

RESOLUTION OF APPROVAL

SITE PLAN

FOR

1251 KINGS HIGHWAY, LLC

Nature of Application

1251 Kings Highway, LLC is the owner of a 38.891 +/- parcel located in the IP (Industrial Park) Zoning District. Currently, the site is improved by an existing framed dwelling and several accessory structures. The applicant now proposed to subdivide the said premises into 3 separate lots. Lot #1 is proposed to be 3.98 +/- acres and will contain the existing framed dwelling and accessory structures. Lot #2 is proposed to consist of 14.17 +/- acres upon which a 40,000 +/- square foot warehouse or wholesale establishment is proposed. Lot #3 is proposed to consist of 20.73 +/- acres and a 40,000 +/- square foot warehouse or wholesale establishment is also proposed for this lot. 38.891 +/- acres.

Property Involved

The property affected by this resolution is shown on the Tax Maps of the Town of Chester as parcel(s) Section 17, Block 1, Lot 99.221.

Zoning District

The property affected by this resolution is located in the IP Zoning District of the Town of Chester.

Plans

The Site Plan materials being considered consist of the following:

1. Completed application dated April, 2019.
2. Plans prepared by Arden Consulting Engineers, PLLC dated last revised April 4, 2020, September 8, 2020 and consisting of 21 sheets.
3. Full Environmental Assessment Form.

4. "Bog Turtle Report" prepared by Michael Nowicki of Ecological Solutions, LLC dated August 8, 2019.
5. Communication from NYSDEC dated January 21, 2020, confirming the project will have no adverse effect on any bog turtle habitat.
6. Stormwater Pollution and Prevention Plan prepared by Arden Consulting Engineers dated March 15, 2019, last revised February 14, 2020.
7. Subdivision and Site Plans prepared by Arden Consulting Engineers dated April 24, 2020 consisting of 20 sheets.
8. Correspondence from the New York State Department of Parks, Recreation and Historic Preservation dated August 7, 2019.
9. Wetland Validation Map prepared by Arden Consulting Engineers dated August 19, 2019 approved by the NYSDEC.
10. Unattributed Structural Plan dated June 30, 2020.
11. Color Selection Guide submitted by the applicant.
12. Various building renderings submitted by the applicant.

History

Date of Application

The application was filed with the Planning Board in April of 2019.
Permit

Public Hearing

A public hearing was convened on September 2, 2020 and was closed that same evening.

SEQRA

Type of Action:

This matter constitutes a Type I Action under the State Environmental Quality Review Act.

Lead Agency:

The Town of Chester Planning Board is the lead agency in regard to this action.

Declaration of Significance:

A negative declaration was issued on September 2, 2020.

GML 239 Referral

This application is not required to be referred to the Orange County Planning Department for review and report.

Findings

The Planning Board has determined that approval of this site plan will substantially serve the public convenience, safety and welfare in that the land to be improved is of such character that it can be used safely for building purposes without danger to health or peril from fire, flood or other menace. Further, the site plan is appropriate and consistent with the requirements of the master plan, the official map of the Town, Article V of the Town of Chester Site Plan Regulations and applicable zoning regulations, subject to compliance in full with conditions hereinafter imposed.

The Planning Board has further determined that approval of this subdivision will substantially serve the public convenience, safety and welfare in that the land to be improved is of such character that it can be used safely for building purposes without danger to health or peril from fire, flood or other menace. Further, the subdivision is appropriate and consistent with the requirements of the master plan, the official map of the Town, Chapter 83 of the Town of Chester Municipal Code and applicable zoning regulations, subject to compliance in full with conditions hereinafter imposed.

Resolution of Approval

NOW, THEREFORE, THE PLANNING BOARD RESOLVES to approve the final subdivision and site plan application of 1251 Kings Highway, LLC. as said proposal is depicted on the plans identified above and upon the conditions outlined below, and the Chairperson (or his designee) is authorized to sign the site plan map(s) upon satisfaction of those conditions below noted to be conditions precedent to such signing.

Specific Conditions

1. This approval is subject to compliance with the terms, conditions, notes and all provisions contained within and upon the "Plans" referenced hereinabove.
2. This approval is subject to the applicant depositing such amount as the Town Board may deem appropriate for erosion control inspections.
3. All stormwater storage and conveyance facilities shall be installed, to the satisfaction of the town engineer. Compliance with the requirements of section 98-13 of the Town Code, including delivery of the required *Stormwater Control Facility Maintenance Agreement* prior to map signing is required. Moreover, a map note to this effect shall be placed on the plans before they are signed.
4. This approval is subject to compliance with those requirements that may be imposed by Karen Arent Landscape Architect ("KALA").
5. Compliance with all requirements imposed by the Orange County Department of Public Works as outlined in the items of communication issued by this County Department dated October 2, 2020 and October 6, 2020.
6. The amount of parking spaces required by the Town of Chester Zoning Ordinance appear to be in excess of the amount of parking that will actually be required on site for the use proposed. Accordingly, the Town of Chester Planning Board has permitted the applicant to construct only those parking spaces which is reasonably anticipated to be required to provide adequate parking for the uses proposed. Appropriate

space has been reserved should circumstances require the need for additional parking spaces to be required. It shall be the determination of the Town Building Inspector, in consultation with the Town Engineer, to make a determination if the additional spaces shown on the map to be reserved for future use shall be required. In the event that the Building Inspector, in consultation with the Town Engineer, determines such spaces are required, such spaces shall be constructed at the sole cost of the applicant, the applicant's successor and/or assigns, immediately after receiving the determination from the Town Building Inspector.

7. Final approval by the Planning Board regarding the color of each building.

General Conditions

This approval is conditioned upon the applicant submitting all necessary copies of the plans to be signed, including mylars when required, to the Town of Chester Planning Board in accordance with the requirements of the Town Code.

This approval is further conditioned upon the applicant delivering (prior to signing of the plat) proof, in writing, that all fees—engineering, planning, legal and otherwise—in regard to this project have been fully paid. The plans shall not be signed until proof, satisfactory to the Chair, has been presented showing that all fees have been paid.

A FAILURE to comply with any such condition in a timely manner shall result, without further action, in a lapsing of this approval.

In Favor 7

Against 0

Abstain 0

Absent 0

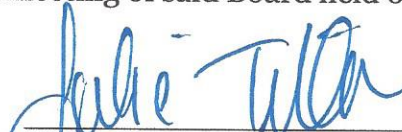
Dated:

A handwritten signature in black ink, appearing to read "Don Serotta", written over a horizontal line.

DONALD SEROTTA, CHAIRMAN
TOWN OF CHESTER PLANNING BOARD

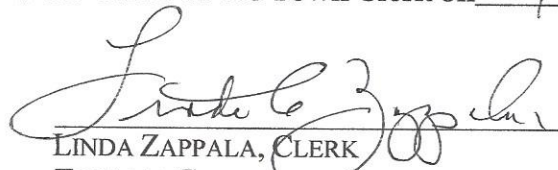
STATE OF NEW YORK)
)ss:
COUNTY OF ORANGE)

I, JULIE TILLER, Secretary to the Planning Board of the Town of Chester, do hereby certify that the foregoing is a true and exact copy of the Resolution maintained in the office of the Town of Chester Planning Board, said resulting from a vote having been taken by the Planning Board at a meeting of said Board held on 10/7/2020.



JULIE TILLER, SECRETARY
TOWN OF CHESTER PLANNING BOARD

I, LINDA ZAPPALA, Clerk of the Town of Chester, do hereby certify that the foregoing Resolution was filed in the Office of the Town Clerk on 11/18/20.



LINDA ZAPPALA, CLERK
TOWN OF CHESTER