

January 22, 2019

Town of Chester Planning Board  
1786 Kings Highway  
Chester, NY 10918

**RE: DONNELLY – BROCCOLI PATCH INC  
TOWN OF CHESTER  
COMMENT RESPONSE**

Dear Planning Board:

Attached hereto is the revised Sketch Plan for the above referenced project. Revisions have been made to this plan in accordance with the comment letter dated November 28<sup>th</sup>, 2018 from Fusco Engineering & Land Surveying, PC and those of the Planning Board. These revisions are as follows:

November 28<sup>th</sup>, 2018 from Fusco Engineering & Land Surveying, PC

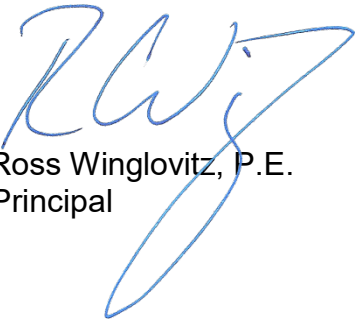
1. The NYSPRHP has been contacted and provided the attached correspondence (attached). The letter confirms that there are no archeological concerns and recommends that the driveway be kept as far away as possible from the house and that a fence or vegetative buffer be provided between the adjacent Greek Revival house and the proposed driveway on site. We note that the joint use driveway is existing. Additional, existing vegetation along the property line will be supplemented as part of the detailed site plan design.
2. An evaluation of the site for the potential presence of Bog Turtle. Has been ordered and will be provided upon receipt.
3. According to the tax records the site is within Town of Chester Sewer District 4A. The site is not within the water district and is therefore proposing its own onsite wells.
4. Site grading and utilities, and erosion control plans will be provided once the conceptual site layout is acceptable to the Town.
5. Area of disturbance will be provided as part of the detailed design.
6. The 100-year flood plain has been added to the drawing.
7. Wetlands have been delineated and are shown on the plan.
8. Parking lot dimensions have been added and numbers shown on setback dimensions.
9. The parking calculation has been revised to reflect proposed use and not square footage. Based on the revised calculations, the site meets parking requirements.

Planning Board

1. A 25-foot setback has been provided along the lake.
2. Construction adjacent to the cemetery was not identified by SHPO as a significant historical impact. It is the Applicants opinion that a 100-foot buffer to the cemetery would be economic unfeasible and would amount to a taking of the Applicants property. A variance will be requested.
3. Parking lot will be paved.
4. Hours of operation have been added to the plan.
5. In regard to use, restaurants are permitted use in the zone. Catering is a typical accessory use to a restaurant and is not specifically defined elsewhere in the zoning. In regard to the Distillery use proposed, the site was previously approved as a brewery and manufacturing is permitted in accordance with Section 98-29 K.

If you have any additional questions and/or comments, please don't hesitate to contact this office.

Sincerely,  
Engineering & Surveying Properties, PC



Ross Winglovitz, P.E.  
Principal