

**TOWN OF CHESTER  
PLANNING BOARD SUBDIVISION REVIEW**

**Project Name:** Baroda Subdivision

**Project Location:** East side of Black Meadow Road at Bairds Cross Road  
SBL: 12-1-31

**Reviewed by:** Kristen O'Donnell // John Queenan, P.E.

**Date of Review:** February 14, 2024

**Documents Reviewed:**

- Correspondence from Whiteman Osterman & Hanna, LLP dated December 20, 2023
- Baroda Cluster Subdivision Plan consisting of 19 sheets last revised 12/09/2023 as prepared by Pietrzak & Pfau
- Updated Threatened and Endangered Species Report dated December 11, 2023 prepared by North County Ecological
- Updated Visual Analysis prepared by Tim Miller Associates dated January 3, 2024
- Phase 1 Archaeological Investigation dated November 2019 as prepared by Alfred Cammisa, M.A.
- OPRHP No Impact letter dated February 28, 2020

**Project Summary:** The application is for a 28-lot major residential subdivision designed within a cluster layout to be accessed via three curb cuts (one proposed as a private driveway) onto Black Meadow Road and each lot shall be served by individual wells and septic systems. The smallest lots with the plan are 0.75 acres (32,800 square feet) and the cluster subdivision plan design proposes 124.4 acres to be preserved in an easement. The Project Site is located in the AR-.3 Zoning District and within the Ridge Preservation Overlay District.

**Planning Review Comments:**

1. The visual assessment has been updated to show the location of the lots on the cross sections, but this does not demonstrate what the project will look like once constructed or how the development will impact the views of the ridgeline. The Town Ridgeline Preservation regulations (Section 98-26) state, "*Any new structure within the Ridge Preservation Overlay District for which a building permit is required shall be located to the maximum practical extent so as not to be visible from any point on Pine Hill Road, Bull Mill Road, Black Meadow Road or on a state, county or interstate highway, and if such structures cannot be completely obscured they shall be made to blend as unobtrusively as possible into the hillside to avoid breaking the natural ridgeline*". In support of this finding, the zoning requires the visual assessment include a photographic study taken from designated vantage points, "*with the location of the proposed clearing, new structures and its site indicated thereon*". These items are not indicated in the visual assessment.

2. The applicant has agreed to several important mitigations including a maximum dwelling footprint of 1,732 square feet and review of all house plans by the Planning Board to ensure consistency with Ridge Preservation regulations.
3. The subdivision regulations (see §83-24.A(2)) require 10% of major subdivisions to be set aside for parks or recreation purposes. If the Planning Board finds that a suitable park or parks of adequate size to meet the requirement cannot be properly located on such subdivision plat, the Board may require a sum of money in lieu thereof. The applicant's narrative states they are conserving 124-acres of land on the site. As shown on the current plans, this land will be privately owned by Lot 1, not used for public parks or recreation. This is also the case for the land within the 50-foot buffer easement. As currently proposed, we believe a PILOP would be required. However, has submitted a request for feedback on this issue to the Town Board. We defer to the Town Board to determine if this land should be publicly owned and if that would satisfy the requirement under this provision of the code.

**Engineering Review:**

The Subdivision Plan will require the following outside agency review and approvals:

1. Town Board for Road and Utility Acceptance of dedication offer and determination of open space ownership.
2. Orange County Department of Health – Realty Subdivision
3. NYSDEC – Stormwater SPDES – Wetland Boundary Validation
4. 239 GML, if not already completed

The Orange County Department of Health will review the proposed subdivision plans under application for Realty Subdivision. The sewage disposal systems depicted within the plan appear to have the required percolation and deep testing results and these areas will be further evaluated by the OCHD.

Water supply. For lots in major subdivisions without central water supply, wells shall be drilled and tested for quantity and quality based on Orange County Health Department standards prior to final approval.

For the water supply aspect, In addition to the Orange County Health Department testing requirements for every five or 10 lots, there shall be at least one well for every three lots that shall be tested and certified by a licensed laboratory that it meets all Orange County Health Department requirements for private wells prior to final approval by the Planning Board. It should be discussed with the applicant any current relevant well testing that has been completed to date. The project is within close proximity to the Village of Chester's main producing well location and comments from the Village of Chester should be solicited.

Sheet 1:

1. Note 5 should indicate that the 28 lots are the maximum number of allowable lots.
2. Note 11- topography provided shall be based upon a defined datum, preferably NAVD 88 and certified by the project surveyor.
3. Note 16 references a maximum building footprint of 1,732 sf. The dwelling sizes on the plan should be updated to reflect this size. It should be confirmed that the SWPPP has calculated this size for the dwelling sizes.
4. Note 16 should indicate that any increase in size of the building footprint indicated will require review and approval from the Planning Board and all applicable impacts shall be evaluated.
5. Note 4 under Indiana Bat should specify that no tree clearing will be allowed without first securing a permit from the Building Inspector and NYSDEC SPDES permit.
6. Note 2 under Ridge Preservation indicates that house plans will be provided to the Planning Board for approval. Please advise if the plans have been submitted for review.
7. A note shall be added to the plan indicating no use of pesticides or herbicides.

Sheet 2:

8. Same comment regarding the topographic map reference and datum.
9. The wetland notations should be added to this Sheet also.
10. An existing slope analysis should be provided outlining the slopes from 0-15%, 15-25% and greater than 25%.

Sheet 3:

11. When applicable, descriptions shall be provided for the portions of the plan to be offered for dedication to the Town.
12. The buffer easement, utility easements and the open space easement shall be provided with metes and bounds.

Sheet 4:

13. No comment.

Sheet 5:

14. Building setbacks should be labeled and dimensioned.
15. Each lot appears to be proposed with two septic tanks, applicant to indicate why?
16. The Dwelling footprints shall be increased in size to the maximum footprint size identified as 1,732 sf.
17. All lots appear to have roof leaders discharging to an unclear facility.
18. All lots should provide a footing drain outlet to daylight.

19. The curtain drain outlets for lots 8 and 9 cross into lot 1. This should be corrected so that the drain outlets on the individual property.
20. There are two well symbols- one near the stormwater ponds and a second at the rear of lot 10. Please indicate if these are existing?
21. Lot 9 septic system does not appear to provide adequate separation to the well on Lot 10.
22. Is the existing lane to be upgraded for access to Lot 1?
23. Outfall protection should be provided for the piping inlets to the stormwater ponds.

Sheet 6:

24. Same comments 14 thru 18 apply to this sheet.

Sheet 7:

25. A lot intended for use for single-family residential purposes must contain a buildable portion for a dwelling site, onto which the dwelling and all future extensions shall be placed, of not less than 5,000 square feet of land, rectangular in shape, with a minimum side dimension of 40 feet for all lots in excess of one acre, or any size lot with a septic system
26. The overall grading for a number of the proposed lots should be for a usable property. For instance, lots 3, 4, 5 and 6 do not provide for any reasonable use of the rear yard. Lot 5 has a 7 ft drop from the rear wall of the proposed dwelling.
27. All of the lots along the proposed buffer indicate improvements right up to the buffer boundary. It would not seem possible to construct the lots without disturbance of this area. The layout of these lots should be reviewed to ensure adequate constructability without buffer disturbance.

Sheet 8:

28. Same comments as Sheet 7 items 23 and 24.
29. Lots 17-19 should be further reviewed to determine if the proposed dwellings could be further moved down in elevation from the top of the ridge.

Sheet 9:

30. A phasing plan to indicate no more than 5 acres of disturbance at one time should be provided.
31. Concrete washout areas should be provided.
32. Areas of slope stabilization matting should be labeled.
33. Inlet protection should be provided for the CB's.

Sheet 10:

34. Add concrete washout areas and inlet protection to the plan.

Sheet 11:

35. No comment.

Sheet 12:

36. The Planning Board may wish to consider additional planting within the proposed front and side buffer area as it appears that existing screening does not currently exist.

Sheet 13:

37. All driveways within the Town Right of Way shall be paved. Driveway details shall be updated.

Sheet 14:

38. All roadway intersections shall be provided with a 2% grade within the first 50 ft of the intersection.

39. This office has concerns regarding the sight distance calculations as Black Meadow Road is 50 mph heading towards the Village and 30 mph coming from the Village. The sight distance calculations should be verified to current AASHTO standards.

Sheet 15:

40. No comment at this time.

Sheet 16:

41. Numerous lots require sewage pump stations, the design and details for these stations shall be provided on the plan.

Sheet 17:

42. No comment at this time

Sheet 18:

43. Driveway grades between the street pavement and the building setback line should not exceed 10%. Wherever possible, a slope of -2% for a minimum of 25 feet from the street pavement should be provided. Where driveway culverts are deemed necessary, the driveway should be sloped to direct all surface drainage towards the culvert. Driveways shall, when the Planning Board so determines, be specifically located on the final plat, and said locations shall not be altered except with the express permission of the Planning Board.

This concludes our comments at this time. Our office is currently reviewing the SWPPP and will offer comments, if applicable, within a future memo. If you have any questions or require anything further, please contact our office.