

**TOWN OF CHESTER**  
**PLANNING BOARD MINUTES**  
**June 5, 2019**

Meeting called to order: 7:01pm

Members present: Chairman Serotta, Carl D'Antonio, Mark Roberson, Bob Conklin, Dot Wierzbicki, Jackie Elfers, Larry Dysinger

Also present: Dave Donovan-Attorney, Alexa Burchianti-Secretary, John Nosek-Engineer

No motion to adopt minutes they aren't done yet.

Next meeting of the Planning Board is scheduled July 17, 2019

Board updates: Distillery is in front of the ZBA and will be back when they are done there.

**Hills of Chester– 90 Day extension**

Received a letter from Tom DePuy, same one we've gotten for the last 11 years. This has been going on for a long time. They keep saying they are going to start the project but they haven't. In this letter he is asking for another extension. He is saying he can't start the tree cutting because of the Indiana Bats, which is true. He said he can start around November 1<sup>st</sup>.

Al Fusco Letter 5-23-19:



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Chairman stated Al is suggesting that the board says enough is enough and say this is the last extension were grant unless there is extenuating circumstances. Chairman asked Attorney Donovan what the ramifications could be. Dave stated that we could give one more extension we could do that then the application lapses and needs to be resubmitted. Law requires that good cause be shown for the extension a couple of years ago the board called the applicant in and he gave a list of reasons (whatever they were he doesn't recall) and the board decided to give the extensions. He stated it's up to you, if you don't think he has good cause you don't have to give the extension. If you want to give the extension then you can do that to. Chairman stated that one extension would get them to November 1<sup>st</sup>. so they would need 2 more.

Polled board for the 2 more extensions. One now and another one in 90 days.

Bob: Agrees that's reasonable. After the second one they start from square one.

Mark: Concur

Carl: I agree

Jackie: I agree

Dot: I agree

Larry: I agree

In the letter it will state there will be no more than 1 more extension after this one. Which will give them time to start at that point and time either submit the plans to be signed or they are going back to square one.

Motion to grant 90 day extension made by Larry. Second by Jackie. Motion carried 7-0

**Meadow Hill– Public Hearing**

Joe Pfau from Pietrzak & Pfau present to represent the applicant. Minor 3 lot subdivision on Trout Brook Rd and Camp Monroe Rd. All 3 will be service by individual wells and septic. SR-2 Zoning district. They are scheduled to do a witnessed soils testing with the Town Engineer next Tuesday. Field work is being done right now on the Ecological studies. Also finishing up the endangered species study. There is a stream that goes through the site. They will maintain all the separation distances to that stream. All single family 4 bedroom houses.

Al Fusco Letter 5-23-19:

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May 23, 2019

Town of Chester  
1786 Kings Highway  
Chester, NY, 10918

Re: Meadow Hill Subdivision  
Our File #CH-161

Dear Chairman Serotta,

We have reviewed the application and offer the following:

**PROJECT:**

Name: 2 Lot Subdivision  
SBL: 15-1-24  
Acres: 4.8 Acres  
Zone: SR-2  
Material: Petrzak & Pfau review comments response, revised plans

**COMMENTS:**

1. Archeological reports is underway.
2. Perc and deep test inspections have been scheduled with my office.
3. 25 foot stream buffer has been provided.
4. 25 foot dedication of roadway has been provided.
5. Driveway profile has been amended as per Board comments and flared end sections shown.
6. First 10' of pavement has been shown on plan.
7. A proposed road side swale along Pickerel Road to intercept any road drainage entering the site has been added.

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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Reviewed Al's letter. Polled board for comments.

Bob: Asked regarding the footing drains of the little red house are not directed towards one of the new houses. Joe stated everything flows towards the stream so it goes back in that direction. Bob asked about increase in surface runoff from another house. Joe pointed out a natural berm and stated he could take that footing drain and bend it down the lot line.

Let the record reflect that the proper notices have been sent out by certified mail and legal notice was published in the Times Herald Record.

Tracy Schuh-94 Pickerel Rd. - Is submitting a letter tonight from The Preservation Collective, non-profit. Stated she will skim through it. Traffic water shed is an environmentally sensitive area and is prone to flooding. An opportunity here to create a continuous corridor of wetland and watercourses draining into Trout Brook stream could be accomplished with a more comprehensive review. And she hopes that the board will consider the information in your evaluation decision making process. She lives in this area. Her letter starts with a legal question of segmentation. There are 3 different parcels owned by this same person. There is currently a subdivision in front of the board in the Town of Monroe which is property across the way on 13 acres. Included in her letter is a map to see the connection. Also included the old concept Bellvale plan which showed the wetland on this property originating from the property across the street. Tracy stated that she questions if the developer/owner (she hopes not) trying to skirt a more environmental review by subdividing the 2 smaller parcels then come back later to deal with the larger parcel in the middle and feels that they are all interconnected with their wetlands.

Opined regarding the project in Monroe directly across the street.

Tracy then went into discussing the Town of Chester code, which talks about preserving natural terrain, watercourses, drainage areas and natural slopes. Tracy said she also pointed out that we are supposed to do a tree inventory on very large trees to save. And she questions the buffer. She doesn't understand why it's 25 feet. Stated that the code said that no buildings or structures should be erected within 100' of the high water mark and no disturbance with 50' of the high water mark. Tracy says she is hoping that the board will look at that more closely.

Tracy stated that she feels we are underestimating the amount of water coming of a property. (pointed on the plan) she would hope we have our own expert go out there and look at it. Don't want to talk bad about another consultant but, the chairman may be the only one that remembers, their Ecological consultant was put under fire here in Chester for a number of projects. Mine was to remember is Chester Golf with the error in

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identifying species on the site. So that's all I'm going to say about that. I just think there is enough doubt here that there was wetlands delineated already on this project and now all of a sudden their not. I think that needs a closer look.

Also points out about clearing trees. She doesn't know if we are aware of the hudsonia Trout Brook water shed study that was done, she will email but recommends a much bigger buffer than what we have here.

She questions SEQRA, she doesn't know if there is at least one potential environmental impact with this water and flooding. So she has recommendations she would really like us to talk to the town of Monroe, about the segmentation issue as well as if there is a coordinated review we could have, because she really doesn't know what the buildout could be maybe about 45 acres with all lots, so she thinks it would be a more significant impact. Tracy actually recommends putting signage up on the buffer zone properties. Gave examples in the letter.

Ralph Caracolo - 103 Pickerel Rd. - Stated he has a little 3 foot ditch and approximately twice a year it becomes a 10-15' stream. He has seen Trout Brook when that floods. And had to have the Town to shore up a house. There's a lot of water that comes down. It's not constant but when it does, it does severely. Asked about how far the one house is from Pickerel. And asked what kind of house, and the swale on the side of the road.

Motion to close the Public Hearing. Motion made by Bob. Second by Carl. Motion carried 7-0

We will take written comments for the next 10 days.

Will be back at the July 17, 2019 meeting to address all comments.

**Hold My Knots– Site Plan**

Joe Minuto owner is present. One of the issues at the last meeting was he needed Village of Chester approval to be able to have access on Leone Ln. Chairman spoke to John Orr and that they had no issues that entrance has been there for years and as long as we were ok with the site plan then they were ok with the access.

They submitted a short EAF form and a better site plan (which was posted). This was submitted to OCDP and received a response today.

Chairman had a question of exactly where the truck was going to go. And if the car and trailer were going to be moved? Joe said that if they get approved Mr. Flynn was going to move everything.

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They are going to clean the brush up and redo the item 4.

Polled board for comments and questions.

Larry: The only question is garbage? How will that be taken care of? Joe stated he will get a container and maintained. And get it picked up.

Al Fusco letter 5-14-19:

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

Alfred A. Fusco, III, General Manager

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May 14, 2019

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

Re: Hold My Knots  
Our File #CH-176

Dear Chairman Serotta,

We have reviewed the recent submission and offer the following:

PROJECT:

Name: Road Truck  
SBL: 4-1-5  
Acreage: 1.9 Acres  
Zone: GC

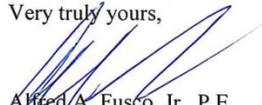
COMMENTS:

1. Need access permit from Village of Chester.
2. Garbage to be removed daily.
3. Porto-potty on site.
4. Vendor permit from Town of Chester.
5. Board comments.

Action:  
239 GML

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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Chairman questioned the porta potty. Joe stated that most trucks don't have to have it but if the board wants it he will get one and maybe fence it off.

Dave stated that the building department would make the determination if he would need a vendor permit.

Dot: Doesn't see the need for a porta potty, I wouldn't want a porta potty near food.

Larry: Doesn't see the need for it either.

Jackie: Just wants to make sure the entrance is cleaned up for visibility when people pull out or pull in.

Carl: Can they use a garbage can and take the garbage bag away every day. Instead of a container and it sits there for a couple of days.

Mark: Hours of operation? Joe stated mornings for sure and Lunch. Probably not much passed that. Not sure what the market would be in the evening. Only one truck. Monday-Friday to start. Doesn't know if there's a lot for Saturdays and Sunday's.

Bob: What about grease? Joe: Any Grease is cleaned up any frying that is done they have tin pails that it gets emptied into and brought to his store where he has a recycling bin and the oil guy comes and picks it up. Thinks he should have a porta potty.

Polled board on the porta potty issue:

Bob -Yes

Mark -No

Carl- No

Jackie- No

Dot -No

Larry -No

239 Response 6-5-19:

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Steven M. Neuhaus  
County Executive

**Orange County Department of Planning**

124 Main Street  
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**David E. Church, AICP**  
**Commissioner**

[www.orangecountygov.com/planning](http://www.orangecountygov.com/planning)  
[planning@orangecountygov.com](mailto:planning@orangecountygov.com)

**County Reply – Mandatory Review of Local Planning Action**  
**as per NYS General Municipal Law §239-l, m, &n**

**Local Referring Board:** Town of Chester Planning Board

**Referral ID #:** CHT 05-19M

**Applicant:** Hold My Knots

**Tax Map #:** 4-1-5

**Project Name:** none provided

**Local File #:** none provided

**Proposed Action:** Site Plan for new installation of a food truck on an existing parcel developed with a single-family residence

**Reason for County Review:** Within 500 feet of County Route 13 (Kings Highway)

**Date of Full Statement:** May 8, 2019

**Comments:**

The Department has received the above referenced site plan and has found no evidence that significant intermunicipal or countywide impacts would result from its approval. We have no advisory comments regarding this application.

**County Recommendation: Local Determination**

**Date:** June 5, 2019

**Prepared by:** Megan Tennermann, AICP, Planner

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**David Church, AICP**  
**Commissioner of Planning**

As per NYS General Municipal Law 239-m & n, within 30 days of municipal final action on the above referred project, the referring board must file a report of the final action taken with the County Planning Department. For such filing, please use the final action report form attached to this review or available online at [www.orangecountygov.com/planning](http://www.orangecountygov.com/planning).

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Polled board to wave the public hearing: Unanimous

Motion to wave the public hearing made by Dot. Second by Larry. Motion carried 7-0

Motion for Negative Declaration made by Bob. Second by Mark. Motion carried 7-0

Motion to grant site plan approval based on the sketch plan and the conditions of the garbage removal and that Flynn moves the car and the trailer. Motion made by Larry. Second by Jackie. Motion carried 7-0

**All Pets Veterinary Hospital – Work Session**

No Show

**191 Lehigh Ave– Discussion**

Chairman stated that he got a call from the building inspector Jim Farr regarding 191 Lehigh, he has been watching the steps of the project. They came up with a chronological plan of when they are doing things. They have supposedly completed the landscape package, they asked if they could skip the fencing on the sides but will still do the fence and the gate in the front. Jim asked if we could get Karen to go over and inspect the landscaping and give the ok. Karen couldn't get there in such short notice. So she will go out there and give a report to the board. We don't have it right now. Maybe everyone should take a ride out there. They said they put bigger trees then they said they were going to do and they planted closer together then what was said. Karen's concern was based on not knowing what type was planted was deer. We can't make that kind of decision until we receive the report from Karen.

Bob asked about all the shed issues if they came down or moved them. Maybe we should get a letter from Jim.

Anthony didn't want shrubs in the right of way where the pillars are.

We will put this on the agenda for July 17<sup>th</sup>.

Respectfully Submitted,

Alexa Burchianti  
Planning Board Secretary