

**TOWN BOARD
TOWN BOARD WORK SESSION
November 19, 2025
7:00pm**

Supervisor Holdridge opened the meeting at 7:00pm.

Attendance Rollcall:

Supervisor Holdridge	Present <u> x </u>	Absent <u> </u>
Council Member Ardisana	Present <u> </u>	Absent <u> x </u>
Council Member Becker	Present <u> x </u>	Absent <u> </u>
Council Member Courtenay	Present <u> x </u>	Absent <u> </u>
Council Member Dysinger	Present <u> x </u>	Absent <u> </u>

Determination of Quorum: Yes X No

Also present: Attorney Cassidy

Pledge of Allegiance

Supervisor Holdridge led the Pledge of Allegiance.

COMPREHENSIVE PLAN AND ZONING AMMENDMENTS PRESENTATION

By power point presentation, attached hereto, Town Attorney Cassidy delivered a comprehensive review of the legal context and proposed changes to the Town's zoning regulations regarding religious uses. She explained that her presentation would first address concerns about the AR-3 zoning district, followed by discussion of other issues raised by public comment and the Orange County 239 review.

Attorney Cassidy emphasized that both the comprehensive plan and zoning amendments are living, breathing documents intended to evolve over time. She noted that while they were addressing pressing concerns now, future revisions would likely be needed. The current Comprehensive Plan Draft and Zoning Amendments would be done simultaneously with SEQR for immediate implementation to avoid issues with the zoning code not being updated. The previous code lacked special permit processes and the bulk tables have been revised to coincide with the text.

Other tools of the Comp Plan and Zoning Amendments include, as an example, 13 acres to be dedicated and preserved out of the 4-lot cluster plan, 26- acre Oak Woods Subdivision. The Community Preservation Fund which will go to referendum is a next step for future preservation of land in the Town of Chester and would preserve lands through PDR by a .75% tax to buyers of real estate.

Supervisor Holdridge reminded attendees that as a work session, public comment would not be accepted during the meeting, but encouraged residents to email the Town Board with any questions or comments.

BACKGROUND TO COMPREHENSIVE PLAN AND ZONING

Attorney Cassidy provided a detailed history of the AR-3 zoning district with respect to religious institutions and schools. She explained:

- Prior to 2017, religious institutions and schools were permitted uses in the AR-3 district subject to site plan review.
- In 2017, Local Law 1 eliminated religious uses and schools outright from the entire AR-3 zoning district, which represents approximately 70% of the Town's land mass.
- This elimination made existing religious institutions (including the Bruderhof community) non-conforming uses, severely restricting their ability to expand.

- Both the 2015 Comprehensive Plan Update and local Law 1 of 2017 did not include a SEQR review.

Attorney Cassidy reviewed the legal framework governing religious land uses, explaining both New York State case law (dating back to the 1950s) and the federal Religious Land Use and Institutionalized Persons Act (RLUIPA). She emphasized that New York courts have consistently held that the total exclusion of educational and religious institutions from a residential district serves no end that is reasonably related to the morals, health, welfare, and safety of the community.

Attorney Cassidy explained that the current proposed amendments were found acceptable by Orange County Planning, and cited, “the Religious Land Use and Institutionalized Persons Act, requires that any land use regulation that imposes a substantial burden on the exercise of religion must be justified by a compelling government interest and serve as the least restrictive means of furthering that interest. The Town's legal counsel is best prepared to interpret the law as it pertains to the zoning code. County Planning agrees that the inclusion of religious land use in the AR3 zoning district is appropriate given the amount of land in the Town of Chester included in that zone.

She clarified that while religious uses cannot be blanket-prohibited from residential zones, they can still be regulated through special permit processes that address specific impacts. The courts have endorsed special use permit application processes as the proper procedure for addressing religious use applications on a case-by-case basis by:

- Requiring special permits for religious and school uses Town wide
- Requiring site plan review and site-specific SEQR environmental review
- Adding specific standards and criteria for religious uses and schools

When discussing Camp Monroe specifically, Attorney Cassidy clarified several points:

- There is no site-specific zoning amendment for Camp Monroe; changes relate to the entire Town
- Camp Monroe representatives did not participate in drafting the text of the zoning code
- There is no proposal currently submitted for future expansion of Camp Monroe
- The existing seasonal camp operates as a preexisting nonconforming use
- Physical expansion is unlikely given the surrounding Town-owned properties and utility lands

Attorney Cassidy presented maps showing that Camp Monroe is surrounded by Town-owned property, Con Edison property, and trail system land, limiting potential physical expansion.

TOWN BOARD DISCUSSION

The Town Board engaged in detailed discussion with Attorney Cassidy about several aspects of the proposed changes:

Regarding the legal requirement to permit religious uses: Supervisor Holdridge asked for confirmation that religious use needs to be allowed in residential zoning. Attorney Cassidy confirmed that in New York State, she had not found a single case where a broad prohibition district-wide was upheld. She noted that the existing 2017 ban is both procedurally and substantively suspect.

Regarding special permit regulations: Attorney Cassidy explained that special permits allow the Town to impose conditions to mitigate impacts, with renewals typically required every 3-5 years. She said, if they're not doing what they promised that they'd do as part of the approval, they run the risk of losing their special permit.

Regarding enforcement: Council Member Becker expressed concerns about enforcement of zoning regulations, commenting that variances and site plans speak to quality of life. Attorney Cassidy emphasized that good approvals make easier code enforcement through detailed, written conditions that can be verified. Supervisor Holdridge noted the need for a part-time code enforcement officer to keep up on top of anything that is out of compliance with our code.

Regarding public concerns about Camp Monroe: Supervisor Holdridge asked about reported deed restrictions. Attorney Cassidy confirmed she had reviewed all Town and Orange County land records and found no restrictive

covenants on the Camp Monroe property beyond the conveyance of a portion to the Town. She noted, there is nothing in the Town that says what seasonal is, making enforcement difficult without clear definitions.

The Board reviewed several technical changes to the proposed zoning amendments including:

- Adding Conservation Advisory Council recommendations to the implementation matrix
- Revisions to wetlands delineation language
- Incorporating Complete Streets policy references substituting “motorized transportation” in place of “pedestrian and bicycle”.
- Adding off-site parking provisions for Sugar Loaf
- Clarifying buffer requirements to eliminate inconsistencies
- Agritourism to include small scale wineries and breweries
- Clustering provisions - allowing but limiting Town Board involvement to form on how you treat open space; HOA, conservation easement or land dedication.
- Battery storage – to go back to for additional research and guidance
- Adding language to require site plan review for change of use when changing from seasonal to year-round use for anything other than single family home on a conforming lot
- Technical revision when two permitted uses on a site requires enough space for both

At the conclusion, Attorney Cassidy indicated she would provide the Board with a new redlined version of the comprehensive plan and zoning amendments, a draft response to public comments (approximately 46 pages), and a draft expanded Environmental Assessment Form early December so we can move to SEQR and EIS if required.

ADJOURNMENT

ON A MOTION OFFERED BY Council Member Becker and second by Council Member Courtenay to adjourn the meeting at 9:05pm.

VOTE: AYES(4): Holdridge, Becker, Courtenay, Dysinger, ABSENT(1): Ardisana

ADOPTED

Respectfully submitted,

Linda A. Zappala, RMC

Town Clerk

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