

**TOWN OF CHESTER
DRAL FUSCOT
PLANNING BOARD MINUTES
April 19, 2023**

Meeting called to order @ 7:02

Members Present: CHAIRMAN SEROTTA, LARRY DYSINGER, JON GIFFORD, JACKIE ELFERS DOT, WIERZBICKI, JUSTIN BRIGANDI

Members Absent: MARK ROBERSON

Also Present: MELISSA FOOTE/PLANNING BOARD SECRETARY, TODD MAURIZZIO/
AL FUSCO REP FOR TOWN ENGINEER, ALEXA BURCHianti/TOWN BUILDING
INSPECTOR, ASHLEY TORRE/ TOWN PLANNING BOARD ATTORNEY for DAVE
DONOVAN

Next Planning Board Meeting scheduled for May 3, 2023

Palmer Concept Subdivision Plan/Orange County Land Trust

*Ashley Torre for Dave Donovan

DONALD SEROTTA: Introducing Dave Getz re updated plans with notes for Tree Clearing
DAVE GETZ: Noting the changes for Notes (email)

BOARD COMMENTS: NONE

CHAIRMAN SEROTTA: Thanking Fusco engineering for donating their services for this project.
Thank you. Steve Nehaus, and OCLT. Eventually the county will be doing a parking lot somewhere by
tin barn, etc.

Motion to be Lead Agency by: LARRY DYSINGER

Second by: JACKIE ELFERS

All in favor: 6 Ayes

Motion to approve the Negative Declaration by: JOHN GIFFORD

Second by: JUSTIN BRIGANDI

All in favor: 6 Ayes

CHAIRMAN SEROTTA: Highway Dept will do the sign.

Motion to Pass Final Resolution by: JUSTIN BRIGANDI

Second by: JOHN GIFFORD

All in favor: 6 Ayes

145 Kings Highway

James Dillin: Last submission on March 22nd with changes made by AL FUSCO
Curtain Drain, ODDPW – 2/6 with approval letter for Lot #2, site visit performed 2/7, addressed disturbance for lot #7. Fusco engineering reached out to **ALEXA BURCHIANTI**, and everyone was notified.

Discussing disturbance for Lot #7.

CHAIRMAN SEROTTA: We'll hear from **ALEXA BURCHIANTI** in a bit.

JAMES DILLIN: Reviewing:

OCDP 239 letter received

CHAIRMAN SEROTTA: Please describe Lot #7

ALEXA BURCHIANTI: Lot #7 had over graded, septic relocated from original site, so it's now in the front left of the house, the french drain added in the back because of water run-off from mountain. Relocation was necessary. Seeding and Hay and new landscaping plan will be done upon getting closer to completion to plan.

CHAIRMAN SEROTTA: That will need to bring it into compliance.

BOARD COMMENTS:

LARRY DYSINGER: There was more clearing done on lot 6 then discussed. If they revegetate would that make it in compliance. Brought up re 5 acres by disturbance., outdoor lighting on plans.

CHAIRMAN SEROTTA: I can't answer for that because Ashley Torre couldn't attend, make sure there is a map

JUSTIN BRIGANDI: None

CHAIRMAN SEROTTA: 239 Comments – lots on ridge border protection zone, any questions from the board. They know they can do any disturbance above the ridge protection line, and permits, etc.

JAMES DILLIN: Note 11 – small
wetland crossing (insert)

CHAIRMAN SEROTTA: Bat notes are needed

JAMES DILLIN: I'll add it.

215 Black Meadow Rd/BDA Properties LLC

JAMES DILLIN: Discussing project. Tile business, specialized counter tops. Looking for addition to keep storage inside. We would have to relocate the septic tank, there are dry wells, etc.
Business won't be increased.

Flood Plain

TODD MAURIZZIO: Fusco Review Letter – reviewing items on letter. Needs to show flood plain.

ALEXA BURCHIANTI: Did we determine lot coverage for the solar, they are over their lot coverage on the solar?

DAVID DONOVAN: Jim what is your response?

JAMES DILLIN: 2019 we came in front of the board for a 2-lot subdivision and wanted to get a 280 variance. Planning board said I should get an open area letter to the Town Board and the TB never followed up and never got on the agenda.

DAVID DONOVAN: I understand but it's an illegal subdivision

JAMES DILLIN: I'm here to correct anything that I can. What I'm showing you now is in violation. I think you need to send me to the ZBA

DAVID DONOVAN: If the Town Board isn't going to act then it needs to go to the ZBA

DAVID DONOVAN: Past achievements aren't a guarantee.

CHAIRMAN SEROTTA: I'm not blaming BK Tile, but we need to fix this.

Motion to send to the ZBA by: LARRY DYSINGER

Second by: DOT WIERZBICKI

All in favor: 6 Ayes

193 BMD, LLC

LARRY TORRO: Reviewing Site Plan

Previous plan went to DEC with truck trail FUSCOfic on westerly side

DEC review felt too much disturbance in the adjacent area/wetlands (in back of building), eliminate truck movement – easterly side -K Turn

Before finalizing with DEC wants to go to PB to have truck movements, and would: like to finalize the permit to the DEC.

CHAIRMAN SEROTTA: Asking about where trucks will enter.

Board Comments:

JUSTIN BRIGANDI: Fire access would the fire dept have an issue not being able to come in through the back of the building.

JUSTIN BRIGANDI: Truck can barely make turn what would happen with snow

LARRY TORRO: We can designate areas for snow.

DONALD SEROTTA: Let's refer to AB and she can look up Fire Code, Fusco & AB can come up with a solution. Good point with snow, etc.

JOHN GIFFORD: I like the idea.

JACKIE ELFERS: It's good, how's the truck flow.

LARRY TORRO: mainly box trucks.

DOT WIERZBICKI: Good.

LARRY DYSINGER: Design is better, fire lane- pervious materials, would appreciate a full set of plans, not pieces. Lighting – Comply with Town ordinances, lights in parking lot don't reflect with lighting codes. Consider using dimmers when no one is there at night. Sign no engine brakes, landscaping is sparse. Trade Trans has trees, would like to see landscaping to beautify it.

LARRY TORRO: Tress along front, but majority is a septic system.

JACKIE ELFERS: You need to be careful with choice of trees because of roots.

LARRY TORRO: If building and engineer are good can we proceed with going back to the DEC?

CHAIRMAN SEROTTA: You can go ahead to go to the DEC, like Larry said we just need a full plan set.

Black Meadow Crossing

CHUCK PAZZARATTI – Architect – going over the renderings,

Preserving and using foundation of existing barn, interim will be a temp dancing studio until it's complete then it would be an office space rental. Larger/Main building – Daycare on 2/3 of the floor and rental space, event space, minimize parking from barn and 17m, Support spaces on top for storage, and 4,000 sq ft play area on the side.

Board Comments:

LARRY DYSINGER: like the design concern with colors. Design blends in. excellent job.

DOT WIERZBICKI: What kind of event space.

CHUCK PAZZARATTI: for dance recitals, 200 max people.

DOT WIERZBICKI not renting it out for catering.

CHUCK PAZZARATTI: No

DAVID DONOVAN: What's with the narrow asymmetrical windows?

CHUCK PAZZARATTI: Part of the staircase.

CHAIRMAN SEROTTA: We asked you to make it look as much as the Talmadge barn, and you did a nice job.

JOHN GIFFORD: It looks good.

JUSTIN BRIGANDI: It looks good.

CHAIRMAN SEROTTA: Pulling up site plan.

LARRY TORRO: There are a couple of issues with existing structure, would this require a variance, grandfathered in.

CHAIRMAN SEROTTA: Have you looked at the set back?

LARRY TORRO: We could rebuild.

DAVID DONOVAN: What are the setbacks on the plan?

LARRY TORRO: It's basically a new structure.

DAVID DONOVAN: Technically speaking if you're making a new building it doesn't comply, but you would have to go to ZBA.

CHAIRMAN SEROTTA - Sewer and Water

LARRY TORRO: We'll put a well in the area, issues is septic. Add a temp holding.

TODD MAURIZZIO: Do necessary calculations, with a maintenance schedule.

BOARD COMMENTS:

LARRY DYSINGER: No issue.

DOT WIERZBICKI: No issue.

JACKIE ELFERS: Is there a time frame?

LARRY TORRO: We can add a time line. 5 yr.

LARRY DYSINGER: Lighting needed, use of dimmers.

JACKIE ELFERS: Landscaping, disturbances, ornamental.

JOHN GIFFORD: Good

JUSTIN BRIGANDI: Good

Motion to send to ZBA by: LARRY DYSINGER

Second by: DOT WIERZBICKI

All in favor: 6 Ayes

Chuster Noodle Packaging/Elkay Drive

Endangered Species was done and SWPP design is reflective. Updated site plan was submitted. Wanted to do a PH at last meeting we were in attendance but the PB wasn't comfortable until we received the State docs.

CHAIRMAN SEROTTA: Reviewing docs, renderings.

DAVID DONOVAN: Soil testing in November.

DAVID DONOVAN: What do you think the height is?

JOE PFAU: I know what the code allows but I don't know the height?

DAVID DONOVAN: But you know it's less than 65?

JOE PFAU: Yes

CHAIRMAN SEROTTA: We need to know where the dirt is coming from.

JOE PFAU: About 35,000 yards

Motion to set a Public Hearing for June 7, 2023 by: JOHN GIFFORD

Second by: JUSTIN BRIGANDI

All in favor: 6 Ayes

Work Session

50 Elkay Drive

Erik Osbourne/Architect:

Engineering was previously done by Lanc & Tully – 1987 it was approved.

2017 comments revisited - 26,000 proposed distribution business, whole sale candies and nuts to repackage and send out to retail stores. We may need a variance.

DAVID DONOVAN: Usually a site plan needs to be certified. Does Lanc and Tully know you are using this plan. Variance needed? **Substandard**

Variance 98-9 subdivision J – comes into play

CHAIRMAN SEROTTA: Send us the original site plan. Will you be changing anything? Steve Braun owned it before

DAVID DONOVAN: Does this reflect the approved subdivision?

CHAIRMAN SEROTTA: Can you use Lanc & Tully map. You can't use it with changes to the map and changes are required they need to be made. Based on the past there are changes and they need to be made.

TODD MAURIZZIO: If you're not changing anything you don't need to go to the ZBA. Going over the review letter. What is the file subdivision map and what are the setbacks? What was the square footage? Septic's (6 yrs. need to be re-perced so no changes were made).

Is it a true industrial building, we'll need renderings?

Meeting adjourned at 8:55pm

Respectfully Submitted,

Melissa Foote

Planning Board Secretary