



**MINUTES OF MEETING
TOWN OF CHESTER PLANNING BOARD
MAY 20, 2019**

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

Chairman Little welcomed Vanessa Hutton to the Board, as she was recently appointed by the Town Board to serve as Alternate. As there were two absences on the Board, Mrs. Hutton sat on the Board in one of their absence.

ATTENDANCE:

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

PUBLIC HEARINGS AND OLD BUSINESS:

Having been duly advertised, the public hearing for Site Plan Review Application **#SPR2019-02** was opened by Chairman Little at 7:01 p.m.

#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. Mr. Holmes stated that KDBF Ventures is proposing a 62,000 square ft. expansion instead of the previously approved 50,000 square ft. Mr. Holmes stated that this proposal resulted in a better footprint and better fit as far as functionality and flow through the facilities.

There was no discussion or concerns from the public regarding this proposal.

Mr. Walp made a motion to close the public hearing at 7:03 p.m. for Site Plan Review Application **#SPR2019-02**; motion seconded by Mr. Nick. Motion carried 6-0.

Chairman Little addressed Findings of Fact for **#SPR2019-02**:

1. There will be little to no negative impact on public health, safety, and general welfare and satisfies all concerns as stated in Section 5.06(E) of the Town of Chester Zoning Local Law;
2. The project agrees with the Town Master Plan;
3. The project meets parking and lighting requirements;
4. The proposed action will have negligible negative impacts on the environment;
5. No Permit required from the Adirondack Park Agency (APA);
6. Existing SWPPP has been amended to accommodate the additional runoff;
7. The letter of intent from Peckham Materials has been updated; and,

8. The Warren County Planning Department finds that the project will not create any significant intermunicipal County wide impacts.

The Board reviewed questions in Part II of the Short Environmental Assessment Form. The Board agreed to answer and mark questions 1-11 in Part II of the Short EAF as “No, or small impact may occur.”

Chairman Little made a motion to approve **#SPR2019-02**; motion seconded by Mr. Stannard. Motion carried 6-0.

Having been duly advertised, the public hearing for Site Plan Review Application **#SPR2019-03** was opened by Chairman Little at 7:06 p.m.

#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 Messer from Word of Life Fellowship presented the proposal. Jeff Doak, Project Manager, was also present. Mr. Messer briefly explained that Word of Life is proposing a 2,525 square ft. addition to the health and athletic center, which will serve as an aerobics room for Word of Life’s guests, students, and constituents to use.

Mr. Stannard made a motion to close the public hearing at 7:08 p.m. for Site Plan Review Application **#SPR2019-03**; motion seconded by Mr. Nick. Motion carried 6-0.

The Board reviewed questions in Part II of the Short Environmental Assessment Form. The Board agreed to answer and mark questions 1-11 in Part II of the Short EAF as “No, or small impact may occur.”

Chairman Little addressed Findings of Fact for **#SPR2019-03**:

1. There will be little to no negative impact on public health, safety and general welfare and satisfies all concerns stated in Section 5.06(E) of the Town of Chester Zoning Local Law;
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;
8. No Permit required from New York State Parks, Recreation and Historic Preservation;
9. The Project will not increase the number of students; and,
10. The Project will have no impact on traffic.

Mr. Matrose made a motion to approve **#SPR2019-03**; motion seconded by Mr. Walp. Motion carried 6-0.

OLD BUSINESS:

#SPR2019-01: Stewart's 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 #: 87.20-1-1, 87.20-1-7, 87.20-1-8, in Zoning District Hamlet.

Ryan Rubado from Stewart's Shops Corporation presented the proposal. Mr. Rubado stated that nothing has changed with the project since last month's meeting other than the fact that NYSDOT has submitted minor comments regarding the proposal. Mr. Rubado mentioned a drainage easement for NYSDOT. Mr. Rubado mentioned there is an erosion control plan which outlines the measurements taken during construction (i.e. silt fence, concrete washout area, soil restoration, etc).

Chairman Little had a couple questions regarding the answers in the short Environmental Assessment Form. Question #2 was not checked as "Yes" or "No" and as there were two Agencies listed, Chairman Little mentioned that it should be checked as "Yes". Chairman Little stated that Question #9 was checked "Yes" and asked if the "design features and technologies" could be briefly described. Mr. Rubado stated that R49 Insulation is used in the ceiling for the low roof which exceeds Code, the continuous insulation R6 is also used, LED fixtures are used both inside and out to minimize the electrical usage, and coolers and compressors are energy efficient. Question #17 was answered "Yes" regarding the creation of storm water discharge with a brief description stating "In an overflow situation the potential exists for stormwater flowing to adjacent properties". Mr. Rubado stated that all of the water is collected from the site and sent to the detention system which meters the amount of water that leaves it so that no more water leaves the site in the future than it does today.

Chairman Little asked the Board if the Application is complete. There have been no objections from NYSDOT, variances for the proposed signs have been approved by the Zoning Board of Appeals, LEDs are downcast, the color scheme was briefly discussed and the color of the building blends in with "Adirondack colors". It is believed that the proposed landscaping will soften the off-street parking and Chairman Little mentioned that the SWPPP has been received and the proposal has not yet been referred to the Warren County Planning Department.

Mr. Nick made a motion to deem Site Plan Review Application **#SPR2019-01** complete and to schedule a public hearing for June 17th; motion seconded by Mr. Stannard. Motion carried 6-0.

NEW BUSINESS:

#SD2019-01: Stewart's Shops Corp. is seeking approval for a three lot subdivision, on property located at State Route 8, identified by Tax Map Parcel #: 87.20-1-1, 87.20-1-7, 87.20-1-8, in Zoning District Hamlet.

Ryan Rubado from Stewart's Shops Corporation presented the proposal. Mr. Rubado stated that Stewarts will be purchasing .252 acres from Ronald and Priscilla Gill and in return, Stewarts Shops will be giving back .66 acres so that Mr. Gill's property maintains frontage on State Route 8. Mr. Rubado mentioned that Stewarts will be retaining .327 acres of property owned by Stewarts. The .252 acres will be purchased from Gill. The lot consisting of .252 acres and the lot consisting of .327 acres will be merged with the Alpha Enterprises, LLC parcel currently consisting of 1.485 acres. Mr. Rubado stated that Stewarts would also retain a parcel consisting of .166 acres with a utility easement to be reserved to Stewart's from Gill to maintain the power to the sign by the Northway. Chairman Little suggested that the proposed lots be numbered 1, 2 and 3 on the survey map. Chairman Little briefly summarized that Lot 1 will

consist of 1.485 acres in addition to the .252 acre and .327 acre parcel. Lot 2 will consist of .659 acres, which will be conveyed by Stewarts to Ronald and Priscilla Gill and Lot 3 consisting of .166 acres. Chairman Little also mentioned that as the .166 acre parcel is a substandard lot and is less than .5 acre, he felt that the Board could impose a condition that no structures can be built on it. Descriptions of the properties and conveyances were reviewed by the Board. Lengthy discussion ensued regarding the proposed subdivision and a possible boundary line adjustment proposal.

Chairman Little had similar comments regarding the answers provided in the short EAF (i.e. Question #2 whether the proposed action will require a permit, approval or funding from any other government Agency). Chairman Little recommended the answer to question #2 be marked as "Yes", as there was no answer to that question marked on the form.

Mr. Walp made a motion to deem Subdivision Application **#SD2019-01** complete and to schedule a public hearing for June 17th; motion seconded by Mr. Matrose. Motion carried 6-0.

#SPR2019-05: Word of Life Fellowship is seeking Site Plan Review approval for the construction of (2) 8' x 16' Log Lean-Tos for camping on the existing "The Pines" campground. Property is located at 8119 State Route 9, identified by Tax Map Parcel #: 36.-1-26, in Zoning District Moderate Intensity.

Doug Bensen from Word of Life presented the proposal. Mr. Bensen stated that Word of Life is seeking approval to construct two (2) Adirondack-style log lean-tos on the existing campground property. Mr. Bensen stated that the lean-tos will be on the site of a campsite and adjacent to the site which normally would have been occupied by an RV. The location of the sites will be distant from all of the activities and would not be rented often. Chairman Little asked if there are toilet and water facilities within reasonable distance. Mr. Bensen stated that the proposed lean tos would be approximately 450 ft. to the bathhouse. Chairman Little mentioned that capacity of the campground is unchanged and the two sites formerly occupied by tents or RVs will now be occupied each with a log lean to. The project is subject to the referral to the Warren County Planning Department. Chairman Little did not believe that the proposal requires a public hearing and the structures would be located in an already established campground. Mr. Bensen stated that Warren County Building Codes is going to require a Building Permit for each structure. Mr. Nick asked if they would be constructed on site. Mr. Bensen stated that they would be.

Mr. Matrose made a motion to waive the public hearing for Site Plan Review Application **#SPR2019-05**; motion seconded by Mr. Stannard. Motion carried 6-0.

#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.

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 drive-through 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.

Mr. Nick stated he would recuse himself from the Board, as he is to present his proposal **#SPR2019-04** to the Board.

#SPR2019-04: John and JoAnne Nick are seeking Site Plan Review approval for the construction of an addition to an existing residential garage which will increase the square footage of the existing garage by more than 50%. Property is located at 53 East Shore Dr., identified by Tax Map Parcel #: 69.18-1-17, in Zoning District Moderate Intensity.

Mr. Nick presented the proposal. He stated that there is an existing primary residence with an existing two-car garage, with a footprint of 25' x 25'. Mr. Nick mentioned that the proposed addition to the garage will be 14' x 25' in size, which will add an extra bay to the garage. As the proposed addition will increase the square footage of the existing structure by more than fifty percent, site plan review approval is required. Mr. Matrose mentioned he saw the proposal was also to be reviewed by the Zoning Board of Appeals for an area variance, as the 60' frontline setback was unable to be maintained. Chairman Little asked if it would change any property owner's sight-lines around the Lake. Mr. Nick said that it would not and the addition would not be seen from the Lake and both of his neighbors were apprised of the request and had no concerns.

Chairman Little asked the Board if a public hearing would be necessary. Chairman Little requested to Mr. Nick to have the neighboring property owners that have raised no concerns to write a letter in support of the project. Chairman Little said that the Board will wait for the Zoning Board of Appeals to render a decision before the Planning Board makes a decision on the project.

Mr. Matrose made a motion to waive the public hearing for Site Plan Review Application **#SPR2019-04**, as the Board did not expect a level of any public interest regarding the project; motion seconded by Mr. Walp. Motion carried 6-0.

Mr. Nick returned to the Board as Board member.

PUBLIC PRIVILEGE:

Jim and Elizabeth Morgan had a preliminary discussion with the Board regarding a potential restaurant in Pottersville. Mr. Morgan stated it would be breakfast and lunch only, sandwich concept, take out or dine in with no table service or alcohol. Mr. Morgan stated they are currently evaluating four different locations and before purchasing the property, he asked the Board's thoughts on the project for conceptual purposes. The property is located at 8049 State Route 9, next to Lee's Corner Motel in the Hamlet Zoning District. He mentioned that if the property is purchased, a site plan review application and package would be submitted to the Board. The Planning Board reviewed and explained to Mr. and Mrs. Morgan the Application requirements such as lighting, parking, signage etc.

BOARD PRIVILEGE:

Mr. Stannard recused himself from the Board as he discussed with the Board the proposed renovation and expansion of O.P. Fredericks. Each Board member was provided preliminary drawings of the proposal. Mr. Stannard stated that the Department of Health has conducted a site visit and offered comments that if the Town deems the project as a renovation and not an expansion of the existing structure, there would be no approval required from the NYSDOH if the occupancy remains unchanged. The basement or "rotary room" will be moved upstairs and the occupancy of the restaurant will not be increased. Mr. Stannard stated that the kitchen will be renovated, the bathroom and bar will be updated. Mr. Stannard also mentioned that the Adirondack Park Agency will be conducting a site visit on May 30th. Brief discussion ensued regarding the brewery. Mr. Stannard said that at this time, the brewery is not part of the proposal. Mr. Stannard asked the Board if a letter could be written to the NYSDOH that the Board would be reviewing this as a renovation project, with no occupancy increase.

On a motion by Mr. Nick and seconded by Mr. Matrose, in regards to Board Privilege and the request noted by George Stannard, owner of OP Fredericks, the Planning Board has reviewed and deemed this a renovation project and will not increase the occupancy. Motion carried 5-0.

Mr. Stannard returned to the Board as Board member.

MINUTES:

Mr. Nick made a motion to accept the minutes from the Regular Meeting on April 15, 2019 and the Special Meeting on May 02, 2019; motion seconded by Mr. Walp. Motion carried 6-0.

CORRESPONDENCE:

- Zoning Administrator's Activity Report for April 2019.
- APA Major Project Public Notice (APA Project No. 2019-0064) dated May 03, 2019 and received May 03, 2019 RE: Renovation and expansion of an existing commercial use food service establishment.

ADJOURNMENT:

Chairman Little made a motion to adjourn the meeting at 9:16 p.m.; motion seconded by Mr. Walp. Motion carried 6-0.

Respectfully submitted,

Jeremy J. Little
Secretary