

MINUTES OF MEETING ~ JANUARY 22, 2007

ATTENDANCE: Rick Bump, Eugene Dutcher, Paul Little, George Hilton, Ken Raisner, and Pat Smith, Secretary. Also in attendance, Walter Tennyson, Zoning Administrator. Absent were Suzanne Robbins, Harold Ellsworth, and Bob Thurling.

MINUTES: On a motion by Mr. Bump, seconded by Mr. Dutcher, the Minutes of the November 20, 2006 meeting were accepted, as presented. Motion carried 5-0.

CORRESPONDENCE: Letter from Atty. Dan Smith re: Beckler subdivision; Letter from June Maxam re: Charles Redmond storage; APA permits for: Ni Mo/Von Fuchs, Mary Moro, and Robert Kendall; APA Jurisdictional letters for Villany/Halliwell, Minch, and Anzalone; Letter from Assessor re: properties in the Fisher Act; Warren County project review of Northway Fellowship Church; November & December 2006 Zoning Administrator's Activity Reports; Letter from Atty. Smith re: Bennett gravel pit permit.

PUBLIC HEARING: Having been duly advertised, the public hearing was opened at 7:00 p.m. by Chairman Raisner.

#SD2006-21 ~ Halliwell/Villany 4-lot subdivision. Applicants own 22+/- acres of non-shoreline vacant land on Friends Lake Road. The property is located in a Rural Land Use area, with a small portion being located in Moderate Intensity. The property is not located in a statutory critical environmental area, contains no wetlands, and has received a non-jurisdictional determination from the Adirondack Park Agency. Applicants propose subdividing into 4 lots, with Lot A at 3.0+/- acres, Lot B at 3.2+/- acres, (both having frontage on Friends Lake Road), Lot C at 7.5+/- acres, and Lot D at 8.6+/- acres, the latter two being accessed by a 50 foot roadway off Friends Lake Road. The two smaller lots will be offered for sale as residential building lots, and applicants propose retaining the two larger parcels, also with future plans for proposed dwelling and related on-site waste-water treatment plants. Proposed septic systems and dwelling locations of all four parcels have been sited on the map.

Attorney Rob Simon, of Smith & Simon LLC was present, representing Chester Broman, owner of lands located north of and abutting holdings of Villainy & Halliwell. No objection to the subdivision was offered, but Atty. Simon explained that the map failed to comply with Article V of the Subdivision Regulations, in that it failed to show an existing easement to the Broman property, conveyed by deed in 1951 for the purpose of ingress and egress to and from Sweet (then owner) premises, by means of a relocated highway. Basically this road would be used only for access for logging purposes, and Mr. Broman was not concerned as to exactly where it would be located, only that it be established. Following discussion, applicant agreed to meet with Mr. Simon and have the maps amended to reflect

~ 2 ~

the right of way. On a motion by Mr. Bump, seconded by Mr. Dutcher, the public hearing closed at 7:15 p.m. Motion carried 5-0.

Mr. Little then made a motion for a negative declaration, and conditional approval on application #SD2006-21, subject to the ROW being drawn on the map. Motion seconded by Mr. Bump, carried 5-0.

NEW BUSINESS: #SD2006-22 ~ Jeannie Tennyson Minch proposing a 4-lot subdivision. Attorney Simon was representing applicant, whose property is located at the intersection of William Hill and Landon Hill Roads, 12.98+/- acres, in a Low Intensity Land Use area. Applicant proposes subdividing into four lots, each lot in excess of 3.2 acres, each lot having at least 200 feet of road frontage. Each of the four proposed lots will be conveyed as a building lot, to be improved by one single family dwelling with related on-site wastewater treatment system and water supply. The project has received a non-jurisdictional letter from the Park Agency. The application being deemed complete, motion was made by Mr. Dutcher, seconded by Mr. Hilton, to schedule a public hearing at the February 27th meeting. Motion carried 5-0.

#SPR2006-11 ~ Northway Community Fellowship proposed conversion of an office building complex to a church, with additional office space for rent. Property is located at 4797 State Route 8 in the Lake Country Plaza, in the building formerly known as the Poor House, on 1.26+/- acres of land. Applicant proposes converting existing office building to a church with office space for rent. There is currently a dance studio situated in the building, and a proposed Real Estate Office moving in. No further rentals are proposed at this time, with the remaining area of the building being designated for the church. Signage has been installed, flood lighting on the building for the parking lots, circular drive for ingress and egress, with ample parking available, property being bordered by vegetation and on-site green space. Brief discussion, followed with a motion introduced by Mr. Little for a negative declaration, and approval of application #SPR2006-11. Motion seconded by Mr. Bump, carried 5-0.

#SD2006-23 ~ Gary Anzalone proposed 3-lot subdivision. Attorney Simon was representing applicant whose property is located on Kingsley Lane Extension, a vacant, non-shoreline parcel in a Moderate Intensity Land Use area, consisting of 15.88+/- acres. Property parallels the Lake, and is quite steep on the road side, but does shelve and level out at the building sites. Applicant proposes to divide the property into three lots, each lot being 5.25+/- acres in size, each to be improved by one single family dwelling with related on-site wastewater treatment system and water supply. Applicant had received a variance for 4.03 feet of road frontage, and proposes a private driveway that will access all three lots. Each lot does show 200 feet at the 75 foot building setback line, with topography that flattens midway back from the road. The Board requested that a turn around area be incorporated into the plans for emergency vehicles, and applicant will update the plans accordingly. On a motion by Mr. Dutcher, seconded by Mr. Hilton, a public hearing will be scheduled for the February 26, 2007 meeting. Motion carried 5-0.

#SPR2007-01 ~ Carol Monroe proposed relocation of Najer Realty Office. Mrs. Monroe stated that she has been an Associate Broker for Nancy Najer for 21 years when Mrs. Najer recently passed away. Mrs. Najer's wishes were for Mrs. Monroe to continue the Real Estate Agency in her name. Mrs. Monroe has made application to relocate the business to the front portion of the Lake Country Office Building, now owned by the Northway Community Fellowship Church. She has obtained her

~ 3 ~

Federal I.D. number and her DBA. There is ample parking and room for signage, with a circular drive

thru for ingress and egress. Following a brief discussion, motion was made by Mr. Bump for a negative declaration, and to approve application #SPR2007-01 as presented. Motion was seconded by Mr. Little, and carried 5-0.

#SPR2007-02 ~ Albert & Eleanor Tolomeo proposed addition in excess of 25% of existing dwelling. Applicants own 63+/- acres of property on Starbuck Hill Road, in a Resource Management Land Use Area. The current dwelling is 28'x 28' in size, and applicant proposes adding a 24'x 28' addition to it. There are no encroachment issues, due to the size of the parcel, and on a motion by Mr. Little, approval was given for the addition, with a negative declaration. Motion was seconded by Mr. Dutcher, and carried 5-0.

OLD BUSINESS: Attorney's Smith & Simon offering an update and/or closure on some pending projects:

#SD2005-15 ~ Mary C. Moro 12-lot subdivision. Atty. Simon provided a copy of the Adirondack Park Agency permit that had been pending regarding the 4 lots within this subdivision that were designated a Class A project in a Rural Land Use area. These four parcels were also located in a designated recreational river area, thereby considered a Rivers Project. The balance of 8 lots had been considered a Class B project, subject to the Subdivision rules and regulations of the Town of Chester. Final approval was being sought, since preliminary approval had already been given, contingent on an APA permit being issued. On a motion by Mr. Little, final approval for application #SD2005-15 was given, subject to receiving the final maps for signing and copies of DOH approval which had been received in the Attorney's office. Motion was seconded by Mr. Bump and carried 5-0.

#SD2006-06 ~ Robert Kendal 3 lot subdivision. Mr. Kendall had received his APA permit, and final approval was being sought. The maps were in order, and on a motion by Mr. Bump, seconded by Mr. Hilton, approval was given for the 3-lot subdivision, as presented. Motion carried 5-0.

#SD2006-04 ~ Anthony & Christine Bruno ~ 3 lot subdivision. Project had been preliminarily approved on March 20, 2006, contingent on Park Agency issuance of a permit. Still pending.

#SD2006-03 ~ Robert & Linda Culver ~ 4 lot subdivision. Project had been preliminarily approved on March 20, 2006, contingent on Park Agency issuance of a permit. Still pending.

#SD2006-02 ~ Beckler ~ 6 lot subdivision. Project represented by Attorney Simon, a 260 acre parcel located by the Essex County Line on the Alder Brook Road, in a Resource Management Land Use Area. Approval has been given by the Adirondack Park Agency for a six lot subdivision, five proposed lots consisting of 9.5 acres, 9.5 acres, 10.6 acres, 8.1 acres, and 3.73 acres, with the last lot containing 210+/- acres, that equals approximately 252 acres lying within the Town of Chester. The remaining 8 acres actually lie in the County of Essex, Town of Minerva. Due to the project being located in Resource Management, Town of Chester requires 43.5 acres per lot for a residential building lot, but APA has a rounding factor, thus granting the six lot subdivision approval for 6 residential dwellings, with average lot size equaling 42 acres, thereby not meeting Town density. There was extensive discussion, and Minutes from the March 20th, 2006 meeting were re-read, at which time preliminary approval had been given. Further discussion resulted in a resolution being

~ 4 ~

introduced by Mr. Hilton, that in this one unique case, with lands lying within two Counties/Towns, the Board will consider, as the APA did, the entire plot of 260 acres, and having no precedent setting value, already having been approved by the Park Agency, for final approval of application #SD2006-02 for a six residential building lot subdivision, as presented. Motion seconded by Mr. Bump and carried 5-0.

BOARD PRIVILEGE: No discussion.

ADJOURNMENT: On a motion by Mr. Bump, seconded by Mr. Hilton, the meeting adjourned at 8:25 p.m.

Respectfully submitted,

Patricia M. Smith ~ Secretary