

**TOWN OF CHESTER
PLANNING BOARD MINUTES
March 20, 2019**

Meeting called to order: 7:03pm

Members present: Chairman Serotta, Jackie Elfers, Dot Wierzbicki, Larry Dysinger

Absent: Mark Roberson, Bob Conklin, Carl D'Antonio

Also present: Dave Donovan-Attorney, Al Fusco-Engineer, Alexa Burchianti-Secretary

A motion was made to adopt the minutes from February 6, 2019 made by Larry. Second by Dot. Motion carried 4-0

Next meeting of the Planning Board is scheduled April 3, 2019

Board updates: Mark is still on Active duty and should be back 1st week in April.

Sugar Loaf United Methodist Church– Architectural Review

Alex Hillis works for St. Pauly textile appearing before the board. Partners with non-profit organizations mainly churches. Providing wood frame used clothing donations sheds as an alternative to the metal donation bins. This is designed to be more community friendly and a lot cleaner. The church will be responsible for maintaining the shed. They will be organizing donations. Making sure it stays clean throughout the week. They would like to put the shed in the back corner of the property. They would put it with in the proper setbacks according to code. There is a big parking lot in the back.

Polled board for comments. No comments.

Motion made to grant Architectural Review made by Larry. Second by Jackie. Motion carried 4-0.

Tin Barn Brewery– Public Hearing Continued

Lauren Van Pamelan is present before the board for a short presentation addressing all of the comments and concerns from the previous meeting, (copy of presentation is on line) some of the concerns were water, sewer, smells, road safety, noise, hours of operation all of which were addressed. There will be no changes to the outside surfaces. No additional blacktop or concrete to create more water runoff.

Jeremy Valentine, stated that she basically addressed all of the public comments. He did receive an email from Mr. O'Rourke the engineer for the Moodna sewer basin, saying he was fine with the flows and the capacity issue. Water is 500 gallons per day at that's at the end game usage. That is once business picks up and they get a feel of how the brewery is going their end game usage would only be 500 gallons per day. They will be using less water to begin with.

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Chairman commented that since the last meeting he has placed a call to the police chief Dan Doellinger for the Town of Chester and had him run an accident report for the last 10 years on the bypass. (this was also posted on line) One suggestion the police chief did make was to try and have they speed limit lowered from 55mph. Pewter Circle and DeRose none of those developments were there at the time. This board has no say in that all we can do is make a recommendation. He did reach out to Supervisor Valentine he has assured the Chairman that he will petition the County to get it lowered. The rest of the Highway is at 40mph. He does suggest the people go to the Town Board meetings.

Chairman also stated that out of curiosity he reached out to Village of Chester Building Inspector about the Roaring Duck, they have been in business for 6 or 7 years and there has been only 1 smell complaint and that's when a farmer about 5 years ago did not pick up the spent grain in time. Otherwise there has been no police issues, no smell issues, that's right in the Village itself and has absolutely no complaints and was a welcomed addition to the Village of Chester. He also reached out to a bigger one in the Village of New Paltz and spoke to the Code Enforcement Officer the Gilded Otter it's much larger, and he had nothing but glowing remarks about the Gilded Otter he said they serve a lot of food there and if there were any smell issues people wouldn't be coming in to eat food.

Polled the board for any comments or questions before the Chairman opened the Public Hearing again.

No comments.

Chairman made a statement that we received several letters regarding this project, Nick Zungoli and the Sugar Loaf Community Foundation is support of the project hoping to be able to welcoming them to the Town. Merrily Paper boutique and Orange County Citizens Foundation letter of support. Ed Mullins who owns AnneMaries Country Deli was in support of the project however his only concern was additional stormwater runoff. Received letter from Tracy Schuh and Chris Maurer which was circulated to the board.

Al Fusco Letter 3-19-19:

Found the new water agreement very workable with the limited flows that they are talking about. Review concluded they will need a permit from OCDPW, building permit for backflow prevention. Al went over his review letter.

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Alfred A. Fusco, Jr., P.E., Principal

Alfred A. Fusco, III, General Manager

- 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

March 19, 2019

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

Re: Tin Barn Brewery
Our File #CH-166

Dear Chairman Serotta,

We have reviewed the latest submission and offer the following:

PROJECT:

Name: Tin Barn Brewery
SBL: 17-1-20.213-1-44.22
Acreage: 4.8 Acres
Zone: LB/SL
Material: Habitat study – Lehman & Getz plans 2/15/19 – Narrative report – layout of interior

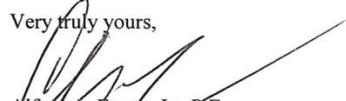
COMMENTS:

1. New water agreement appears workable with limited flows.
2. Resolution of approval to include:
 - a. Permit required from OCDPW for work on right-of-way.
 - b. Building permit from Town of Chester to include backflow prevention.
3. Recommendation to Town Board for \$1,000 escrow to inspect erosion control and underground work.
4. Board comment.

Action:
SEQR
Conditional Approval

Please advise if you have any questions.

Very truly yours,


Alfred A. Fusco, Jr., P.E.
FUSCO ENGINEERING &
LAND SURVEYING, P.C.
AAF/cam
Cc: Alexa Burchianti

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Jim Farr Letter 3-16-19:

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James M. Farr, P.E., Principal
JFarr@Farr-Engineering.com

16 March 2019

Mr. Dale Van Pamelan
Tine Barn Brewing
(dale@tinbarn.com)

Re: Tin Barn Brewing – Water Storage Tank

Dear Dale,

I have reviewed your attached letter dated 11 March 2019 requesting a modification to the methodology you propose to withdrawal water from the Town's Sugar Loaf Water District. The change involves installing a 3500-gallon stainless steel water storage tank inside your building. You would continue to withdrawal water at a rate of 2.2 gpm. You are now proposing to withdrawal water from the distribution system in 4-hour increments between 12 a.m. and 4 a.m. at 2.2 gpm for a total quantity of 500 gallons +/- each night through-out the 7-day week.

All other connection requirements outlined in my attached memo dated 28 February 2019 shall be designed and implemented. **I have no objection to the modification proposed.**

Should you have any questions, please call me at (914) 474-1980 or e-mail me at JFarr@Farr-Engineering.com.

Respectfully submitted,

A handwritten signature in blue ink, appearing to read "J. M. Farr", is written over a horizontal line. Below the line, the name "James M. Farr, P.E." is printed.

James M. Farr, P.E.

Cc: Supervisor Bob Valentine and Town Board
Don Serotta, Planning Board Chairman
Scott Bonacic, Town Attorney
Dave Donovan, Planning Board Attorney
Al Fusco, Jr., P.E., Planning Board Engineering
Bill Keller, Water System Operator

**Farr Engineering
P.O. Box 302
Port Jervis, NY 12771**

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3/11/2019

Dear Mr. Farr,

We have come up with a solution to the water draw that we believe would be more beneficial to the surrounding community and also be acceptable to our requirements.

Tin Barn will install a stainless steel potable water tank (what a brewery refers to as a Cold Liquor Tank) of approximately 3500 gallons. We will fill this at a rate of 500 GPD during the overnight hours, 7 days per week.

At a rate of 2.2 GPM we should be able to accomplish this in about 4 hours' time. We would set a timer for the water to draw from 12am to 4am.

This is future demand taken into consideration, after we've been operating a year or two. In the beginning we will likely need much less than this amount.

This puts us far outside the peak hours of water draw from the surrounding homes and reduces the daily draw from our original proposal.

Please do not hesitate to contact me with any questions or suggestions.

Thank you,
Dale VanPamelen
917-902-1164
dale@tinbarn.com

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James M. Farr, P.E., Principal
JFarr@Farr-Engineering.com

To: Supervisor Bob Valentine and Town Board

Cc: Don Serotta, Planning Board Chairman
Scott Bonacic, Town Attorney
Dave Donovan, Planning Board Attorney
Al Fusco, Jr., P.E., Planning Board Engineering
Bill Keller, Water System Operator

From : Jim Farr, P.E., Town Water Engineer and Building Inspector

Date: 28 February 2019

Re: Tin Barn Brewing Water and Wastewater

A handwritten signature in black ink, appearing to be 'JF', is written over the 'From' line of the email header.

Pursuant to the request of the Town Supervisor, I have reviewed the proposed potential wastewater and water impacts of the Tin Barn Brewing project on the Town's water and wastewater systems.

I have also spoken with Ms. Elizabeth Mansfield, Real Estate Agent, apparently representing the project sponsor and Billy Keller the Town's Water Operator. I have also attached an e-mail from Ms. Mansfield summarizing the project's sponsor's proposed protocol for water and wastewater usage.

The following is a summary of my opinions and recommendations:

A. WASTEWATER

Wastewater is proposed to be conveyed to the Moodna Sewer Basin collection and conveyance system for ultimate treatment at the Harriman Wastewater Treatment Plant. The Planning Board should be provided with a "will serve" letter confirming that the Moodna Sewer Basin Commission is willing to accept the wastewater.

The applicant should also agree to pre-treat the wastewater if deemed necessary by the Moodna Sewer Basin Commission. The project sponsor will be responsible for all capital, inspection, operation and maintenance costs for the conveyance and treatment of the wastewater.

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If necessary, the Town Board shall either expand the Sewer District or enter into an outside sewer user agreement with the applicant.

Beer brewing produces a high strength wastewater. The Town should confirm if the Moodna Sewer Basin Commission will charge an extra fee for this higher than normal domestic strength wastewater, so the applicant and the Town's billing department is aware of this extra charge , if applicable.

The applicant shall be responsible for all applications/permits, construction, inspections and sampling costs if sampling is deemed necessary by Moodna Sewer Basin Commission.

B. WATER SUPPLY

It appears that the subject parcel is located outside of the Sugar Loaf Water District. If necessary, the Town Board can either expand the Water District or enter into an outside sewer user agreement with the applicant.

It is my understanding that the homes on Derosé Lane where the applicant's engineer has proposed a connection to the Sugar Loaf Water District's 6-inch water main has historically experienced low water flow and water pressure during typical peak residential water usage periods in the morning and evening. There have also been several service lines breaks in the vicinity.

Based on the exiting water system conditions and the attached the proposal from the project sponsor's e-mail I recommend the following:

1. The applicant's representative stated in the e-mail that the project sponsor would comply with the following conditions:
 - a. They will fill one (1) 930-gallon beer brewing barrel on Sunday and Monday nights.
 - b. They would start filling the tank around midnight and continuing filling the tank for approximately 7 hours at an approximate rate of 2.2 gallons per minute.

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- c. The project sponsor would ONLY use the Town's water for filling the beer brewing tanks.
 - d. The project sponsor would use the existing on-site well and building plumbing for ALL other potable water uses in the building that may include washdown, food preparation, drinking, bathroom facilities, cooking, cleaning etc.
2. The connection to the Water District shall be subject to the following conditions that should be noted on the site plan:
- a. The maximum size of the water service connection shall be 1-inch in diameter. The applicant's engineer shall provide a report to the Planning Board and Water Department that the 1-inch service and 2.2 gpm flowrate will have no adverse impacts to the water district's existing customers.
 - b. The water service shall be copper with a burial depth of a minimum of 48-inches to 60 inches maximum.
 - c. A backflow preventor (double check valve or reduced pressure zone) per the NYSDOH code for the use shall be provided. The backflow preventor must be tested annually and the report submitted to the Town with the September water bill. If the test report is not submitted, water service can be terminated by the Town.
 - d. The project sponsor shall purchase a water meter from the Water Department. The meter shall be installed by the project sponsor.
 - e. Water flows from the Town connection shall be recorded by the project sponsor on a daily basis if water is used or not. The tabulated water usage shall be maintained by the project sponsor and be made available to the Town upon request. If proper records are not being maintained the Town may terminate water service.
 - f. A curb stop shall be provided at the County right-of-way to allow closing of the water service.
 - g. A flow control valve shall be provided to limit the flow to 2.2 gpm. The use of a manually adjustable valve is NOT acceptable.

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- h. A pressure relief valve shall be provided to prevent water hammer.
- i. The applicant shall establish an escrow fee to allow inspection of all work by Town representatives.
- j. Design of the complete water supply system shall be detailed on the plans for review by the Water Department.
- k. There shall be no cross-connections between the Town's water supply to be used for beer tank filling ONLY and the on-site well to be used for all other building purposes.
- l. The project sponsor shall agree that at any time that the proposed project operations create an adverse impact to the existing Town water operations, they shall immediately cease use of the Town's water supply until such time that the matter is resolved by the project sponsor to the Town's satisfaction.

If the applicant is in agreement with all the conditions outlined above, it is my opinion that the Town can provide water and wastewater capacity to the proposed project.

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Public Hearing is now open again.

Patrick Sansone - DeRose Lane - Noticed the on the plan a manhole cover kind of on his property but must be the right of way, was wondering how big is it does it disturb his lawn? Jeremy explained that is a wet tap, there is no manhole cover. They dig it up to find the line, they tap it, they bury it again.

Joseph Somma - President of the Sugar Loaf Chamber of Commerce read letter of Support.

Bill Fervante- Spoke in support

Walter Kannon - He took the liberty of checking with a business own that is across the street from the brewery that owns ice cream stand in Chester. He asked about traffic, they said the traffic helped there business, smell - there was no smell that they could tell. The only smell was you had to go to the dumpster where the grain was in and you had to stand within 5 or 10ft of it then there was a smell. Spoke of support.

Chris Maurer - First wanted to find out how many festivals they are planning are running? Lauren: Stated that she had put something out there in the very beginning because she knew there were some concerns from the presentation with the Sugar Loaf PAC center. That was an entirely different project. Their main goal is not to run festivals and have lots of loud music, their main goal is crafting locally produced beer. It is possible that they will have some events and would not call them festivals. If you look at the site plan mostly everything is indoors, so if there were to be any live music it will be inside, it will be by occasion only. She would like to have a grand opening, during the summer would like to have a BBQ but don't have any other major things. Chris Maurer: So it will only be indoor music no outdoor? Lauren: It is mostly indoor, and doesn't have any outdoor music planned. They may put a picnic bench outside in the nice weather. Chris Maurer: Stated her concern is people that live in Creamery Pond and Fox Hill, you say you are on a berm but the problem is we can hear the music and the concerts which is fine it's only Friday nights or weekends all the way down by the post office and its loud. You can hear it with your air conditioning on and windows shut. So she just wanted to clarify. Chris: Traffic when there are these big events? Has a traffic study been done? Chairman: The parking lot isn't big enough, we didn't feel there would be any major traffic event that is going to happen. They were not required to hire a traffic engineer. Chris: Final question, the 2 breweries that you mentioned earlier can you name them would like to look into it herself. Chairman: The 2 he looked at was the Gilded Otter in New Paltz and Russian Duck. Chris: How do they compare in size? Chairman: Gilded Otter is substantially bigger.

Maureen Halahan - Orange County Partnership President & CEO - spoke in support

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Motion to close the Public Hearing made by Dot. Second by Larry. Motion carried 4-0

Will accept letters from the public for 10 days.

Tin Barn will appear again on April 3, 2019 for a decision.

Meeting adjourned.

Respectfully Submitted,

Alexa Burchianti
Planning Board Secretary