

**TOWN OF CHESTER
PLANNING BOARD MINUTES
November 5, 2014**

Minutes of the November 5, 2014 Planning Board Meeting

Members present: Don Serotta, Chairman, Frank Gilbert, Carl D'Antonio,
Ernest Damiani, Stephen Denes, Barry Sloan

Also present: David Donovan, Attorney
Alfred Fusco, Engineer

The meeting was called to order at 7:00 p.m.

A motion was made by Steve Denes and seconded by Carl D'Antonio to adopt the minutes from the October 1, 2014 meeting. The motion passed with a 6-0 vote.

Chairman Serotta introduced Ernie Damiani, who was recently appointed to the Planning Board.

PRIMO SPORTS SITE PLAN –Mark Fellenzer, engineer for the applicant, appeared before the Board to present a site plan for a sports complex, Primo Sports, located on Route 94 and Glenmere Road. Luca Spensieri, owner of Primo Sports, explained to the Board the advantages Primo Sports can bring to the community.

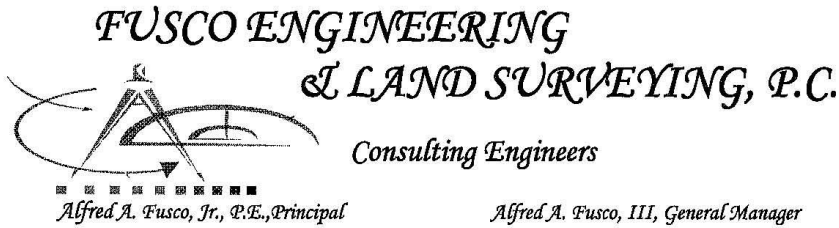
Mark Fellenzer stated the project is located in the SR-1 district. The site is approximately 26 acres. He stated that we have verified through the FEMA floodplain mapping, that we are not located within any 100-year floodplain. We have conducted preliminary perk and deep hole tests and have determined that we can locate a conventional septic system on the property. In terms of environmental resources, we have had a delineation occur on the site by Ecological Solutions Inc. in August 2014. The only wetlands that show are a 5-foot buffer around the edge of the existing pond. In terms of threatened and endangered species, a sustainable assessment report has been provided. It was conducted by Ecological Solutions and concludes that the indicated species are not present on the site. Mark Fellenzer presented an elevation rendering of the front of the proposed building as you travel west on route 94. The main building is a 61,750 square foot indoor recreation facility. He stated that we have parking surrounding the building. We have four outdoor soccer fields; there is one indoor soccer field. We have two outdoor little league fields. We have two outdoor basketball courts. We have two outdoor ice/roller rinks. We have parking for 303 cars. The domestic water use is calculated at 2,235 gallons per day. Our on-site septic disposal system and leach field is sized the same. We are proposing a stormwater detention pond on the site with a discharge into an existing pond. We are planning on the irrigation of the site as needed using very green methods. We are looking into ways of catching roof water for irrigation as well as water off the impervious pavement. In terms of traffic, major consulting engineers have been retained. Traffic experts have conducted a traffic study. Basically, the recommendation is a left turn lane into the site heading west. In terms of leaving the site, there would be a left turn lane as well as a right turn lane. In terms of domestic water, there is an existing well on the site. It was tested and yielded 12 gallons per minute. Due to its location and the type of system between the septic and leach field and location of the building and the requirements in terms of a public water supply, we have drilled a new well on

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the site, which is 455 feet deep. The yields were 30 gallons per minute at shallower depths and a yield of 18 gallons per minute deeper. In terms of stormwater, we will work closely with the town engineer to make it a green design. In terms of lighting, we are proposing lighting of 3 soccer fields and 2 baseball fields. We plan on using LED lighting. In terms of the parking lot, we are also going to an LED type of lighting. We will submit a landscaping plan. We are looking at fencing for containment of the children and sports equipment. We will provide a full environmental assessment form which was a recommendation from Al Fusco.

Al Fusco submitted the following letter:

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- 233 East Main Street
Middletown, NY 10940
Phone: (845) 344-5863
Fax: (845) 956-5865
- 19 Waywayup Lane
Port Jervis, NY 12771
Phone: (845) 956-5866

November 3, 2014

Donald Serotta
Town of Chester Planning Board Chairman
1786 Kings Highway
Chester, NY, 10918

Re: Primo Sports Complex
Located at the intersection of Glenmere Rd & NYS Rt. 94
Orange County, New York

Dear Mr. Serotta and Planning Board Members,

We have reviewed the submission for the Primo Sports Complex project and dated October 29, 2014 and offer the following comments:

Project: Primo Sports Complex.
SBL: 6-1-85.2
Acreage: 25.8 Acres
Zone: SR-1 District
Material Reviewed: Site Plan, application, engineer's report

Comments:

1. The site plan needs to be signed by a NYS licensed engineer and a NYS licensed land surveyor. Per NYS Code Article 145-7209 no official of this state, city, county or village charged with enforcement of laws, ordinances or regulations shall accept or approve any plans or specifications that are not stamped.
2. The site plan indicates that a stormwater structure will be installed into the existing pond; this will need approval from the Army Corp of Engineers.
3. The site plan should indicate hours of operation.
4. The erosion and sediment control plan indicates that the entire bounds is to have a silt sock for sediment control, these silt socks are to be installed parallel to contours and should not be laid down as the plan indicates.
5. Provide a detailed septic design, indicating the septic tank location, lowest sewerable elevation, inverts on the distribution box and septic tanks. The applicant is proposing food service on site, this will require a grease trap. The plan should show the percolation rate and also deep soils testing along with the calculations to justify the size of the leech field.

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6. The plan view should indicate the location of the percolation and deep soil testing. Town Engineers to witness tests with the Orange County Health Department.
7. Provide all existing wells and septic disposal systems within 300 feet of the existing well and the proposed septic disposal area
8. Provide a grading plan that shows actual re-grading contour lines and not just spot elevations.
9. Provide a stormwater pollution prevention plan that analyzes the amount of impervious material and provides calculations that prove that the stormwater pond will be able to handle a 25 year storm.
10. The grading plan should show how the stormwater is going to be collected and how it is drained towards the stormwater pond along with inverts and culvert pipe sizing, slope of pipe, etc.
11. The landscaping plan should provide a planting detail, and a legend along with a list of plants and trees to be planted. This site is surrounded by residential homes as such the planning board should consider a double row of conifers planted around the perimeter of the property to provide a screen from adjoining properties.
12. The board may want to discuss the need for a chain link fence around the entire perimeter of the property to discourage people from parking on the highway and walking into the sports complex.
13. Show the location of driveway for location for Tax Lot 44.11, the lands of Leonard.
14. Provide a legend on Sheets 3 thru 7.
15. Provide a profile for the entrance from 0+00 to 1+00.
16. Provide a stop sign location on the plan.
17. Per code 98-13 (12) no application for approval of a land development activity shall be subject to public review until the board has received a stormwater pollution prevention plan.
18. The plan should be sent to the N.Y.S. Dept. of Transportation for review and approval.
19. Show soil lines and soil types on site plan.
20. The existing well will need approval from the Orange County Dept. of Health it appears that this will be classified as a Transient Non Community Water Supply. All septic disposal areas, fuel tanks (proposed & existing) and wells within a 200 foot radius of the existing well should be shown on the plan.
21. The applicant will need to provide a Full Environmental Assessment Form.
22. The application currently contains a Short Form EAF, the applicant should consider changing the answer on question 13 (b) to yes, the action will require a culvert pipe to be placed into the existing pond, this pond has been identified as a federal wetland. The disturbance of placing a stormwater pipe into the existing protected pond will require approval from the Army Corp of Engineers. Review question #15 as well.
23. The project site is located in or adjacent to an area designated as sensitive for archaeological sites on the NY State Historic Preservation Office (SHPO) as such this project should be sent for review.
24. Board Comments.

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Action:
239-M Review

Please advise if you have any questions.

Very truly yours,



Alfred A. Fusco, Jr., P.E.
Fusco Engineering & Land Surveying, P.C.
AAF/sdb

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Al Fusco reviewed his letter. Chairman Serotta stated that Karen Arent, landscape architect for the Town, will review the project and work with the applicant.

Dave Donovan stated that on a type 1 action, if there are other involved agencies, you are required to do a coordinated review. You circulate the EAF to other involved agencies with the declaration of our intent to be lead agency. They have 30 days to communicate with us if they object. If they don't object we become lead agency.

Chairman Serotta said he received two letters from concerned neighbors. He said there are parking concerns as well as concerns about hours of operation, noise, lighting, traffic and stormwater issues.

Frank Gilbert asked if there will be a lighted sign out front that will be glaring into Mr. Germain's house, who lives across the street from the project? He also was concerned about fencing around the perimeter to protect the children and property owners, what food service will consist of and what hours of operation there will be.

Carl D'Antonio asked on a peak day when every field is active is parking for 300 going to be sufficient when you take into account the spaces employees will be using.

Steve Denes asked about the distance between the adjacent ball fields. He asked if you have concurrent games going on could it be expected that you will have spectators spilling into the adjacent fields. To me it seems a little packed.

Ernie Damiani said there is a driveway across the street from the main entrance. He said it may present a problem to the property owner when events are ending or gearing up with the amount of traffic. He was also concerned about the color of the building. He said is there anything that can be done to blend it into the surroundings better? Mark Fellenzer said the color of the building can be whatever we want it to be.

Barry Sloan asked what the building is made out of. Luca Spensieri said it is a metal building. Barry Sloan said that the pond on the property has to be fenced in from the sports fields. He said the project has a huge impervious surface, how will the water run off. Mark Fellenzer said currently we would like to catch it and utilize it. Barry Sloan asked why the bulb of the cul-de-sac is not screened with landscaping. Also, route 94 is a heavily traveled road which goes uphill towards Florida where the project is located. He suggested a blinking light on the crest warning people of an event taking place.

Dave Donovan stated if the Board is inclined you can make a motion to declare your intent to be lead agency which starts the SEQRA process. A motion was made by Barry Sloan and seconded Steve Denes to declare the intent to be lead agency. The motion passed with 6-0 vote.

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Mark Fellenzer thanked the Board for sharing the letters of concern from the adjoiners and said they will listen to their concerns and make adjustments to make it a better project. He said he will contact the chairman when he wishes to appear before the Board in the future.

BAZS BELLVALE ROAD SITE PLAN – Jim Dillin, surveyor for the applicant, appeared before the Board, to present a site plan for the completion of an existing structure for light manufacturing located on Bellvale Road/Lake Station Road. He explained the changes he made to the site plan since the last meeting. He stated that a landscape plan, a lighting plan, erosion and sediment control plan, a county entrance detail sheet, and a septic system detail have been added to the plan.

Al Fusco submitted the following letter:

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- 233 East Main Street
Middletown, NY 10940
Phone: (845) 344-5863
Fax: (845) 956-5865
- 19 Waywayup Lane
Port Jervis, NY 12771
Phone: (845) 956-5866

October 28, 2014

Donald Serotta
Town of Chester Planning Board Chairman
1786 Kings Highway
Chester, NY, 10918

Re: Bazs Site Plan
Black Meadow Road
Orange County, New York

Dear Mr. Serotta and Planning Board Members,

We have reviewed the Preliminary Site Plan for Bazs prepared by KC Engineering and Land Surveying, P.C. and James Dillin, L.S. and dated October 16, 2014 we offer the following comments:

1. The plans are very hard to read and we would suggest that different width and line types be applied to the autocad drawing.
2. The applicant should submit to the board a NYS DEC Wetland Map that has been approved and signed by the NYS DEC.
3. Sheets 4 and 5 should be signed by a NYS Licensed Engineer.
4. The proposed site plan indicates significant disturbance to a NYSDEC wetland buffer. Please provide documentation that a permit has been obtained from the NYSDEC or note that a permit will be obtained from the NYSDEC in the future.
5. The site plan needs to show the location of the septic tank and pump station along with inverts for both. Provide the lowest sewerable elevation.
6. The septic pump detail should show at least 24 hours of storage area. The engineer will need to provide the height of the switches for when the pump turns on, off and also the alarm switch height.
7. Provide a note on the plan stating that all well and septic disposal areas within 300 feet of the proposed well and and proposed septic disposal area, as shown.
8. The existing well will need to be sampled, tested and approved by the orange county health dept. as a non transient non-community public water supply. Provide documentation from the health dept.

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9. Approval is required from the Orange County Department of Public Works for either an existing entrance modification approval for a new. Please contact Pat Kennedy of the OCDPW to determine exactly what is required.
10. The name of the stream and its classification should be shown on the plan.
11. The bearings and distances should be shown, currently there appears to be one distance that is shown.
12. The plan should show wooded areas, individual large trees, flood hazard areas (it appears that a portion of the property is located in a 100 yr flood zone), primary and principal aquifers should all be shown or noted on the site plan.
13. All properties their ownership and uses, subdivisions, streets, zoning districts, easements and adjacent buildings within 300 feet of the applicant's property should be shown on the site plan.
14. A note stating the topography datum and where it was acquired from.
15. Per 98-30 site plan approval no structures or buildings shall be erected within 100 feet of the high-water mark of a stream. All development within 100 feet of any stream shall be reviewed with the intent of mitigating any adverse water quality issues that could impact the stream. A portion of the proposed building and the gravel drive falls within this 100 foot buffer. The Planning Board can waive this requirement.
16. Provide a long form EAF for review.
17. Provide the limits of disturbance on the site plan along with a note that states the area of proposed to be disturbed.
18. Provide the location and a detail of the sign.
19. The soils testing that has been provided was performed in the 2009, our office would like to see additional testing performed, at least one percolation and deep soils test, these tests should be witnessed by our office.
20. Handicapped details along with striping details for parking areas should be shown on the plan.
21. Pavement details for the parking area should be provided.
22. It appears that the gravel driveway is close to the buildings northwest corner, the plans should show a bollard to protect the building from traffic.

Please advise if you have any questions.

Very truly yours,



Alfred A. Fusco, Jr., P.E.
Fusco Engineering & Land Surveying, P.C.
AAF/sdb

Cc: File

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Chairman Serotta polled the Board for comments. Barry Sloan asked where the dumpster area is located. Jim Dillin said it will be located somewhere in the back of the building. Barry Sloan said I would like to see on the plan that no outdoor storage is allowed considering the area is residential. Dave Donovan said outdoor storage as a use? Barry Sloan said yes. Dave Donovan said I don't know that you are allowed to have it to begin with. I think it is a separate use if not specifically allowed it is prohibited, which means that it should not be an issue to put a map note saying no outdoor storage shall be allowed. Dave Donovan reviewed the bulk regulations in the IP district. There is a footnote 2 that says uses that allow outdoor storage of goods in this district pursuant to local law number 4-2008, which is not particularly helpful because it does not reference a specific code provision but the footnote 2 seems to have some application to automotive repair garage, wholesale operations of a light industry nature, and light industrial uses. Dave Donovan said I think whatever tenant you get, if there is an outdoor storage component and it is allowed, it's a site plan modification.

Steve Denes said the area with the overhead door in the back should have a turn around. He said it seems that if someone drives in there, there is not much room to pull up and then back in. Brian Leentjes, owner of the property, said we will address that on the next plan.

Dave Donovan said this is an unlisted action. We could do an uncoordinated review basis or we could declare our intent to be lead agency. A motion was made by Barry Sloan and seconded by Steve Denes to declare lead agency. The motion passed with a 6-0 vote.

Brian Leentjes asked when the public hearing could be scheduled. Al Fusco said we will have to file a 239. Chairman Serotta said it is both DPW and Orange County Planning that have to be notified. A motion was made by Frank Gilbert and seconded by Steve Denes to schedule a public hearing on December 17, 2014 at 7:00 p.m. The motion passed with a 6-0 vote.

Chairman Serotta said the applicant should meet with Karen Arent, landscape architect for the Town, to discuss a landscape design for the project.

The meeting was adjourned at 8:30 p.m.

Respectfully submitted,

Roxanne Serotta
Planning Board Secretary