



**MINUTES OF MEETING
TOWN OF CHESTER PLANNING BOARD
Regular Meeting
July 18, 2022**

Vice Chairman George Hilton called the meeting to order at 7:00 p.m.

ATTENDANCE:

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

PUBLIC HEARINGS AND OLD BUSINESS:

#SPR2022-07: Heather and Joseph Rio are seeking Site Plan Review approval to amend Site Plan Review Application #SPR2021-04 approved on March 15, 2021 for the keeping of one (1) horse, construction of a 24' x 30' Horse Barn and approximately 10,000 sq. ft. paddock with a 5 ft. high fence. Amendment request is to include additional livestock (Maximum number of the following livestock: (2) Goats, (3) Horses, (6) Chickens, (4) Ducks, (1) Rabbit, No Pig(s)). Property is located at 1439-1443 Friends Lake Road, identified by Tax Map Parcel #: 103.-1-23, in Zoning District Moderate Intensity.

Vice Chairman Hilton **opened** the Public Hearing for **Site Plan Review Application #SPR2022-07: Heather and Joseph Rio** at 7:02 pm.

Vice Chairman Hilton asked if anyone would like to speak concerning this Application. Hearing none.

Vice Chairman Hilton asked the Applicant if they had anything to add. Joseph Rio replied not at this time.

Vice Chairman Hilton asked Jeremy Little, Zoning Administrator, if he had received any public comment. Mr. Little stated no.

Vice Chairman Hilton asked one more time if there was anyone who would like to speak. Hearing none.

On a motion by Mr. Nick, seconded by Mr. Goody, the Public Hearing for **Site Plan Review Application #SPR2022-07: Heather and Joseph Rio** closed at 7:03 pm.

AYE 4 NO 0

Vice Chairman Hilton read the informal staff comments from the Warren County Planning Department's Project Review and Referral Form:

Would ask the applicant to identify the location of residential wells on adjoining properties and have a discussion with the applicant as to the plan for disposing of horse manure. Cooperative Extension could provide recommendations for disposing of animal waste. Determine if the on-site water well will be providing pumped water to the residence and the barn. Have the applicant identify if hay will be stored outdoors.

Mr. Rio commented that the hay will never be stored outdoors, the water source is over 250 feet away from the manure, and they were thinking about turning into compost themselves and have an area selected if they choose to do so. Mr. Nick asked if the well was more than 250 feet from the closest point of where the animals will be. Mr. Rio replied no, that would be to the barn. Mrs. Rio commented that it is over 100 feet to the horse paddock.

Vice Chairman Hilton asked Mr. Little if there is anything in the code that states that the animals have to be a certain distance from the water source. Mr. Little stated that there is a Table 1 from the Department of Health regulations that highlight contaminate sources and how far those have to be from the existing or proposed well. It does say that if there are storage areas for manure piles it has to be 200 ft., but it does have a footnote that states "Water wells may be located 100 feet from temporary (30 days or less) manure piles/staging areas that are controlled to preclude contamination of surface or groundwater or 100 feet from otherwise managed manure piles that are controlled pursuant to regulation in a manner that prevents contamination of surface or groundwater." Mr. Rio commented that the staging area is over 250 ft. from the well. Mr. Taylor asked if that included their neighbor's wells. Mr. Rio said his well would be the closest.

Kathy Bilfield entered the meeting at 7:11 pm.

On a motion by Mr. Taylor, seconded by Mr. Nick, to deem this application a SEQRA Unlisted Action.

AYE 5 NO 0

Vice Chairman Hilton read the following questions from the Short Environmental Assessment Form, Part 2 – Impact Assessment. The Board all agreed to choose "No, or small impact may occur".

	No, or small impact may occur	Moderate to large impact may occur
1. Will the proposed action create a material conflict with an adopted land use plan or zoning regulations?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
2. Will the proposed action result in a change in the use or intensity of use of land?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
3. Will the proposed action impair the character or quality of the existing community?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
4. Will the proposed action have an impact on the environmental characteristics that caused the establishment of a Critical Environmental Area (CEA)?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
5. Will the proposed action result in an adverse change in the existing level of traffic or affect existing infrastructure for mass transit, biking or walkway?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
6. Will the proposed action cause an increase in the use of energy and it fails to incorporate reasonably available energy conservation or renewable energy opportunities?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
7. Will the proposed action impact existing:	<input checked="" type="checkbox"/>	<input type="checkbox"/>
a. public / private water supplies?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. public / private wastewater treatment utilities?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
8. Will the proposed action impair the character or quality of important historic, archaeological, architectural or aesthetic resources?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
9. Will the proposed action result in an adverse change to natural resources (e.g., wetlands, waterbodies, groundwater, air quality, flora and fauna)?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
10. Will the proposed action result in an increase in the potential for erosion, flooding or drainage problems?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
11. Will the proposed action create a hazard to environmental resources or human health?	<input checked="" type="checkbox"/>	<input type="checkbox"/>

On a motion by Mr. Taylor, seconded by Mr. Nick, the Board reviewed Parts 1, 2 and 3 of the Short Environmental Assessment Form for **Site Plan Review Application #SPR2022-07: Heather and Joseph Rio** and found no environmental impact and that it is a SEQRA Negative Declaration.

AYE 5 NO 0

NOTICE OF DETERMINATION OF SIGNIFICANCE AND NEGATIVE DECLARATION IN CONNECTION WITH SITE PLAN REVIEW APPLICATION #SPR2022-07, HEATHER AND JOSEPH RIO

WHEREAS, the Town of Chester Planning Board (“Planning Board”) has received an Application from Heather and Joseph Rio (the “Applicants”) to amend Site Plan Review Application #SPR2021-04 approved on March 15, 2021 to include additional livestock on property located at 1439-1443 Friends Lake Road, identified by Tax Map Parcel #: 103.-1-23 (the “Project”); and

WHEREAS, the Planning Board has identified the Project to be an Unlisted action for purposes of SEQRA review pursuant to 6 NYCRR 617; and

WHEREAS, the Planning Board has decided to conduct an uncoordinated review as a Lead Agency for the Project; and

WHEREAS, the Planning Board has received a Short Environmental Assessment Form (“SEAF”) for the Project with Part 1 of the SEAF completed by the Applicants; and

WHEREAS, the State Environmental Quality Review Act (“SEQRA”) requires that the Planning Board undertake a thorough review of the potentially significant adverse environmental impacts prior to making its determination with respect to the Project; and

WHEREAS, the Planning Board has reviewed Parts 1, 2 and 3 of the SEAF and all other supporting information submitted to the Planning Board by the Applicants;

NOW, THEREFORE BE IT

RESOLVED, that in accordance with SEQRA, the Planning Board, as a Lead Agency, has determined that the Project will not result in any significant adverse environmental impacts and hereby issues a Negative Declaration pursuant to the requirements of SEQRA and directs the Planning Board Vice Chairman to complete and sign Part 3 of the SEAF as required for the Determination of Significance, confirming the foregoing Negative Declaration.

MOTION FOR ISSUANCE OF NOTICE OF DETERMINATION OF SIGNIFICANCE AND NEGATIVE DECLARATION IN CONNECTION WITH SITE PLAN REVIEW APPLICATION #SPR2022-07, HEATHER AND JOSEPH RIO,

Introduced by Vice Chairman George Hilton who moved for its adoption, seconded by John Nick:

Duly adopted this 18th day of July, 2022 by the following vote:

AYES: Vice Chairman George Hilton
John Nick
Bruce Goody
Greg Taylor
Kathy Bilfield

NOES: None.

ABSTAINED: None.

ABSENT: Chairman Paul Little
Patrick Powers

Vice Chairman Hilton read the following:

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 Project Review and Referral Form has been received from the Warren County Planning Department with the response that there will be no County Impact;
4. The Project will have negligible negative impacts on the environment;
5. The Project is an Unlisted action and the Planning Board has decided to conduct an uncoordinated review as a Lead Agency;
6. The Board reviewed Parts 1, 2 and 3 of the Short Environmental Assessment Form (SEAF) and all other supporting information submitted to the Board by the Applicants;
7. The Board has determined that the Project will not result in any significant adverse environmental impacts and issued a Notice of Determination of Significance and a Negative Declaration.

Vice Chairman Hilton asked if there were any other conditions.

Mr. Taylor stated the number of livestock.

Mrs. Bilfield commented about lime safety for the manure.

Vice Chairman said to add the following to the Findings of Fact:

8. Livestock not to exceed (2) Goats, (3) Horses, (6) Chickens, (4) Ducks, (1) Rabbit, and no Pig(s)
9. All requirements listed on SDS will be followed.

On a motion by Mr. Taylor, seconded by Mr. Goody, to approve **Site Plan Review Application #SPR2022-07: Heather and Joseph Rio** with the above with the Findings of Fact.

AYE 5 NO 0

MINUTES:

On a motion by Mr. Nick, seconded by Mrs. Bilfield, the Board accepted the June 27, 2022 Minutes of the Planning Board.

AYE 5 NO 0

CORRESPONDENCE:

- Zoning Administrator’s Activity Report for June 2022;
- Warren County Planning Department Project Review and Referral Form, reviewed by Department on June 30, 2022 for #SPR2022-07 and #SPR2022-08. Forms received by the Zoning Office on July 06, 2022;
- Association of Towns and New York Planning Federation 2022 Fall Planning and Zoning Schools;
- Letter from George and Josephine Ilg received by the Zoning Office on July 18, 2022 RE: #BLA2022-04.

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****

#SPR2022-08: Lindsey and Justin Persons are seeking Site Plan Review approval to change the use of the existing building from a Restaurant (Pizza Shop, formerly “High Peaks Pizzeria” and “Buttino’s Italian Bistro”) to a Beauty Salon (“Looks by Lindsey & Co. Hair Studio”). Property is located at 6382 State Route 9, identified by Tax Map Parcel #: 104.10-4-1.2, in Zoning District Hamlet.

No one was present to speak for this Application.

Vice Chairman Hilton read the following:

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 Local Law;
2. The Project agrees with the Town of Chester Master Plan;
3. As per Section 5.06(G)(1), there will be no public hearing as the expected level of public interest is negligible;
4. The Project is a Type II action, requiring no further review under SEQR;
5. The Project will have negligible negative impacts on the environment;
6. The Project Review and Referral Form has been received from the Warren County Planning Department with the response that there will be no County Impact;
7. Off-street parking is available and the Project meets parking, signage, and lighting requirements.

Mr. Taylor commented that she will need a sign application.

On a motion by Mr. Taylor, seconded by Mr. Nick, approve **Site Plan Review Application #SPR2022-08: Lindsey and Justin Persons** with the above Findings of Fact.

AYE 5 NO 0

NEW BUSINESS:

#SPR2022-10: Randal A. and Mary Miller are seeking Site Plan Review approval for the installation and placement of a 48” x 74” free-standing off-premise business sign for “Miller’s Masonry & Property Management”. Site Plan Review approval is required for installation of an off-premise sign, per Section 7.04(F)(11) of the Town of Chester Zoning Local Law. Property is located at 7860 State Route 9, identified by Tax Map Parcel #: 52.8-1-22, in Zoning District Hamlet.

No one was present to speak for this Application.

Vice Chairman Hilton commented that the Applicant has submitted a SEAF and a Plan of the sign.

Mr. Taylor asked if remote signs are allowed.

On a motion by Mr. Nick, seconded by Mr. Taylor, deem **Site Plan Review Application #SPR2022-10: Randal A. and Mary Miller** complete and refer the Application to the Warren County Planning Department.

AYE 5 NO 0

#SPR2022-11: Christopher and Christin Mason are seeking Site Plan Review approval for the renovation of an existing 33’ x 36’ barn to a one-bedroom single-family dwelling with sleeping loft and construction of an 8’ x 36’ front porch addition. The proposed single-family dwelling will have an on-site septic wastewater treatment system and will be on the same lot as the existing single-family dwelling. Site Plan Review approval is required for an additional principal building on the same lot where one exists, according to Section 7.15 of the Town of Chester Zoning Local Law. Property is located at 102 State Route 28N, identified by Tax Map Parcel #: 66.10-3-5, in Zoning District Hamlet.

Christopher Mason said they purchased the property over two years ago and they would like to remodel the barn into living space, which would be a second residence on the lot.

Vice Chairman Hilton asked Mr. Little if this would be referred to the Warren County Planning Department because it is on a State road. Mr. Little replied that is correct.

Mrs. Bilfield asked if this was for family use and not an Airbnb. Mr. Mason said that they have a large family.

On a motion by Mr. Taylor, seconded by Mr. Goody, deem **Site Plan Review Application #SPR2022-11: Christopher and Christin Mason** complete and refer the Application to the Warren County Planning Department.

AYE 5 NO 0

#BLA2022-04: Riverside Epworth League Institute is seeking approval for a boundary line adjustment for properties located at Lot 49-50 T&C 24th TWP and 72-78 East Hudson River Drive. The lot identified by Tax Map Parcel #: 102.-1-1 will decrease from 297.15 ± acres to 296.46 ± acres and the lot identified by Tax Map Parcel #: 102.40-1-12 will increase from 8.93 acres to 9.62 acres. The proposed conveyance is .69 acres.

Alexandra Davis, Esq. was present at the meeting to represent the Applicants.

Vice Chairman Hilton commented that on the map it appears that the new property line would put it closer to a structure.

Discussion ensued about encroaching property lines and parcels.

On a motion by Mr. Taylor, seconded by Mr. Nick, deem **Boundary Line Adjustment Application #BLA2022-04: Riverside Epworth League Institute** incomplete.

AYE 5 NO 0

PUBLIC PRIVILEGE: None.

BOARD PRIVILEGE:

Mr. Nick asked when the deadline was to sign up for the Short-Term Rental Conference. Mindy replied Monday, August 8th would be great.

ADJOURNMENT:

On a motion by Vice Chairman Hilton, seconded by Mr. Taylor, meeting adjourned at 8:18 pm.

AYE 5 NO 0

Respectfully submitted,

Mindy Conway
Acting/Recording Secretary
Planning Board