



**MINUTES OF MEETING
TOWN OF CHESTER ZONING BOARD OF APPEALS
Regular Meeting
June 22, 2021**

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

ATTENDANCE:

Chairman John MacMillen, Michael Hough, Arnold Jensen, Jack D. Bartlett (Secretary), and Jeremy Little (Zoning Administrator). Absent was Barbara Kearney, and Mary Clark.

OLD BUSINESS AND PUBLIC HEARINGS:

#498-V: C. Thomas Luciano and Darlene Luciano are (1) requesting multiple setback variances for construction of structures on proposed Lot 1 and Lot 2 and (2) seeking relief from the 8.5 acres per Principal Building Intensity requirement for a proposed two-lot subdivision, according to Section 4.03 and Section 7.01(B)(4) of the Town of Chester Zoning Local Law. The proposed two-lot subdivision will result in the creation of Lot 1 consisting of 4.56 acres and Lot 2 consisting of 6.31 acres. Property is located at Carl Turner Road currently consisting of 10.87 acres, identified by Tax Map Parcel #: 87.2-1-1.1, in Zoning District Rural Use.

The applicants were not present.

NEW BUSINESS AND PUBLIC HEARINGS:

#501-V: The Danforth Family Irrevocable Trust are requesting a 47.4 ft. front yard setback variance and 3.5 ft. right side yard setback variance, according to Section 4.03 of the Town of Chester Zoning Local Law, in order to construct a one-car garage addition (25' x 20' including overhangs) to an existing one-car garage, which will be renovated to include a new mudroom and shop. Property is located at 9 Clarkson Road Extension, identified by Tax Map Parcel #: 86.15-1-34, in Zoning District Moderate Intensity.

Russ & Gail Danforth were present at the meeting. They are relocating to the area and looking for more garage space on property so vehicles can be out of the weather. Mr. Danforth displayed engineered drawings of his project. Only alternative would be purchasing another piece of property. Setback is 12.6 feet from the property line; however, is 30-35 feet from the roadway. The project is set well below the neighboring property owners. Garage would be blocked by the house so there would be no visual impact.

Mr. Jensen stated that he viewed the property. He stated also that it appears the Board has not received any correspondence on the project.

Having been duly advertised, Chairman MacMillen opened the Public Hearing at 7:08pm

No comments were made during the Public Hearing.

A motion to close the Public Hearing at 7:09pm by Arnold Jensen, Seconded by Michael Hough. A Roll Call Vote was called by Secretary Bartlett-

Chairman MacMillen- Yes, Mr. Jensen- Yes, Mr. Hough-Yes. The motion was carried 3-0.

Mr. Jensen introduced the following resolution which was seconded by Michael Hough-

WHEREAS, the Danforth Family Irrevocable Trust (the "Applicant(s)") are proposing to construct a one-car garage addition (25' x 20' including overhangs) to an existing one-car garage, which will be renovated to include a new mudroom and shop, on property located at 9 Clarkson Road Extension, identified by Tax Map Parcel Number 86.15-1-34, in Zoning District Moderate Intensity (the "Project") and have applied to the Town of Chester Zoning Board of Appeals ("ZBA") for a 47.4 ft. front yard setback variance and a 3.5 ft. right side yard setback variance from requirements of Section 4.03 of the Town of Chester Zoning Local Law; and,

WHEREAS, the ZBA has classified the project as a Type II Action, requiring no further review under SEQR; and,

WHEREAS, the ZBA opened and held a properly-noticed Public Hearing on Variance Application #501-V on June 22, 2021 and closed the public hearing on June 22, 2021; and,

WHEREAS, the ZBA has reviewed, considered and deliberated about the variances requested and the written and verbal comments received in connection with the variance application;

NOW, THEREFORE, BE IT

RESOLVED, that the ZBA hereby determines that the Application meets the requirements set forth in Section 4.03 of the Town of Chester Zoning Local Law for issuance of an area variance as further discussed below:

1. An undesirable change will not be produced in the character of the neighborhood or/nor be a detriment to nearby properties.
2. The benefit sought by the applicant cannot be achieved by some method feasible for the applicant to pursue, other than area variances.
3. The requested area variance(s) are substantial.
4. The proposed variance(s) will not have an adverse effect or impact on the physical or environmental conditions in the neighborhood or district.
5. The alleged difficulty is self-created.

FURTHER RESOLVED, that the ZBA therefore grants the requested area variances with no conditions imposed.

Duly adopted this 22nd day of June, 2021 by the following vote:

AYES: John MacMillen
 Michael Hough
 Arnold Jensen

NOES: None

ABSENT: Barbara Kearney
 Mary Clark

MINUTES:

Chairman MacMillen also noted a minor revision to the approved ZBA Minutes for the April 27, 2021 Meeting:

- Page 10 of 11, #498-V: Change the word “assessing” to “accessing”.

A motion was made by Mr. Hough, Seconded by Mr. Jensen to approve the May 25, 2021 Minutes of the Zoning Board of Appeals.

A Roll Call Vote was called by Secretary Bartlett-

Chairman MacMillen- Yes, Mr. Hough- Yes, Mr. Jensen- Yes. The motion was carried 3-0.

CORRESPONDENCE:

- Zoning Administrator’s Activity Report for May 2021.

PUBLIC PRIVILEGE:

Randall Ryan was present from 316 Perry Road. He stated that he had made some adjustments to the project approved at the last Zoning Board of Appeals Meeting. The 30’ x 36’ footprint of the garage was approved, however, he couldn’t purchase a building the size of the approval. No changes to the setback, just change to footprint which will be 30’ x 42’. Submitted plans to the Zoning Administrator for the actual purchased building. The Board thanked Mr. Randall for his update.

BOARD PRIVILEGE:

Arnold Jensen stated that the Letter received from the Adirondack Park Agency for the Approval on Schroon Lake, should be kept in mind by the Board when approving projects.

ADJOURNMENT:

A motion was made by Arnold Jensen, seconded by Michael Hough to adjourn the meeting at 7:20pm. A Roll Call Vote was called by Secretary Bartlett- Chairman MacMillen- Yes, Mr. Hough- Yes, Mr. Jensen- Yes. Motion carried 3-0.

Respectfully submitted,

Jack D. Bartlett
Secretary
Zoning Board of Appeals