drilled water supply well, on-site septic wastewater treatment system and driveway. The proposed land use and development will occur on the property where the slopes are in excess of 15% (location of proposed single family dwelling). Property is located at 19 Echo Lane, identified by Tax Map Parcel #: 85.-1-14.12, in Zoning District Low Intensity.

Zach Monroe was present representing the Applicant. Zach reminded the Board that the home meets all Town of Chester code had it not been for the 15% slope.

**Findings of Fact-**

1. There will be little or no negligible impact on Public Health, safety, and general welfare, and the project satisfies all concerns stated in Section 5.06(E) of the Town of Chester Zoning Regulations;
2. The project agrees with the Town of Chester Master Plan;
3. The proposed action will have negligible impacts on the environment;

4. Onsite wastewater treatment system has been designed by a licensed engineer;
5. Well meets the Town of Chester Standards;
6. Warren County finds no significant impact.
7. No significant increase in percentage of lot covered;
8. Due to lack of public interest, the public hearing was waived by the Planning Board.

The Board determined that #SPR2022-01 is a Type II Action not subject to SEQR.

A motion to approve #SPR2022-01 was made by Patrick Powers, Seconded by Bruce Goody. A Roll Call Vote was called by Secretary Bartlett-

AYES- Little, Powers, Hilton, Goody

NAYS- None

Abstain- None

Absent- Bilfield, Nick, Taylor

The motion carried 4-0

Kathy Bilfield joined the meeting at 7:05pm.

### **NEW BUSINESS:**

**#BLA2022-01:** Peter and Kathryn Fitzgerald are seeking approval for a boundary line adjustment for properties located at Atateka Drive and 809 Atateka Drive. The lot identified by Tax Map Parcel #: 120.11- 1-1.12 will decrease from 1.61 acres to 1.33 acres and the lot identified by Tax Map Parcel #: 120.11-1- 1.11 will increase from 3.53 acres to 3.79 acres. The proposed conveyance is .27 acres.

Lucas Dobie with Hutchins Engineering was present at the meeting with his client Peter Fitzgerald present via Zoom. Mr. Dobie stated that this property was part of a 2008 Subdivision. The Applicant would like to build a new residence after approval of a ¼ acre boundary line adjustment. The Applicant has an amended permit from the Adirondack Park Agency and have completed additional soil tests as recommended.

Kathy Bilfield asked if the attached garage was going to be removed. The Applicant stated that the attached garage and barn will remain on the property.

Chairman Little stated that the project is in a Moderate Intensity Zoning District and that the proposed boundary line adjustment would not make the lot substandard.

### Findings of Fact-

1. Pursuant to Section 7.22 of the Town of Chester Zoning Local Law, the Planning Board finds that:
  - a. The request is a boundary line adjustment;
  - b. Grantor parcel will remain a conforming lot;
  - c. This boundary line adjustment is subject to conditions stated in Section 7.22 (A) & (B); and,

- d. The approved map will be signed by the Planning Board Chairman as a non-jurisdictional project.

A motion to approve #BLA2022-01 by Kathy Bilfield, Second by Patrick Powers. A Roll Call Vote was called by Secretary Bartlett-

AYES- Little, Powers, Hilton, Goody, Bilfield

NAYS- None

Abstain- None

Absent- Nick, Taylor

The motion carried 5-0

**#SPR2022-03:** Peter and Kathryn Fitzgerald are seeking Site Plan Review approval for the demolition of an existing single-family dwelling, construction of a new four-bedroom single family dwelling with porch, deck and screen room, and construction of a detached garage with one (1) bedroom on the second floor. The proposed single-family dwelling will be constructed on slopes in excess of 15%. Property is located at 809 Atateka Drive, identified by Tax Map Parcel #: 120.11-1-1.11, in Zoning District Moderate Intensity.

Lucas Dobie with Hutchins Engineering was present representing the Applicant. The Applicant Peter Fitzgerald was present via Zoom. The plan is to demolish the existing structures on the property and rebuild with a modern house. The application was submitted to the Adirondack Park Agency. The project is a Class A Regional Project with the APA with wetlands involved. Mr. Dobie stated that an APA Permit has not been issued yet.

Chairman Little mentioned that this project will require referral to the Warren County Planning Department and read the following draft Findings of Fact:

1. There will be little or no negligible impact on Public Health, safety, and general welfare, and the project satisfies all concerns stated in Section 5.06(E) of the Town of Chester Zoning Regulations;
2. The project agrees with the Town of Chester Master Plan;
3. The proposed action will have negligible impacts on the environment;
4. Onsite wastewater treatment system has been designed by a licensed professional engineer and will be placed on easement area of neighboring lot 2;
5. The water supply well meets the Town of Chester Standards;
6. Applicants will tear down the existing 3 bedroom house and 1 bedroom cabin and replace it with a new 4 bedroom home and 1 bedroom above garage.
7. Due to lack of public interest, the Public Hearing was waived by the Planning Board.

The Board agreed to waive the public hearing for #SPR2022-03.

A motion to deem #SPR2022-03 as complete and submit to the Warren County Planning Department for Review by Bruce Goody, Seconded by George Hilton. A Roll Call Vote was called by Secretary Bartlett-

AYES- Little, Powers, Hilton, Goody, Bilfield

NAYS- None

Abstain- None  
Absent- Nick, Taylor

The motion carried 5-0.

### **PUBLIC HEARINGS AND OLD BUSINESS:**

**#SPR2019-06:** John and Cynthia Behan are seeking Site Plan Review approval for the construction of a 10,000 sq. ft. two-story mixed use commercial building. Property is located at 6 Skeet Dr., identified by Tax Map Parcel #: 87.20-1-5, in Zoning District Hamlet. **\*\*PUBLIC HEARING remained open from 06/17/2019 Meeting.\*\***

Chairman Little read the following excerpt from the May 20, 2019 Planning Board Meeting Minutes on Pages 4 and 5 (as shown in bold) into the record-

**Mr. and Mrs. Behan presented the proposal. Mr. Behan stated that there is no change to the access to State Route 8 or Skeet Drive. There are 57 parking spaces proposed where 55 are required. The lighting will be low and shielded. Mr. Behan mentioned that there was a site plan approved years ago by the Planning Board and the requested site plan is similar. Mr. Behan stated that the size of the structure and proposed parking is unchanged. There is a drivethrough option which was not included in the site plan approved by the Board in 2008 (#SPR2008-02). Chairman Little stated that a SWPPP would be required from NYSDEC for the project. Mr. Matrose asked if the Applicant needs to complete the stormwater approval and file the intent for stormwater before the Board could approve the project. Chairman Little did not believe it was necessary, as Mr. Behan was not seeking to construct the building at this time. Chairman Little stated that if and when the building was built, a SWPPP would be required. Chairman Little mentioned that the landscaping, parking, septic has been provided on the site plan. Referral to the Warren County Planning Department is also required for the project.**

**Mr. Stannard made a motion to deem Site Plan Review Application #SPR2019-06 complete and to schedule a public hearing for June 17th; motion seconded by Mr. Nick. Motion carried 6-0.**

Paul and Cynthia Behan were present at the meeting. Chairman Little stated that there are a lot of unanswered questions.

The Public Hearing was reopened at 7:29pm-

John Behan stated that property has been purchased from the State of New York and the deed has been submitted to the Board. The project has been redesigned. The Applicants stated that they are looking to create a nice project for the Town and plan to call it the "Chester Gateway". The parking lot surfaces will all be permeable with green spaces surrounding it. The project will be a two level building. The presentation is very similar to the 2019 Site Plan. The project fits within the Town of Chester Zoning Law. The Applicant stated that they are looking to make the project a reality.

Albert McGuire of Stage Coach Road asked about the property being a mixed use property with no proposed tenants secured at this time. He asked the Applicant if he was considering drive thru

businesses. He is concerned with sounds from the property being transformed to his property. Chairman Little stated that any tenants would require Town Planning Board approval.

Tina Sorel of Stage Coach Road is concerned with drainage into the Chester Creek and litter from the properties clientele.

Stephen Borgos of Travel Town LLC read from a prepared letter that was submitted to the Planning Board members present. He addressed concerns that he has regarding the project as an adjoining property owner on Skeet Drive.

John Behan stated that he feels that Mr. Borgos made mis-statements during his presentation and that there would be no cuts to the land with excavation marks. The property is being built and designed with water in mind, especially with the permeable pavement. The design is being completed by a certified engineer. The level grade and lower grade will allow for there to be no retaining wall or large cuts to the property. The Applicants would like the project to be thought of as an asset to the Town. There is over 500 feet of frontage on the property and feels that Skeet Drive can handle the traffic from the project. He feels that this is a positive use of the Town. The Applicant stated that he feels that the Adirondack Park Agency has no jurisdiction on the property. The project is zoned Hamlet and able to be developed.

Chairman Little stated that he feels the Board will need to receive a non-jurisdictional determination from the Adirondack Park Agency. He is concerned with the forever wild and sale of state land. The Adirondack Park Agency is currently looking into this.

Mr. Borgos stated that he is concerned additionally with:

- Skeet Drive Right of Way
- Grade Frontage
- Lot Size and Congestion

Mr. McGuire stated that he is concerned additionally with:

- The property being designed to grade
- Signage
- Raised Signage
- Lighting
- Greenery Replacement

Ms. Sorel stated that she is concerned additionally with:

- Replacing Vegetation
- Looking for a Forestry Study
- Amount of Traffic
- Litter

Kathy Bilfield asked about parking and where this would be located. The Applicant stated that this would be on the side and rear of the building. Ms. Bilfield asked about an elevator for ADA compliance. The Applicant stated that there is grade entrance at both levels to the property and parking is designed to Town of Chester Standards.

Chairman Little stated the following-

- Travel lanes have been professionally designed

- Forestry work will need to be completed
- Engineer will need to sign off on the plans
- The use of Skeet Drive will need to be determined

A question was raised from the floor if there is really a need for a "Visitor Center" with the Chamber of Commerce available.

Chairman Little would like to leave the public hearing open. A discussion took place with the Board members present regarding re-advertising for the Public Hearing.

George Hilton stated that the Board would need to complete a SEQR review. The application would be a conditioned approval with unknown tenants and this is going to take multiple meetings to complete.

The public hearing remains open until the March 21, 2022 meeting of the Planning Board.

**MINUTES:** A motion was made by Patick Powers, Seconded by Kathy Bilfield to approve the January 24, 2022 Minutes of the Planning Board. A Roll Call Vote was called by Secretary Bartlett-

AYES- Little, Powers, Hilton, Goody, Bilfield  
NAYS- None  
Abstain- None  
Absent- Nick, Taylor

The motion carried 5-0

**CORRESPONDENCE:**

- Zoning Administrator's Activity Report for January 2022;
- 2022 Meeting Schedule and Submittals;
- Adirondack Park Agency Major Project Public Notice (Application Received) dated January 31, 2022 and received by the Zoning Office on February 04, 2022 RE: APA Project No. 2022-0014, Proposed tourist accommodation consisting of four cabins, accessory use hot tub structure, associated OWTSS, creation of a beach area, etc.;
- Adirondack Park Agency Major Project Public Notice (Application Received) dated January 31, 2022 and received by the Zoning Office on February 04, 2022 RE: APA Project No. 2022-0015, Establishment of a new commercial use distillery on the site of a previously-authorized commercial use towing and auto repair business;
- Warren County Planning Department Project Review and Referral Form, reviewed by Department on February 03, 2022 for #SPR2022-01. Form received by the Zoning Office on February 08, 2022;
- Adirondack Park Agency Notice of Incomplete Permit Application dated February 07, 2022 and received by the Zoning Office on February 16, 2022 RE: APA Project No. 2022-0014, Tourist Accommodation, single family dwelling and two-lot subdivision;
- Adirondack Park Agency Request for Consultation dated February 16, 2022 and received by the Zoning Office on February 16, 2022 RE: APA Project No. 2022-0014.
- Letter from John J. Behan dated February 16, 2022 and received by the Zoning Office on February 16, 2022 RE: Site Plan Review #SPR2019-06, including Deed and Site Plan.

**Adirondack Park Agency Request for Consultation for APA Project No. 2022-0014:**

After a brief discussion, the Board members concluded the following advisory comments for APA Project No. 2022-0014:

1. The proposed boundary line adjustment will require approval from the Town of Chester Planning Board;
2. The proposal exceeds density requirements in the Town of Chester Zoning Local Law for the Rural Use Zoning District where 8.5 acres is required per principal building; and,
3. Cutting restrictions. Thirty-percent may be cleared on the riverbank and the Applicant is proposing to clear more than thirty-percent.

**PUBLIC PRIVILEGE:** None

**BOARD PRIVILEGE:**

Craig Leggett, Town Supervisor, welcomed the newest Board Members to the Board and thanked them for their service to the Town of Chester.

**ADJOURNMENT:**

Patrick Powers made a motion to adjourn the meeting at 9:10pm, motion seconded by Kathy Bilfield. A Roll Call Vote was called by Secretary Bartlett-

AYES- Little, Powers, Hilton, Goody, Bilfield

NAYS- None

Abstain- None

Absent- Nick, Taylor

The motion carried 5-0.

Respectfully submitted,

Jack D. Bartlett  
Secretary  
Planning Board