

**TOWN OF CHESTER
PLANNING BOARD MINUTES
February 18, 2015**

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Respectfully submitted,

Tanya McPhee
Planning Board Secretary

**TOWN OF CHESTER
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PLANNING BOARD: TOWN OF CHESTER
CHESTER, NEW YORK

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In The Matter of The Application of
PRIMO SPORTS COMPLEX,
Located on State Route 94,
Town of Chester, New York,
Site Plan Approval

-----X

February 18th, 2015
1786 Kings Highway
Chester, New York
7:02 p.m

BEFORE:

DONALD SEROTTA, Chairperson
AL FUSCO, Engineer
DAVID DONOVAN, Attorney
STEPHEN DENES
BARRY SLOAN
CARL D'ANTONIO
ERNIE DAMIANI

CUMMINGS REPORTING & VIDEO SERVICES
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- PROCEEDINGS –

CHAIRPERSON SEROTTA: Okay. It is a little bit after 7:00 and the Town of Chester Planning Board is now in session. There are no minutes again, I have no one to do minutes, so, this is Jen, she is going to be with us tonight, she is going to do -- she will send us the transcripts. I did send out everybody the transcripts last time but it has to be bound together in a document, it just says this is the formal minutes for the Town of Chester and so on and so forth. So, as soon as we can get to those we will handle that.

Frank Gilbert is away, Bob Conklin is not here tonight. We don't have really much. March the 4th I sent you out tonight we got a submittal for BAZ, they are not on the agenda tonight, that is just for March 4th, so, the hard copy is in the Town clerk's office, I haven't even put that into the boxes and I have the PDF's for that. Al, they were supposed to give you a submittal BAZ and stuff --

MR. FUSCO: I got it.

CHAIRPERSON SEROTTA: You got it? Okay. I know you got the PDF'S.

All right. Just a couple quick things and we will get into the Primo Sports Complex. So, first

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2 thing is I got a letter from Tom Depuy, the Hills
3 of Chester, it is the one over by Whispering Hills.
4 Again, he hasn't finished the Hills of Goshen, as
5 soon as he finishes the Hills of Goshen and sells
6 that I am sure he is going to start on the Hills of
7 Chester. So, he's looking for a 90 day extension,
8 we have to do this every 90 days, we have no
9 choice. So, does someone want to make a motion to
10 grant a 90 day extension to the hills of Chester?
11 Motion by Carl. Second by Ernie. All in favor?
12 MR. D'ANTONIO: Aye.
13 MR. DENES: Aye.
14 MR. DAMIANI: Aye.
15 CHAIRPERSON SEROTTA: Aye.
16 MR. SLOAN: Aye.

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17 CHAIRPERSON SEROTTA: The second one is I got
18 another e-mail came in late today from Ross
19 Winglovitz, they are working pretty hard up there I
20 guess but they ran into problems with the snow
21 probably, right, up at Warwick Ridge, but a lot of
22 the infrastructure is in place. So, they also have
23 to go through a 90 day extension, so, every 90 days
24 until I mention I sign the maps. So, does someone
25 want to make a motion to grant Warwick Ridge a 90

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2 day extension? Motion by Steve. Second by Carl.

3 All in favor?

4 MR. D'ANTONIO: Aye.

5 MR. DENES: Aye.

6 MR. DAMIANI: Aye.

7 MR. SLOAN: Aye.

8 CHAIRPERSON SEROTTA: All right. So, those

9 two I will send them out their letters.

10 The next thing on our agenda is site Primo

11 Sports was in front of us about approximately a

12 month ago or so. So, it is a site plan located on

13 Route 94, Tetz Lane, Glenmere Road and Green Drive,

14 it is like a big square up in there. All right.

15 Since our last meeting we did do an initial

16 submission to Orange County Planning, it wasn't a

17 formal 239 submission but we had gotten some

18 comments back on that. They had taken some of the

19 comments from the 239 that we did send to them -

20 which there were lots of comments - and some of the

21 Board's comments that night when they were here

22 last time and then the Board asked me to submit

23 Karen Arent, Karen is with us tonight, Karen is

24 going to talk to us tonight too. Karen also did

25 some comment letters, I did send out a letter, you

5

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2 should've gotten one letter, Karen sent out a

3 couple of e-mails also to Primo.

4 So, they've now remapped the plan a little,

5 that's why they are here tonight, they want to show

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6 us the new plan, these are some combinations of
7 solving some of the issues the County came up with
8 and some of the issues that Karen came up. Karen
9 asked them to make certain changes and they are
10 here to discuss all of that tonight, right? So,
11 Mark, I guess we will lead off with you first.
12 MR. FELLEZZER: Sure.
13 CHAIRPERSON SEROTTA: I want to bring up the
14 map, there is a lot of people here tonight, so,
15 let's go over the map a little bit and talk about
16 that.
17 MR. FELLEZZER: Okay. So, before I start the
18 map I just want to reintroduce Luca Spensieri, one
19 of the principle owners on the project, he's going
20 to make a little introduction and reintroduce the
21 team that he has here tonight.
22 MR. SPENSIERI: All right. Good evening
23 everybody again. As you all know I have been away
24 for a little bit of a time, a month and a half or
25 so, primarily because we have been asked by various

6
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2 authorities to make certain changes to the project
3 and that's basically the reason for having been a
4 little late and away from this Board, but before we
5 get to that I would like to introduce our panels.
6 You all know Tony Cordisco, our attorney, our
7 record, Mark Fellenzer, his son, Philip Grealy is
8 the traffic engineer from Maser Engineering, we
9 wanted him to be here tonight just in case you
10 might have some questions in reference to the
11 traffic on Tetz, 94, over that way. I understand
12 that we have here the town architect's consultant,
13 Karen Arent, that would like to probably open up -
14 am I right, Karen - to try to explain the reason of
15 why we have come to make certain changes with the
16 location of the building and the entrance to the
17 property. I don't want to get into those details,
18 I am going to have Karen and Mark do that.
19 CHAIRPERSON SEROTTA: Just before you do that,
20 Dominic you just came in, just for Jen we had
21 everybody just spell your name and then start.
22 MR. CORDISCO: Sure, it is D-O-M-I-N-I-C, and

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23 the last name is Cordisco, that is C-O-R-D-I-S-C-O.

24 CHAIRPERSON SEROTTA: Thanks. Go ahead, Mark.

25 MR. FELLEZZER: Don, if you can zoom back out

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2 just a little bit on the corner. I just wanted to

3 see the road configuration.

4 I will just start with how we are arranged

5 currently and I am going to let Karen describe a

6 little bit about the concerns she had brought forth

7 with respect to the town and development of the

8 town. So, Route 94, right, where the pointer is,

9 Tetz Drive, Glenmere Road and Green Drive

10 (Indicating). Okay. So, what we've done is we had

11 commentary from the County Planning and one of the

12 comments in particular was to ask us to take the

13 entrance away from Route 94 and they had various

14 reasons why they were interested in that occurring.

15 We also had commentary from Karen Arent, your

16 landscape architect reviewer, and she had a lot of

17 concerns about really trying to get the building,

18 this is the building (indicating), as far away from

19 94, Glenmere and Green as possible to allow for a

20 lot more green space in front as the people drive

21 around the town they can see, and also to push the

22 building more toward the industrial zoning on Tetz

23 Drive so you can go back on Tetz, we have

24 industrial users. So, we spent quite a bit of time

25 looking at that and obviously when you start to

8

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2 look at that it changed the traffic study and we

3 had to look much closer at this intersection and,

4 thus, Phil Grealy who is our traffic consultant who

5 had looked at the project and done the traffic

6 study based on the entrance being here, we asked

7 him to go back out and examine this intersection.

8 He also examined this intersection a little closer

9 and he did this intersection very thoroughly so far

10 that he actually went out with speed guns and

11 looked at speed and actual traffic there making

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12 turning motions in and out of Tetz Drive. So, I am
13 going to let Phil talk about that a little, the
14 study is pretty exhausted and it also had to do
15 with how we ingress and egress on the side. So, I
16 will let him talk a little more about that. But
17 since this is a change, we haven't changed really
18 the number of fields, obviously the configuration
19 has changed on it, the drive in the site has
20 changed, traffic and parking has been located back
21 behind the building for the most part, the building
22 is here (indicating) and I will talk a little bit
23 more about the outdoor sitting area and all but I
24 would like Karen to talk to you about the
25 perspective from the Town's aspect and the Town

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2 planning aspect and I then will go on to some of
3 the more technical issues. Thank you, Karen,
4 thanks for coming tonight.

5 MS. ARENT: Thank you. As Mark said, when I
6 first looked at this site the building was right in
7 the middle of the property and the building is the
8 most -- will provide the most visual impact of the
9 site because it is a big sheet metal building and,
10 so, it made sense to me to move it closer to the
11 industrial area, right here is where Unilock is,
12 this is a site that will some day be industrial,
13 so, it made sense to take the hard part of this
14 site, the building and the parking and to push it
15 up against this line of other similar type of
16 visual buildings and while keeping the entire rest
17 of the site open like it is now.

18 I am actually very familiar with this site, I
19 ride my bicycle frequently on this road and over
20 across the front and it is absolutely beautiful,
21 nice and open. So, basically this site plan
22 preserves much of that, the only real hard elements
23 are right here and the road leading out and it is
24 nice too that the new entrance is over here because
25 that keeps this entire frontage of the site all

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2 green and without any hard elements. So,
3 basically, when you are riding by on the site it is
4 going to look very similar to what it looks like
5 now with the exception of this building right in
6 here and there will be some light poles and that is
7 something that we are going to work on and screen
8 it with some taller -- screen the effect of the
9 light and the poles during the daytime with some
10 trees, deciduous trees along the edges.
11 Some of the concerns I have with the new site
12 plan is that the fence is very close to the road
13 and I am hoping that we can pull the fence back a
14 little. We need to work on landscaping, things
15 like that, but in general I think this site plan is
16 a beautiful site, it is nicely planned for the
17 site.

18 CHAIRPERSON SEROTTA: So, we will let
19 everybody talk a little bit and then let the Board
20 ask questions. Hold off your questions until we
21 get through a little bit, I am sure we have some
22 questions.

23 MR. FELLEZZER: Thank you. So, now I just
24 want to talk, I will walk through in the same
25 order. I want Phil to come up here, Grealy, our

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2 traffic consultant, and talk a little bit about his
3 work in this area and any improvements from his
4 tests. Thank you.

5 MR. GREALY: Good evening. Philip Grealy,
6 Maser Consulting. We prepared the original traffic
7 studies and the supplements, the original traffic
8 study was done back in September of 2014, looked at
9 traffic flows along Route 94, looked at
10 degeneration of the project and evaluated a full
11 movement access to Route 94. As Mark had
12 indicated, you know, comments from the County and
13 concerns and terms of visibility the site plan was
14 reworked, we prepared a supplement to our traffic
15 study, January 9th is the date of the study which
16 looked at the access that flows off of Tetz Road,

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17 so, this is the configuration that has been
18 designed.
19 One of the other comments that we had received
20 was from the Town highway superintendent and from
21 your engineer, looking at speeds and looking at
22 operations including the length of the left turn
23 lane that was built when the park was being
24 developed. So, in terms of speeds we looked at
25 both speeds right in this immediate vicinity as

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2 well as further as you get into the park heading
3 back towards Coach and the other uses there.
4 Pretty much the speeds coming off of Route 94 are
5 controlled because they are primarily left turns,
6 the majority of the traffic in and out of the
7 facilities today are left turn movements. In terms
8 of traffic movements to the site we've added, this
9 is the existing road width, this edge and this
10 edge, we provided a right turn lane so that traffic
11 comes in, goes into the right turn lane and then
12 enters into the property. We have a nice long
13 driveway which allows vehicles to come in before
14 they get to any of the parking areas so we have
15 good traffic flow, once patrons get to the site and
16 then they can move to their spaces. Similarly,
17 when traffic is exiting when you have a turnover of
18 an event on the site you will get a flow of traffic
19 that may have plenty ability to stack exiting here,
20 this will be stop sign controlled, visibility from
21 this location is good back towards 94 and, as I
22 said, most of the traffic entering today comes, you
23 know, from the interchanged area down and left
24 turns in, you actually have good visibility right
25 across that frontage. This area which will be

13

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2 developed in the future is pretty clear right
3 through here, so, sight distance for exiting
4 vehicles you can see right back to the curve here.
5 Traffic speeds in general were found to be in

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6 the 25 miles an hour 85th percentile range, around
7 25 miles an hour that means 85 percent of the
8 vehicles are going at that speed or less. Coming
9 out of the park or actually at this location speeds
10 actually picked up on entering traffic close to the
11 30 range 85th percentile, this curb does control
12 the speeds a little bit, you know, I think if that
13 was a straight-of-way you will find once the
14 vehicles got past this point they would even be
15 going faster but we found in the 30 mile an hour
16 range, it is spelled out in our January 20th
17 report.
18 We also looked at the queueing, there's a left
19 turn lane here about 135 feet full width lane and
20 then you have your taper back to the two lane cross
21 section. So, we looked at terms of peak traffic
22 one of the, I guess, benefits of this type of
23 facility, you know, will be very busy on a Saturday
24 on weekends, the traffic in the park is less, there
25 is still of course bus traffic and other traffic

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2 there but, you know, order of magnitude the volumes
3 out on Route 94 range and we looked at a.m., p.m.
4 and Saturday conditions, the volumes on 94 range
5 from anywhere from 700 to 900 vehicles total both
6 directions, on Tetz Road you are in the 100 to 120
7 range typically during weekday, on weekend you are
8 looking somewhere less than 50 vehicles, you know,
9 really in that 30 vehicle range. Again, you have
10 the buses moving in and out. But, basically, this
11 design has -- we provide good site distance, we
12 have the decel lane, we looked at the queueing
13 distance for the left turns coming in and as I
14 mentioned, very important in terms of when traffic
15 is leaving we have a very good amount of stacking
16 distance so vehicles can leave and we also have a
17 layout now that before people get to the parking
18 area where they are moving into spaces have plenty
19 of distance to move and get off both 94 and off of
20 Tetz Road.
21 So, that's pretty much the extent. As I said,
22 the original September 2014 study, we had a January

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23 9th update that evaluated this intersection in
24 detail and then we did subsequent January 20th of
25 this year looking at the speeds and the sight lines

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2 and the queueing distances. So, I think that's
3 pretty much the synopsis of where we are and I
4 think we responded to the comments from the highway
5 superintendent and pretty much your engineer's
6 comments also. Thank you.

7 CHAIRPERSON SEROTTA: Thank you. Mark, before
8 we leave here too I just want to show the Board one
9 other thing. Anthony couldn't make it tonight, so,
10 Anthony being our highway superintendent, so, one
11 thing he wants is he wants the applicant, you see
12 how it is coming here off of -- this is Tetz right
13 here (indicating), he wants this lane, if possible,
14 extended all the way over to make it even bigger
15 down. The reason they are not showing is this
16 little section right here will be controlled by the
17 New York State Department of Transportation, so,
18 they are going to apply to get that to make that
19 straighter this right through here but there's a
20 chance that may not get done but they are going to
21 -- Al, you can speak to that?

22 MR. FUSCO: Yeah, sure. I met with the
23 highway superintendent, originally as you know he
24 had wanted a longer queueing on Tetz, he had asked
25 that, he wrote us a letter. I met with him, I

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2 looked at it, I looked at the traffic study and we
3 came up with some questions that we had asked for
4 the queueing on 94 and this and that and we
5 ultimately came up with the right-hand deceleration
6 lane coming in off of 94 off Tetz. As the Chairman
7 had noted, it did not go through all the way
8 because that piece is in the State right-of-way and
9 the State right-of-way could take up to, you know,
10 four to six months in order to get that approval
11 from them. So, since it is apparent no other

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12 requirements are going to be forthcoming from the
13 New York State DOT what we did is I talked to the
14 highway superintendent and we are going to ask the
15 applicant to put up a \$10,000 bond in order to
16 complete that at a later date so he can get started
17 with the project. It is not unusual, we actually
18 did that with Tetz's driveway up above when they
19 were building their new driveway up at the top of
20 that hill. In fact, he only recently got his
21 deposit back after he finished the road
22 improvements the highway superintendent wanted
23 within the last four, five or six months. So, that
24 is one of the things we had a concern with. The
25 highway superintendent also asked that it be wider,

17

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2 so, that is why we have a 50 foot width - you have
3 trucks, you have trailers, you have that extra
4 length and then it be properly curved as well.

5 So, that's basically what we are going to do
6 with that entrance way. If you want to go into
7 some of my other comments at your pleasure.

8 MR. DONOVAN: If I can just jump in for a
9 second while we are on this topic. The note
10 indicating "right-of-way line does not front
11 property line", why not?

12 MR. FELLEZZER: I am not quite clear.

13 MR. DONOVAN: Right there, Tetz Lane
14 right-of-way line - "Note: right-of-way line does
15 not front property line." Is there an intervening
16 property owner?

17 MR. FELLEZZER: No, I think they are just
18 showing that the property line is back.

19 MR. GREALY: I believe that's part of the
20 right-of-way dedicated road if I am not mistaken.

21 MR. FELLEZZER: Yeah, it doesn't effect what
22 we are doing, it is just factual I think at the end
23 of the day.

24 MR. GREALY: The right-of-way of the road
25 extends back further than the property line.

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2 MR. DONOVAN: So, what right-of-way are we
3 talking about, are we talking about 94 or Tetz?

4 MR. GREALY: No, on Tetz Road I believe.

5 MR. DONOVAN: So, then it should meet the
6 property line, right? Because if the right-of-way
7 does not meet the property line somebody else owns
8 it.

9 MR. FELLEZZER: No, I believe that we are okay
10 here, I mean, this is what we are going to line up
11 and perform and be fine.

12 MR. GREALY: I think it is part of the
13 dedicated road bed and I think the note is there
14 because of the way the property line extended out,
15 the original property line.

16 MR. FUSCO: Dave made a good point, we will
17 check that out with their surveyor. What may have
18 happened there is the Town might've taken extra
19 land when Tetz was dedicating that road, or to be
20 honest with you it may even be possible that is
21 part of the state right-of-way.

22 MR. GREALY: The state right-of-way actually
23 comes up and across here, when we did the original
24 design of the approvance here we have all the
25 mapping through that area. So, when Al is talking

19

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2 about the extension we started this lane right at
3 the right-of-way for 94 which actually, you know,
4 varies a little bit in that area, so, that's what
5 this line represents is the Route 94 right-of-way
6 and that's where we start that lane from.

7 MR. FUSCO: I will check it out.

8 MR. FELLEZZER: Al, if you would like to go
9 through your other comments.

10 MR. FUSCO: All right. What we did is the
11 applicant provided our office with a site plan
12 which you have up there obviously and as well as
13 the response to the engineering comments on the
14 original site plan that was submitted in the
15 previous meeting. The site plan has been submitted
16 for review, we will provide access from Tetz Road,

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17 which we all went over. I've reviewed the traffic
18 study and the study will need to be modified
19 somewhat to address New York State DOT, the
20 Planning Board and public comments as we proceed
21 forward. They did already investigate the queueing
22 on 94 and that was something I had some concern to
23 it and the impact on the southbound travel lanes,
24 specifically there could be a main event scheduled,
25 could draw up to 100 cars or more at a specific

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2 time. We further request that the developer
3 continue with the right-hand lane to New York State
4 94 and require a 10,000 cash bond that we just went
5 over already. We also talked about the 50 foot
6 pavement and curbs on both sides as well. I also
7 indicated that the highway superintendant after we
8 met and we came up with this he was satisfied with
9 that design. The design engineers have indicated
10 through a response letter that they will provide a
11 full SWPPP in accordance with state regulations
12 which they need to modify now because it modified,
13 you know, site plans, that we are looking forward
14 to that. There is the design engineer's response
15 letter indicate that changes were made to the site
16 plans to address our previous comments but, again,
17 with things being swapped around we are going to
18 need to review that again.

19 So, generally we feel comfortable that we can
20 move this project forward based on material that
21 has been submitted to date; however, we are going
22 to need all the back-up information once you
23 approve the conceptual and they are able to
24 continue with the details. That's really all I
25 have.

21

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2 CHAIRPERSON SEROTTA: Did you submit a long
3 form? You submitted a long form?

4 MR. FUSCO: Yes, it may need to be modified a
5 little bit because they are moving everything

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6 around a little bit.

7 CHAIRPERSON SEROTTA: But you did submit a
8 long form?

9 MR. FELLEZZER: Yes, one has been submitted.

10 CHAIRPERSON SEROTTA: I thought so. Okay.

11 Mark? Al, do you have any other comments?

12 MR. FUSCO: No, that's it.

13 MR. FELLEZZER: So, thus far we had a good

14 team effort, you know, looking at this, responding

15 to it, obviously some of the modifications to the

16 site, all the stormwater was previously worked over

17 to this area, the existing pond, some of that will

18 probably change as the building moves. We look

19 towards some development of stormwater along this

20 area and out through existing culvert system on

21 Tetz Drive here, so, we will work our way through

22 that.

23 I would like to cover next just to make sure

24 or we can answer questions but I would like to

25 cover one of the things where we are process wise

22

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2 with the SEQRA and then discussion of where we go
3 from here.

4 CHAIRPERSON SEROTTA: Why don't you talk a
5 little bit about the stormwater too, how you are
6 going to capture, just explain a little bit about
7 some of your plans for irrigation.

8 MR. FELLEZZER: Sure. Yeah, we are looking
9 closely at different ways of dealing with

10 stormwater. First of all, the green space that is

11 being provided, you know, the plantings and all are

12 going to be naturally provided with rainwater,

13 obviously as it rains they are going to be coming

14 into this area. In terms of the actual stormwater

15 development off the impervious surfaces and the

16 building roof, they being in particularly the large

17 areas, generally we are going to work our way back

18 over in following the existing flow of water into

19 the pond and out under, we will detain the water in

20 the appropriate amount of time, we will detain

21 water for water quality, we will detain it for

22 water quantity such that we will follow the New

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23 York State DEC regulations on stormwater. We are
24 looking at different solutions and we've had
25 discussions with them at the building, we are

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2 looking at storage of water underground also for
3 our irrigation purposes with the watering of the
4 fields to keep them green and keep them healthy.
5 We are looking at the method of retention of the
6 water and there's different types of systems we are
7 looking at, engineering wise there's an underground
8 kind of a galley system that has the ability to
9 hold water for us. We are also looking in this
10 area that was shown on our previous drawings that
11 we would develop for a surface water quality, water
12 quantity and then we would maintain this pond and
13 we've talked about that before in terms of it being
14 some public use, they use some for fishing, so, we
15 are trying to respect that and allow the community
16 to continue that use on this property.
17 That's obviously as you hear there's been a
18 lot of engineering going on, there's been a lot of
19 costs analysis, you know, frankly this cost the
20 owner more money to relocate the building to the
21 side, we have some more retaining walls we have to
22 deal with, the stormwater is more difficult because
23 we get further away from its natural flows and we
24 have to develop a second stormwater area for this
25 roadway on this side versus where it was

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2 previously. So, every day we are doing new costs
3 estimates for the owner to them how much more the
4 project is going to cost them to develop, but so
5 far we are keeping it in line and he believes the
6 changes that we are making are warranted for the
7 project and the Town. So, that's kind of where we
8 are at.

9 CHAIRPERSON SEROTTA: Okay. What about why
10 don't you go over a little bit about which fields
11 are lighted and we go over the lighting.

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12 MR. FELLEZZER: Sure. Absolutely. So, again,
13 in terms of lighting we are trying to be efficient
14 with the way we set them up and the lighting. So,
15 the two main sports fields for soccer are here and
16 here, they will be side-by-side so that we can
17 limit the number of poles, there will be one, two,
18 three, four, five, six sports lighting poles, they
19 will be up in the sky approximately 70 feet, I have
20 diagrams again to refresh the Board.
21 The technology today has changed quite a bit
22 and really now we are all LED type sports lights,
23 some of the fields, here's a cut of two fields that
24 -- or a set of field with a sharp cut off LED type
25 luminaire, so, there really is no light pollution

25

1 - PROCEEDINGS -

2 onto adjoining properties and that's a real
3 improvement from a technology standpoint, also
4 efficiency standpoint for the owner in terms of
5 operational, obviously sports lights cost quite a
6 bit to operate. So, those are the two fields. At
7 this time we are looking at the potential future
8 lighting this baseball field, not sure if that will
9 happen initially but we want -- we are showing them
10 because we want to show that the plan is to do
11 that.

12 MR. SPENSIERI: We are now.

13 MR. FELLEZZER: Oh, we are now? So, the plan
14 is they are shown to light this baseball field
15 here.

16 So, those would be -- the parking lot
17 obviously will be lit during operation for safety
18 and security, limited building lighting other than
19 that, so, the sports lights would be on just during
20 events, they will not be left on all the time, they
21 will be specifically, you know, for the events,
22 whether they are obviously more in the summer and
23 into the fall where we have grass fields, but they
24 will be turned off immediately upon the field use
25 ending.

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1 - PROCEEDINGS -

2 CHAIRPERSON SEROTTA: Retaining walls, just go
3 over those a little bit too.

4 MR. FELLEZZER: Sure. So, we are trying to
5 work as close as we can with the existing grades,
6 we have a retaining wall starting in this area out
7 to the corner, this would be a guide rail down,
8 there may be the little part that may have to be
9 retained. We are trying to work, again, with
10 existing slopes and trying to do it with grass and
11 seeding areas, so, this is really, really the
12 retaining wall. We are trying to work this back
13 into the natural grade and there's some trees in
14 here but we are trying to make it a bit of an
15 amphitheater kind of arrangement so that people can
16 sit up on the hill here and watch their children or
17 loved ones playing soccer.

18 CHAIRPERSON SEROTTA: Also, isn't there need
19 for some kind of --

20 MR. FELLEZZER: Yeah, there may be, yeah.
21 Here it depends on the size of the practice field,
22 we may have a small one right in this area, as we
23 step up to the field it would be higher, this field
24 will be higher than the road here. So, there may
25 be a four foot or some not too high retaining wall

27

1 - PROCEEDINGS -

2 that we will work in in this area just to allow for
3 more practice area, not necessarily the actual
4 field surface but just for use. One of the things
5 is that these fields get used and we are trying to
6 rotate them around. So, as you have all seen
7 soccer fields they all get worn out into the goal
8 areas in the center, so, as you work you want to
9 start rotating them, you want to try and do drills
10 and practicing in other green spaces around, not
11 where you are necessarily playing the games.

12 CHAIRPERSON SEROTTA: The wall here I think
13 one of Karen's suggestions was that the wall be
14 kept on the inside of the evergreens so --

15 MR. FELLEZZER: Yes. So, there's a discussion
16 about how the trees or shrubs, bushes, would be

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17 screening in here and, so, there's a discussion
18 about setting those down low at the property line
19 with a retaining wall behind it as a way to kind of
20 soften the look of the retaining wall and still
21 providing good separation. Obviously in this area
22 we provided multiple rows of trees to help protect
23 the closest houses to the project site from
24 visually, sound wise it will help and to give a
25 nice separation.

28

1 - PROCEEDINGS -

2 CHAIRPERSON SEROTTA: Okay. Karen -- you want
3 to talk a little about where we are in the SEQRA
4 process -- but Karen anymore comments on the site
5 plan or anything else? I am going to throw it open
6 to the Board too, I am sure the Board is --
7 MS. ARENT: I submitted a comment letter on
8 February 12th. So, we just need to work on a few
9 things, one of them being landscaping, we have to
10 look at the landscaping in here. Along the front
11 of the site I think that if we could try to pull
12 back the fence a little bit that would be helpful
13 and think about growing some bigger trees along the
14 front to kind of soften the visual impact of the
15 big poles and also soften the visual impact from
16 this house here of the facility. In here there
17 might be some stormwater mentioned areas, that's
18 another place that we might want to add a little
19 screening to screen the view of the building from
20 these residences over here. There is on my plan a
21 fence in here and that's -- I don't know how it is
22 going to remain open for fishing if we keep a fence
23 there but if there needs to be a fence maybe we can
24 think of a little more rustic type of fence other
25 than chainlink. But these are details I am sure we

29

1 - PROCEEDINGS -

2 can work out, you know, as the project progresses.
3 I think I went over every -- let me check the
4 last page. Yeah, that's it, we will work on the
5 landscaping and all that at the entrance and make

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6 it as attractive as possible. That's it. Thank
7 you.

8 CHAIRPERSON SEROTTA: The color of the fencing
9 too I guess that was also a discussion. So, I
10 think we agreed upon the Board is going to make the
11 decision, I don't agree upon anything, but I think
12 the suggestion was make it black?

13 MS. ARENT: Yeah, my recommendation is black
14 because the green really stands out in the
15 landscape because it is like this blue/green and
16 especially in the winter when the fields are more
17 brown the black is very transparent, much more
18 transparent than any of the other colors and the
19 important thing is also to make sure that the poles
20 and the rails are also black because you don't want
21 everything else black and then you see this metal
22 rail. So, we will make sure that everything is
23 black, that would be my recommendation to have it
24 as least visual, the least amount of visual impact
25 possible.

30

1 - PROCEEDINGS -

2 CHAIRPERSON SEROTTA: Okay. Thanks. Mark, do
3 you want to talk a little more about where we are
4 at with SEQRA?

5 MR. FELLEZZER: Sure. That's always the
6 question, you know, where are we and where we go
7 from here. So, in terms of the SEQRA process
8 obviously the Planning Board has made itself lead
9 agency which we agree with, we have circulated and
10 sent out notices to all involved and interested
11 parties, in terms of response I understand there's
12 been no response in terms of challenging lead
13 agency.

14 MR. DONOVAN: Right. Well, let me just
15 address that for a second.

16 MR. FELLEZZER: Sure.

17 MR. DONOVAN: It is appropriate we are talking
18 about sports tonight. There is a sports metaphor,
19 there is an expression in baseball when a player is
20 out of position and the ball is ultimately going to
21 find him when your catcher plays first base or left
22 field, so, the ball has found me, and by that I

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23 mean that I opened my file to prepare for tonight
24 and discover that I hadn't circulated the notice of
25 intent to declare lead agency, so, I did that
31

1 - PROCEEDINGS -

2 today. So, you have 30 days. I can't imagine
3 anyone is going to challenge, but that notice that
4 I was supposed to circulate in December was
5 circulated today.

6 MR. FELLEZZER: Okay. Is that to all the
7 involved and interested --

8 MR. DONOVAN: That is correct. Your office
9 had provided a list of those agencies, so, that
10 went out today.

11 MR. FELLEZZER: Okay. So, we have obviously
12 gotten some comment from Orange County Planning in
13 particular, Mr. Fusco's office which will continue
14 to, so, we are moving forward. We believe it is a
15 type 1 action fully, after it has been provided we
16 will continue to be updated, we don't believe that
17 obviously any of this will reach a threshold for
18 any type of EIS but we will walk through the
19 process as we go and I guess we wait the 30 days to
20 see if for some reason anyone comes back but I
21 guess the question will come up then - would that
22 prohibit us from asking for a public hearing?

23 MR. DONOVAN: It would not, that would need to
24 be established before the Board's pending action,
25 any action in terms of an approval in terms of
32

1 - PROCEEDINGS -

2 scheduling the public hearing.

3 MR. FELLEZZER: Okay. So, with that respect I
4 think we provided the information and if the Board
5 so agrees we would like to set up for a public
6 hearing one month from now and a meeting and
7 certainly get any comment there is from the public
8 so that we could address that with any final
9 Burgess with the plans.

10 CHAIRPERSON SEROTTA: Okay. So, the Board
11 will talk about that a little bit later. The only

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12 problem with a month, I looked at the calender
13 today, so, here's where the problem with a month
14 would be - two things, one is the month will be
15 approximately 31 days from now, the County -- this
16 has to go back to the County for a formal 239
17 submission, obviously there was a large report that
18 they wrote originally, you have now answered a lot
19 of their concerns - whether they except those
20 answers or not is a different story - but you have
21 gone through a whole process and answered the
22 majority of their concerns of that but I did speak
23 with her today and, you know, she's not going to
24 take a gun to her head and turn it around in 26
25 days or 22 days, she's probably not going to do it

33

1 - PROCEEDINGS -
2 because obviously David Church is involved in this
3 and there's a bunch of things that have to go on.
4 So, my suggestion if we did do a public hearing we
5 do it on April 1st, that would give you just the
6 extra 14 days, and the second thing is I think
7 since she had stormwater concerns, lighting
8 concerns and all that, these plans here don't show
9 the luminaires and scape lights going on, say, over
10 to this property over here or anywhere over into
11 here, so, we need a lighting plan, you are going to
12 have to get your stormwater plan, I guess we need a
13 SWPPP in place - Al, chime in at any time.
14 MR. FUSCO: Yes, absolutely. I think one of
15 the things the Chairman has authorized me to make
16 the 239 submittals when they are ready, so, what I
17 think would be appropriate is if the Board
18 authorizes that upon the submittal of detailed
19 plans to my office and my list of comments, at that
20 point we could get a full set of plans with
21 comments to the County Planning and that would be
22 appropriate. So, we are thinking, you know, under
23 a two week period if you can have us some more
24 detailed plans that we feel were appropriate to
25 send to the County.

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1 - PROCEEDINGS -

2 CHAIRPERSON SEROTTA: Then you will have your
3 30 day mark for them to take a look at it, because
4 I think if you ship it up there now she's going to,
5 you know, let's go back to some of the concerns,
6 you are talking about light pollution, well, this
7 plan that we have in front of us doesn't have the,
8 you know, we told frozen ropes that they couldn't
9 have a single candlelight going across the road
10 there or anywhere on the property, so, you are
11 going to have to demonstrate the same thing there.
12 The pictures are nice but we actually have to see
13 the technical drawings and things like that. So, I
14 think that, you know, you would be better off just
15 pushing this if the Board chooses tonight to go to
16 April 1st, it will give you two more weeks and then
17 it gives them the 30 days to go ahead and get
18 everything back in. If you rush it I think you are
19 just playing rushing roulette there, so, I just
20 really think the April 1st.

21 MR. FELLEZZER: That is fine, no problem.

22 CHAIRPERSON SEROTTA: All right. Okay. So, I
23 will turn it over to the Board now?

24 MR. FELLEZZER: Please.

25 CHAIRPERSON SEROTTA: Who wants to lead off

35

1 - PROCEEDINGS -

2 first?

3 MR. SLOAN: I have six things. All right.

4 Let's start with the cul de sac at the bottom. Did
5 the highway superintendent discuss -- right now you
6 are just showing a stub, are we going with a real
7 cul de sac or are we going with a finger stub?

8 CHAIRPERSON SEROTTA: They don't -- well, they
9 will have to answer it -- but I think the answer is
10 they don't own that property, so, I don't think
11 they are going to make that into, you know, I am
12 not sure it is their responsibility to do that.

13 MR. FELLEZZER: It is already the Town roads,
14 we are not accessing from it, yeah, that's
15 emergency. We've been asked and we thought -- we
16 haven't spoken fully with the fire department -- we

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17 thought we would provide a secondary emergency
18 egress with a stone underneath the grass or an area
19 capable, maybe blacktop, capable for emergency
20 egress should there ever be an accident or
21 something on the access road and an emergency
22 vehicle needs to get in.
23 MR. SLOAN: Where is your property line
24 actually? Is this the bulk?
25 MR. FELLEZZER: Yes, that's the property line,

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1 - PROCEEDINGS -
2 the bulk, correct. This is the cul de sac, so,
3 this is a Town road here, we are on our side of it.
4 MR. SLOAN: If I remember right the pavement
5 stops here.
6 MR. FELLEZZER: I think it is kind of
7 outlined, the surveyor had outlined, see this light
8 line here, that's kind of where it was paved at one
9 point.
10 MR. SLOAN: All right. We are going to speak
11 to the highway superintendent. Is that going to be
12 finished or what? I remember at one time there was
13 talk about extending this road into the property,
14 it was other projects that came before the Board
15 years ago.
16 MR. FUSCO: I will talk to the highway
17 superintendant about it but they are not going to
18 use it for any access. I made them take a stone or
19 a, you know, concrete pavers that the grass grows
20 through just to get a fire truck or ambulance in
21 from that direction, right there, that's all, so,
22 they are not going to have cars going in there or
23 anything of that nature, strictly emergency access.
24 But I will talk to him if he has any plans to do
25 anything in the cul de sac.

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1 - PROCEEDINGS -
2 MR. SLOAN: Another thing is -- not that it is
3 big at this time -- but this bus parking, how are
4 you going to access that at this corner? I mean,
5 you know, if you have the bus parking somewhere

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6 around here, I mean, I can see it, but you are
7 going to come in here and back a bus in?
8 MR. FELLEZZER: First of all, our primary plan
9 is to use whatever parking is available here, so,
10 should there be a time when there's the parking lot
11 is full, if it would ever be - which we don't
12 really plan - but if it had been full and we had a
13 couple buses in for whatever type, maybe a school
14 event or something, we wanted just to be thoughtful
15 and show an area that we would be able to back
16 those in so we would make the base secure enough to
17 that so that we could pull them out and have them
18 not be in the normal path of traffic, but it is set
19 up for multiple side-by-side buses.
20 MR. SLOAN: Not the scale, so, I can't tell by
21 that. All right. My main concern here is, Don, if
22 you go up to the entrance you have only given us
23 150 feet off of 94 and Tetz Road, that's maybe
24 seven cars maximum, eight cars, you have 294 --
25 MR. FELLEZZER: For pulling off, you are

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1 - PROCEEDINGS -
2 saying for pulling off or pulling back out?
3 MR. SLOAN: Pulling back out. I mean, you
4 have 294 cars here, that's how many spaces you got.
5 MR. FELLEZZER: That's correct.
6 MR. SLOAN: I mean, this road granted is quite
7 long, this entrance way, I mean, you call it a
8 stacking distance, that's going to be a bottleneck
9 over there.
10 MR. FELLEZZER: Well, I think a couple things
11 to think about because we have looked into this
12 quite a bit. First of all, the Primo Sports can
13 schedule the fields, they will not schedule them so
14 that they are all vacated at the same time, so,
15 that's one of the things you do in terms of
16 queueing and looking at this. So, they will not
17 schedule that all of the soccer fields, everyone
18 will leave at the same time inside and out, so,
19 they will stack them such that they will have ten
20 minutes separation between them, so, that is one
21 thing. In terms of this, this is the property that
22 we own, this is actually in a different zone, this

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23 is not even a zone for this, it is not owned by us,

24 this is owned by Tetz.

25 MR. SLOAN: So, this is your property right to

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1 - PROCEEDINGS -

2 that point?

3 MR. FELLEZZER: Right to that point, we have

4 gone as far as we can go back and I think that was

5 one of the concerns.

6 MR. SLOAN: I thought you were buying a piece

7 of Tetz property to access the road?

8 MR. FELLEZZER: No, I mean, this is a whole

9 approved parcel, it currently exists, it is

10 approved for a 10,000 square foot industrial

11 building, and, frankly, if we did or were able to

12 it is in a different zone, it is not in the same

13 zone.

14 MR. SLOAN: It does not matter, I mean, it is

15 how you utilize it. But the point being --

16 MR. FELLEZZER: Maybe I am not clear, we are

17 not allowed to have this in that zone, we can't

18 have any part of it in that zone.

19 MR. SLOAN: You have a variance for an

20 entrance, but that's besides the point.

21 Regardless, it is just I don't think enough space

22 there to allow the exit of all of these cars up to

23 94. I mean, 94 you have trucks that come down

24 here, I am telling you, this is my main route going

25 home, you know, 60, 70 miles an hour coming down

40

1 - PROCEEDINGS -

2 this road and this is a hill over here, so, how the

3 hell are you really going to eliminate all of these

4 cars out of this parking lot onto 94 without

5 inflicting severe bottleneck on 94 even?

6 MR. GREALLY: One of the things in terms of the

7 reason for the number of parking spaces is because

8 of turnover of events, so, when we looked at peak

9 conditions here we are looking at roughly around

10 100 vehicles leaving in a one hour period. So,

11 when you look at the number of parking spaces you

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12 are providing enough parking so then when you have
13 events that overlap that people may need it, that's
14 the reason -- because the last thing you want to do
15 with one of these is not have enough parking and I
16 think that's where the increase parking appears in
17 terms of traffic flow on an hourly basis and we
18 looked at full peak conditions with those movements
19 and, as I said, this traffic will have to stop, we
20 have stacking distance here, absolutely the speeds
21 on 94 are well over -- I think the 85th percentile
22 came up around 59 miles an hour, so that's DOT'S
23 data, not our data, so, in that stretch you are
24 talking about that kind of speed.
25 You know, again, the majority of movements are

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1 - PROCEEDINGS -

2 left and right out. We did look at the increase
3 volume of people wanting to make lefts when they
4 leave here from this facility because we feel that
5 there will be a little bit more people making lefts
6 than the current split that's out there. But one
7 of the things in the updated study we did was look
8 at exactly what your concern was - that we have
9 enough stacking distance, that we can get people
10 out, and, again, when you look at 294 spaces these
11 facilities you are not going to have that number of
12 vehicles coming out in an hour, it is really to
13 take care when you get that overlap when people
14 arrive for the next event before the turnover
15 occurs that you have more than enough spaces and I
16 think that's important, you know, that's one of the
17 reasons why the plan provides that many spaces
18 here.

19 MR. SLOAN: Well, if you remember last session
20 I asked how about putting a blinking light at this
21 area of the crest of the hill to warn traffic and
22 Al said to get the State to put anything on a state
23 highway is nearly impossible.

24 MR. FUSCO: Almost impossible.

25 MR. SLOAN: Okay. I mean, regardless, you are

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1 - PROCEEDINGS -

2 still going to have all this traffic coming down
3 here and people are not going to be able to exit
4 on, you know, rush hour times.
5 MR. GREALY: Understood. Well, I think number
6 one, in terms of the peak traffic for this type of
7 facility does not really fully coincide with the
8 peak hour. I mean, we analyzed what happens in the
9 peak hour because that's when you have drop-offs
10 and you have all the commuter traffic, you have the
11 park traffic, you have the buses coming in and out,
12 we did look at that but that's not your peak, peak
13 time in terms of full utilization, it occurs a
14 little bit after the peak and then on Saturdays, on
15 Saturdays the traffic in and out of the park is a
16 lot less.
17 MR. SLOAN: It is a lot less out of the
18 industrial park, granted, but more on 94.
19 MR. GREALY: Yeah, it is pretty close to the
20 peak hour - you are right - on Saturdays, the
21 Saturday peak is pretty close to the peak during
22 the weekday on 94, only within about 50 vehicles.
23 MR. SLOAN: Have you consulted with Coach at
24 all in this plan?
25 MR. GREALY: In terms of their operation? We

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1 - PROCEEDINGS -

2 have looked at their traffic numbers and what they
3 generate in and out but there has been no specific
4 discussions that I am aware of.
5 MR. SLOAN: So, they don't know they are going
6 to be sharing this intersection?
7 MR. GREALY: Well, when the original traffic
8 studies were done for Coach every one of these
9 parcels was developed, you know, in terms of the
10 adjacent parcel, so, that traffic was accounted
11 for. In terms of this particular --
12 MR. SLOAN: It was developed as an industrial
13 park, it is not developed as a recreational park.
14 MR. GREALY: That's correct.
15 MR. SLOAN: I am not, you know, putting the
16 kibosh on your plan, I am more in favor of your

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17 plan but I am just telling you of the concerns I
18 have of the intermingle of the industrial park and
19 the recreational park.
20 MR. GREALY: Understood. I think the time
21 sync on the two in terms of peeks is helpful here.
22 MR. SLOAN: The other thing is are we going to
23 allow parking along Tetz Road?
24 MR. FUSCO: It is not intended to.
25 MR. SLOAN: I know, but we are going to need

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1 - PROCEEDINGS -
2 signage.
3 CHAIRPERSON SEROTTA: I think that holds true
4 for all the roads too, I mean --
5 MR. SLOAN: You don't want it on Glenmere, you
6 don't want it on --
7 CHAIRPERSON SEROTTA: Yeah, the only thing
8 when I spoke to Anthony, Anthony Laspina, our
9 highway superintendent, there's a catch-22 to that
10 though because what happens to the people on Green
11 Drive when they have the big barbecue or something
12 - I am not picking on people on Green Drive - but
13 they have a barbecue and you want to park your
14 friends or a few people out there and there is 'No
15 Parking' signs and you get a brand new rookie cop
16 that comes up and says, you know, I am going to
17 give parking tickets out. So, it is just
18 something, it is just a point that Anthony made,
19 so, before we bring the gun out and say -- I don't
20 have any problem with Tetz, Tetz is not a problem
21 but I think we should hear from the residents when
22 they come in and talk about the public hearing, you
23 know, just keep that in mind a little bit, you
24 know, no parking is great but it also is a
25 double-headed sword there, so, I don't know how to

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1 - PROCEEDINGS -
2 handle that. That's a point Anthony brought up,
3 so, I thought that was a good point.
4 MR. SLOAN: The other thing is we are lining
5 Glenmere and 94 with a chainlink fence and you have

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6 18-foot poles with netting, don't you need a
7 variance for 18-foot poles as a fence?
8 CHAIRPERSON SEROTTA: I mean, Dave will take a
9 look at it but I think in our code if we look at
10 the buffering codes, you know, for safety and
11 buffering --
12 MR. DONOVAN: In terms of the height of the --
13 CHAIRPERSON SEROTTA: Yeah, the fence.
14 MR. DONOVAN: I don't know the answer to that,
15 I can look it up certainly. How high up are the
16 frozen ropes?
17 MR. SLOAN: 18 foot.
18 MR. DONOVAN: Those didn't require a variance.
19 MR. SLOAN: I thought you had to have anything
20 -- all fences had to be under 8 foot?
21 MR. DONOVAN: I am sorry - the fence or the
22 light pole?
23 MR. SLOAN: The fence.
24 MR. FUSCO: You are talking netting, not
25 fencing.

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1 - PROCEEDINGS -
2 MR. FELLEZZER: This is a sports netting.
3 MR. SLOAN: It is not really a fence per se,
4 but I think you still need a variance.
5 CHAIRPERSON SEROTTA: Well, I learned a lot
6 when I first got on the Board when I tried to
7 challenge our good attorney, if you remember.
8 MR. DONOVAN: You remember well then.
9 CHAIRPERSON SEROTTA: I do remember, you put
10 me in my place real quick here.
11 When it comes down to buffering, for instance,
12 at Coach you have about a 14 or 15-foot wall, you
13 know, sound wall there and that just comes under if
14 you look under the Town of Chester Buffering rules
15 we could really put a Mount Everest -- I am not
16 saying we would do this -- but you could go as high
17 as you want if there's a purpose for it, and same
18 thing, they are putting 12, 14-foot fences around
19 the sub stations, all these places, when it comes
20 down, so, it is not the standard house 4-foot,
21 6-foot rule that the Town has, it more comes
22 into the --

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23 MR. SLOAN: That's sound variance, that is not
24 the state variance.
25 CHAIRPERSON SEROTTA: Well, sound variance is

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1 - PROCEEDINGS -
2 fence variance, it is the big wooden fences with
3 Coach you see.
4 MR. SLOAN: State is the state, not sound
5 variance.
6 CHAIRPERSON SEROTTA: No, I am talking about
7 Coach, we made them put sound variance, Coach USA,
8 where the buses come out of the thing so that the
9 people down on Sandusky Drive, down below, whatever
10 that is called, remember we made them put a big --
11 they weren't happy about it, it cost them a lot of
12 money to do that but we made them put that big
13 fence there. So, I think we will look at it, I
14 mean, Al will take a look at it but I don't think
15 that it comes under the standard 4, 6 foot.
16 MR. SLOAN: What are these poles?
17 MR. FELLENER: What are they made of,
18 construction? They are steel poles, the sports
19 floods, is that what you mean?
20 MR. SLOAN: For the --
21 MR. FELLENER: No, I am sorry - I thought you
22 were talking about the sports floods.
23 MR. SLOAN: No, the 18-foot poles that hold
24 up --
25 MR. SPENSIERI: 3-inch fence pipes.

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1 - PROCEEDINGS -
2 MR. SLOAN: Oh. That's all.
3 MR. FELLENER: Yeah, you see them around like
4 lacrosse fields if you have seen them. So, really,
5 one of the trade-offs and relocation of the fields,
6 right, from the back of the site because the fields
7 were here, to locate them in the front was a
8 concern and Anthony expressed it of any balls
9 getting sent out onto 94, so, you know, that's one
10 of the trade-offs is that we then had to provide
11 that netting to limit the amount of possibilities

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12 of ending up with that.

13 MR. SLOAN: Okay. Just asking a question,
14 that's all.

15 MR. DONOVAN: By jumping in real quick, 98.14
16 of our code is entitled 'Fences and Walls',
17 subdivision B says "Fences and walls not exceeding
18 6 feet high shall be permitted in any yard, along
19 the edge of any yard provided with no fence", et
20 cetera, et cetera, et cetera, then it concludes by
21 saying "This section shall not apply to fences or
22 walls approved for buffering or screening by the
23 Planning Board during the site plan approval
24 process."

25 MR. SLOAN: That's it for now.

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1 - PROCEEDINGS -

2 CHAIRPERSON SEROTTA: Also, something you
3 brought up here, another thing Anthony wanted -
4 this has to be deemed emergency access only locked,
5 we don't want this because we've agreed that the
6 access points of the property are going to be
7 coming from where we determine the access points,
8 we don't want people parking in green and then
9 coming in this way, it is going to be a locked gate
10 and stays locked at all times except in case of
11 emergencies.

12 MR. FELLEZZER: Again, that is one of the
13 challenges we have around the pond is how do we do
14 that except to allow people to fish in the pond,
15 so, that's one of the wrestles we have around the
16 fencing on site, et cetera.

17 MR. DAMIANI: I may be missing it, I don't see
18 the septic fields, the leaching fields.

19 MR. FELLEZZER: It is not on this plan but
20 they have not changed, our testing has all been
21 done, the leach fields are right in this area.

22 MR. DAMIANI: It would be in that area?

23 MR. FELLEZZER: Yeah, and we have that in the
24 full submission, that has not changed.

25 CHAIRPERSON SEROTTA: And you are going to be

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1 - PROCEEDINGS -

2 prepared to show no impact on this house as well or

3 anything like that whatsoever?

4 MR. FELLEZZER: Yes.

5 CHAIRPERSON SEROTTA: Steve?

6 MR. DENES: Go back up to the intersection

7 that we have all been talking about. Now, question

8 for you - your comment you said that you requested

9 a developer to continue the right-hand turn lane to

10 the edge of Route 94 in the future, are you talking

11 about the right-hand turn lane off of 94?

12 MR. FUSCO: Right there. That little half

13 moon right there.

14 MR. DENES: Okay. So, that's it? I guess my

15 question is, you know, we were talking earlier that

16 right now most of the traffic is coming in from

17 Chester, 17 and so on primarily because this is

18 industrial use in here, so, I guess most of the

19 traffic is going to be coming from that direction

20 but when this is built out you are going to get a

21 lot of people coming in from Warwick, Sugar Loaf

22 and so on and they are going to be coming down this

23 way and they will be making a right turn, can we

24 put in a right-hand deceleration lane to this road

25 here? This to me looks like kind of an awkward –

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1 - PROCEEDINGS -

2 MR. FUSCO: What we are going to do is you see

3 this line here, take that straight out to the road

4 with a little radius. My hand isn't steady enough.

5 MR. DENES: But still you are going to have

6 vehicles slowing down to make this turn and you are

7 going to have cars stacking up behind them.

8 MR. FUSCO: You will, but you will be able to

9 then make that -- by the way it is now you are

10 going to have this little hump here until, you

11 know, they start to submit it to the State and then

12 we will take that out and then it will be a smooth

13 right-hand turn lane. I don't really believe I see

14 the need for a deceleration lane there but we will

15 have Mr. Grealy look at it.

16 MR. DENES: Okay. Second question in this

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17 area is that you got basically three lanes here,
18 you have the right-hand turn lane here, you are
19 going to have a through lane going whatever this is
20 - south, eastbound - coming this way here and you
21 have one lane exiting, is that the current
22 synopsis?
23 MR. FUSCO: Correct.
24 MR. DENES: The concern I have is that this
25 one lane exiting is going to become a bigger

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1 - PROCEEDINGS -
2 bottleneck than we are thinking right now
3 primarily, again, because I feel that a lot of the
4 traffic is going to go this way, certainly a lot
5 more of it going, you know, in this direction once
6 this is built out primarily because you have a lot
7 of residential areas down in this area. You are
8 going to have people stacked up while you are
9 trying to make a left turn and people want to make
10 a right turn including people who are trying to
11 exit from back in here, this is going to be stacked
12 up, my feelings is that this is going to be stacked
13 up considerably even given your hours of operation.
14 Lastly, has there been a traffic model done of
15 this?
16 MR. GREALY: Yes, and I referenced before
17 there were actually three different studies. The
18 January 9th study of this year analyzed all of the
19 intersections, analyzed the queueing, analyzed
20 exactly what you are talking about. In terms of
21 right now the distributional split is like 85
22 percent to and from the north, I will call it. In
23 the future we see as much as 35 percent or a little
24 higher even coming to and from the Warwick
25 direction. So, we did model that , we looked at

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1 - PROCEEDINGS -
2 left turn movements, in terms of level of service
3 at this intersection with the single exit lane we
4 are at level of service C, which is pretty much the
5 design level of service even with that increased

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6 traffic and the fact that more people would be
7 coming right turn in and left turn out, that's all
8 contained in our study.

9 MR. DENES: Okay. I think my other questions
10 were about the variance.

11 CHAIRPERSON SEROTTA: Carl?

12 MR. D'ANTONIO: Just one question. Your
13 study, you are saying all of the events will be
14 staggered so there's not a heavy flow of traffic at
15 one point coming out of the property, what's the
16 potential for, say, one event, how many cars can
17 you see leaving that property stacking up?

18 MR. GREALY: We are looking at in a one hour
19 period as many as 110 vehicles leaving that --

20 MR. D'ANTONIO: But in a five minute period,
21 you know, an event ends, families getting in their
22 cars, they are leaving, you have the potential for
23 about 30, 40 cars exiting that property at one
24 time?

25 MR. GREALY: Yes, that's correct. In terms of

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1 - PROCEEDINGS -

2 what we analyzed we looked at what we call a
3 peeking factor which is what you are talking about.
4 So, we had a peek hour factor that would equate to
5 I think somewhere around 25 plus vehicles in a very
6 short period of time, and, as I said, one of the
7 reasons why we like that long exit, it is not like
8 people are coming in and out of the parking area,
9 it has time to allow them to get into the lanes and
10 maneuver, so, that was one of the nice things about
11 that long access road.

12 MR. D'ANTONIO: Yeah, I guess to add to that
13 question or that thought, you know, there's got to
14 be good signage at that exit so people are not
15 blocking this right-of-way.

16 MR. GREALY: Yes, absolutely.

17 MR. FUSCO: We will have to have some 'Do Not
18 Block Intersection', 'No Right Turn'.

19 MR. GREALY: Absolutely.

20 MR. D'ANTONIO: That's the only thought I
21 have. Thank you, sir.

22 MR. DENES: The other question I guess maybe

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23 is more for you, Al, is whether there can be a
24 highway sign here somewhere that tells drivers that
25 are coming down when they are at this complex the

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1 - PROCEEDINGS -

2 access point straight ahead versus making a right
3 just because I think people see this and they see
4 this road, especially with this going on and there
5 are going to be a lot of people who are going to
6 think that this is the entrance and you are going
7 to get a lot of people coming in here realizing it
8 is not turning back around, I just see that a
9 potential --

10 MR. FELLEZZER: We can probably look at
11 putting a sign right here if the Planning Board
12 would like that would if you are coming this way we
13 could say the entrance is --

14 MR. FUSCO: One of the things that we were
15 going to show there is directional, we were going
16 to make them put directional signs for their
17 entrance.

18 MR. D'ANTONIO: Something on 94 maybe, 500
19 feet ahead or something.

20 MR. FUSCO: Yes.

21 MR. SLOAN: One quick question pertaining to
22 what Steve was saying. Al, you say you don't think
23 there's a need for a deceleration lane on 94 coming
24 down that hill?

25 MR. FUSCO: Off of 94?

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1 - PROCEEDINGS -

2 MR. DONOVAN: He's going to have the traffic
3 engineer take a look at it.

4 MR. FUSCO: Yeah, we are going to have Phil
5 look at, but, yeah, right off the top of my head I
6 don't believe that it would be necessary. I mean,
7 you have turns in there now, you know, but he will
8 look at it.

9 MR. GREALLY: We will look at it. What we were
10 looking at was the shoulder and beefing up the
11 shoulder and keeping a nice good radius coming in,

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12 but we will look at it in detail.
13 CHAIRPERSON SEROTTA: Can you forward me
14 electronic versions of this so I can share this
15 with the Planning Board?
16 MR. GREALY: Absolutely. I thought they were
17 submitted, but, yes, we will.
18 CHAIRPERSON SEROTTA: You might have given me
19 paper, I don't know, did I get electronics? I
20 don't think I got electronics.
21 MR. GREALY: Yeah, they are all PDF's, so,
22 that is easy enough.
23 CHAIRPERSON SEROTTA: Okay. Everything has to
24 be PDF's, including your pictures tonight.
25 Anybody else comments? Also, I think you

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1 - PROCEEDINGS -
2 changed the color a little bit too, right? Maybe
3 you just might want to address that. Originally we
4 were talking about blue and gold and we may go to a
5 different color, so, we will need a rendering, some
6 kind of a rendering just for the public hearing.
7 Do you want to address that a little bit?
8 MR. FELLEZZER: Certainly, yes. We are going
9 to look at the color, we are going to look as we
10 work with manufacturers of the pre-engineered steel
11 building. I did bring one in that is hot off the
12 press today but it is not in PDF form and it is not
13 electronic.
14 CHAIRPERSON SEROTTA: You can show it and make
15 sure the public sees it too, but we definitely need
16 this for the public hearing and, you know, it has
17 to be done electronically.
18 MR. FELLEZZER: So, that's the -- we are
19 trying to tone the colors down a little bit, we are
20 working on it. I don't think it has been, you
21 know, it is not completed but the idea is not to
22 make them quite as bold as they were.
23 MR. SPENSIERI: Basically I want the bottom
24 part to be that light blue and the upper part a
25 light gray and we have eliminated the yellow

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2 stripes in the middle.

3 MR. FELLEZZER: Right, and that's what that is

4 starting to show, here is a -- the computers all

5 print them out slightly different, so, the idea is

6 that it is not -- we are trying to tone it down a

7 little bit from what was presented previously. But

8 we will continue to work on that, we will provide

9 some colors, at some point we will get actually

10 color samples here so you can see them not off a

11 printer, you know, that may or may not show.

12 CHAIRPERSON SEROTTA: Okay. Any other

13 comments, questions from the Board? Everybody else

14 okay? Karen, any other comments, questions?

15 MS. ARENT: No, no other comments.

16 CHAIRPERSON SEROTTA: Okay. I think that they

17 have done a good job, there's nothing going to be

18 here approved tonight, the next step would be

19 possibly a public hearing. I think it is a better

20 idea to move the building towards the back of the

21 industrial park, you are kind of pushing a lot of

22 this parking, I mean, is all coming from Karen's

23 ideas. I mean, right now this is the only kind of

24 parking that is going to be visible, not that this

25 is not visible but it is going to be hidden behind

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1 - PROCEEDINGS -

2 the building, so, all of these cars back here will

3 be hid behind and these are going to be mainly, you

4 know, I don't know how many spaces this is but it

5 does, and then this will remain, he is going to use

6 side fields and it is going to be more of an open

7 space type of a scenario. The landscaping has to

8 be done and all of that, again, the lighting plans

9 you have to make sure you get all of that and it

10 has to be done in the next two weeks if you want to

11 go April 1st.

12 MR. FELLEZZER: Yeah, I wasn't sure, you want

13 all that prior to the public hearing?

14 CHAIRPERSON SEROTTA: Not necessarily I want

15 it but if you want, you know, it has always been

16 the Board's policy to get the 239 back. So, if you

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17 want a 239 coming back which is going to be
18 critical and crappy you can do what you want, you
19 know, but I am saying I am not sure that is the
20 direction you really want to go.

21 MR. FELLEZZER: Yeah, we will have to look at
22 that.

23 CHAIRPERSON SEROTTA: You have a voluminous
24 comment rather from her last time, you have
25 answered I think a substantial amount of her

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1 - PROCEEDINGS -

2 comments, whether they accept that or not that's a
3 different story but I think a lot of the Board
4 members will say you have done a much better job
5 this time around but you want her to say the say
6 thing. So, remember, we have two choices - she's
7 going to come in with a letter saying -- if you are
8 lucky it is going to say 'local determination no
9 comment', that would be the ideal thing for you.

10 MR. CORDISCO: Can I stop you, Mr. Chairman?

11 I don't understand, I thought the actual formal
12 referral went to the County because --

13 CHAIRPERSON SEROTTA: It does.

14 MR. CORDISCO: Well, that it already did
15 because the letter that came back had binding
16 comments attached to it.

17 CHAIRPERSON SEROTTA: She might have written
18 it that way but we kind of just did an informal
19 shot, I mean, you want to live with that one,
20 that's fine, but I am not sure we want --

21 MR. CORDISCO: No, no, no.

22 CHAIRPERSON SEROTTA: Because it has also been
23 the Board's policy then, you know, so, that letter
24 was written based on coming in off of Glenmere, so,
25 I know we did, we went point for point, we didn't

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1 - PROCEEDINGS -

2 go over that tonight but, you know, this is --
3 everybody has this.

4 MR. FELLEZZER: It is coming off 94.

5 CHAIRPERSON SEROTTA: Right here. Okay? This

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6 is what they have done here, all right? So, you
7 guys make sure you read this but they were going to
8 send this up -- they may have even sent it, I don't
9 know if they sent it or not but they have taken,
10 these are all the comments, this is Orange County's
11 thread and then here is, you know, here comes
12 Fellenzer Engineering comments back on that. But
13 they have not seen the traffic study, I mean, I
14 have talked with her a little bit, she's glad to
15 hear that you have done that, her suggestion was
16 coming off Tetz. I mean, these are all good
17 things, so, I am saying the Board would much rather
18 prefer you to go ahead and do this, you know.
19 MR. CORDISCO: Understood. Typically, if I
20 may, is that the changes, the two binding comments
21 related to stormwater and access and actually
22 lighting as well, so, three binding comments that
23 there were and we are addressing all of them and,
24 you know, I just don't want to get in a situation
25 where, you know, we are addressing comments that

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1 - PROCEEDINGS -
2 had been raised and we are doing them in
3 significant costs, we've moved the access off of
4 94, we are doing a full stormwater plan, we are
5 doing a lighting plan that you haven't seen yet but
6 it is the lighting as Mark showed you, and we send
7 those to the County and the County says, well,
8 that's great but here is three other things that we
9 now want you to look at as well. I mean, the
10 County in my mind is supposed to get one referral
11 from the Board and gets one referral and comments
12 on County wide inter-municipal issues, they have
13 commented on some issues which arguably are County
14 wide, certainly regarding 94, there's no question
15 about that; stormwater less so; lighting is a very
16 local particular item, you know. And, so, if the
17 Board didn't formally refer it we are in the
18 situation of having to send it to them, so, I don't
19 want to argue with them, I certainly don't want to
20 suggest that we not do something or cut any corners
21 here, it is just that my concern would be that the
22 County focuses on things that perhaps are more

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23 legitimate just for the Board to consider.
24 MR. DONOVAN: It is our typical practice to
25 refer an application when it is ready for public

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1 - PROCEEDINGS -
2 hearing to get those comments either the night of
3 or the week before the public hearing, I don't
4 recall how it came about that we made an early
5 referral in connection with this project. It is
6 certainly accurate that there is typically only one
7 referral because there are times when County
8 Planning will write a letter back and say we have
9 preliminary comments but your submission is
10 incomplete, we didn't get your EAF, we didn't get
11 all the sheets in the plan set; therefore, we will
12 make preliminary comments and we need additional
13 referral.
14 MR. CORDISCO: That's a great case and point
15 and one in particular here is that the County
16 recommended a full traffic study even though a
17 preliminary traffic study had been done, Mr. Grealy
18 then supplemented that traffic study based on the
19 revised plan and took access off of 94, so, from my
20 point of view we have complied with that comment.
21 Now, to provide it to them provides them with the
22 ability to say, yes, you have done it, but it also
23 provides them with a second opportunity to comment
24 and perhaps criticize, that is outside their normal
25 jurisdiction.

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1 - PROCEEDINGS -
2 CHAIRPERSON SEROTTA: It might've been maybe a
3 premature shot up to them, we were looking for a
4 little guidance, you know, looking for a second
5 opinion by somebody else, I mean, that is what
6 happened. But I will throw another thing at you,
7 all right? Let's say I have six Board members come
8 that night, let's say most of the time we have
9 seven, right now I have two out tonight, we have
10 five here, there are mandatory comments on there,
11 if the Board -- which is going to force this Board

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12 into a supermajority vote meaning five, you know,
13 so, I am saying you want to take the chance of, you
14 know, so, if six Board members show up and two vote
15 against you, you know, you are not going to even be
16 dead in the water and I am not sure, I am just
17 saying I think you should consider that. And the
18 second thing like Dave said, it has always pretty
19 much been our policy, there has been changes, I
20 mean, I think the changes are drastically for the
21 better, I honestly do. All right? I think you
22 have worked with us, you have worked with Karen,
23 you are spending an enormous amount of time and I
24 am sure money to go along with that, Mr. Fusco has
25 been there, you have asked for the Board's

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1 - PROCEEDINGS -

2 opinions, asked for the consultant's opinions,
3 taken their letters and kept a lot of good dialect
4 going and, you know, we made a lot of changes, so,
5 when we normally go to a public hearing we like to
6 hear the County, you know, and at that point in
7 time I think you may find the Board, the Board is a
8 fairly active Board, you know, I expect everybody
9 to comment, they do, they work hard at this and
10 that, but I think you'd rather than say what the
11 hell with what the County said, and, so, if they
12 come up with new item number 6 and they say this is
13 a mandatory thing the Board might just say, you
14 know, they really comply with most other things.
15 MR. CORDISCO: And let me be clear - I am not
16 asking you not to send it in a second time, I
17 didn't understand, you know, why --
18 CHAIRPERSON SEROTTA: It probably was a little
19 bit of a premature, it was -- we have a good
20 relationship with the County here. Okay? And it
21 is not the first time, I can name a couple of other
22 projects that we ran up there quick and said give
23 us some of your opinions, we knew it was going to
24 have some possible County wide impacts and then
25 they came in and then we went up and gave them what

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2 we call the final or formal one and that is the one
3 we go to the public with, we are going to show that
4 the night of the meeting, we will show the 239
5 referral out there and say this is what the County
6 has to say, you know.

7 MR. CORDISCO: It would be helpful if you
8 could emphasize to the County that we have made
9 these changes in part not only because the Board
10 has requested them, but because the County has
11 suggested them as well.

12 CHAIRPERSON SEROTTA: Yeah, I mean, I think
13 this was a nice design letter that you did, Mark,
14 or Ryan did, that's the way you want to do it,
15 that's the way we handle projects, you say, okay,
16 point, and now this is our answer to the point.
17 So, you have done that and wait until the next one
18 comes out and maybe revise your letter a little bit
19 or something like that.

20 MR. CORDISCO: Just to conclude on this is
21 that we don't have a problem with sending it again,
22 it just makes me a little nervous as an applicant's
23 attorney because, as I said, you know, they may
24 raise issues but we will see what happens
25 throughout that.

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1 - PROCEEDINGS -

2 I do want to touch on scheduling though and we
3 may have difficulty doing the full stormwater plan
4 and the lighting plan and still meet the April 1st
5 deadline, so, rather than having you schedule the
6 public hearing for that particular night and then
7 not having the full 30 days for the County to have
8 the chance to review the plans and put their
9 comments to you, I would suggest in the alternative
10 that you schedule the public hearing upon receipt
11 of the plans so that it could be for April 1st but
12 it could be for a second meeting in April, and that
13 gives the flexibility of where we don't have to
14 come back.

15 MR. DONOVAN: Well, I think though we need to
16 adopt a resolution what date certain this evening

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17 if that's the pleasure of the Board to have a
18 public hearing and that would be my advice to the
19 Board. If you want to make it April 18th, make it
20 April 18th if that is okay with the Board.
21 CHAIRPERSON SEROTTA: Let's just hear from Al
22 a little bit though, you know, your opinion of
23 stormwater plans, you know, the luminary plans and
24 all of this other stuff like that, you know, is
25 that absolutely mandatory or is there a statement

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2 from them that, you know, not a foot candle will
3 leak from the property and not an ounce of water is
4 going to go off the property.
5 MR. FUSCO: Right. I am satisfied with
6 preliminary and then final down the road because I
7 have last look at it, so, I don't have an issue.
8 The County if you submit a half of a stormwater
9 report to them and they actually look at it and
10 realize it is not complete, you know, it may give
11 you an adverse comment. So, I would wait until you
12 know they are fairly complete. I think that an
13 alternative might be because they don't have to be
14 here for us to set a public hearing, is that
15 correct, as long as we do it in a Board meeting?
16 MR. FELLEZZER: That's correct.
17 MR. FUSCO: So, why don't we -- we are having
18 a March 4th Board meeting, so, why don't we plan on
19 taking the vote on March 4th and that will give
20 them time to put it together, you know, maybe you
21 can even get it to me a little early and I can
22 review it and then at that point if it looks
23 complete, you know, we will get it to the County
24 March 1st, 30 days, get it to the County March 1st
25 and then on March 4th you can, you know, make your

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1 - PROCEEDINGS -
2 date, you can set the public hearing for the 1st,
3 15th, whatever you want.
4 CHAIRPERSON SEROTTA: Yeah, March 4th is going
5 to be a little bit of a problem because the first

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6 meeting is April 1st.

7 MR. FUSCO: Make it the 15th.

8 MR. CORDISCO: Yeah, we would agree. I mean,
9 if you need a date certain we can make it for April
10 15th, we can provide the plans a full 30 days prior
11 to that.

12 CHAIRPERSON SEROTTA: Okay. April 15th? I
13 mean, you don't have to get the notices, I mean, we
14 prefer getting notices out as soon as possible but
15 it is to get it up to the County at the 30 day
16 mark, so, the 15th gives you plenty of time.

17 MR. FELLEZZER: They won't allow anyone doing
18 their 1040s though while we are talking.

19 MR. CORDISCO: So, that would be our
20 suggestion is schedule the public hearing for April
21 15th.

22 CHAIRPERSON SEROTTA: For the 15th, are you
23 okay? I mean, you want to be safe on this.

24 MR. FELLEZZER: Yeah. I mean, in terms of the
25 process here and how your Board practices I think

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2 it is better that the submission be complete, you
3 know, 99 percent complete when it goes out to other
4 agencies so that we don't have less chance of
5 negative commentary or incomplete commentary.

6 CHAIRPERSON SEROTTA: All right. Somebody
7 want to make a motion to schedule a public hearing
8 for April 15th for Primo Sports at 7 p.m.?

9 MR. DAMIANI: I will make a motion.

10 CHAIRPERSON SEROTTA: Motion by Ernie. Second
11 by Carl. All in favor?

12 MR. D'ANTONIO: Aye.

13 MR. DENES: Aye.

14 MR. DAMIANI: Aye.

15 CHAIRPERSON SEROTTA: Aye.

16 MR. SLOAN: Aye.

17 CHAIRPERSON SEROTTA: So, notices will go out,
18 the mailing list, I already have your mailing list
19 ready, so, it will go out to 500 feet of
20 everybody's residence. So, you don't have to do
21 certified mails, you just have to do proof of
22 mailing, people get concerned with that. You just

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23 go in, you show the post office all your envelopes,
24 they stamp it, they come back to me with the thing
25 that they guarantee that mailings went out to

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everybody.

There's been confusion, the Town switched websites now, the new one does not work the greatest, I had no training on it, I just recently figured out how to use it, so, now I am posting again. Steve said something to me recently, the reason I couldn't do it is because I couldn't access -- the old website is gone and the new one is in place even though the new one is not working well. If you go to thetownofchester.org it will automatically swing you over to chester/newyork.gov. Under the calendar you will find Primo Sports on April 15th, tomorrow I will get the calendar updated. There's a bulletin Board out here, paper is always there, that's the best we can do here, the notices will go out to all the residents and then it will be open to the public hearing at that point in time and we will have all the referrals back and stuff like that.

MR. CORDISCO: I doubled on it today, it said chester/ny.

CHAIRPERSON SEROTTA: Yeah, 'NY' - I am sorry - not New York, chester/ny. I had trouble opening it, it takes two minutes or three minutes to be

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patient. It will redirect you, anyway if you go to the old website you will get redirected to the new one and now you can get to the calendar out there and it will show the Planning Board's comment. So, I keep that updated at all times.

MR. CORDISCO: Thank you all very much.

CHAIRPERSON SEROTTA: All right. Thank you everybody.

All right. March 4th I told you we have BAZ coming back in which is Bellvale Road and Lake Station Road, I am not sure, they just sent a set of plans without any kind of write-up today, I am not 100 percent sure, Al will have to give us some

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information about that.

MR. FUSCO: Yeah, I got the file today.

CHAIRPERSON SEROTTA: Okay. That is it.

Nothing else. Anybody questions, comments? Have a good night everybody. Motion to go home?

MR. DENES: Go home.

MR. D'ANTONIO: Go Home.

MR. SLOAN: Go home.

(Proceedings concluded at 8:32 p.m.)

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C-E-R-T-I-F-I-C-A-T-I-O-N

I, Jennifer A. Dentino, a stenographic Court Reporter and Notary Public within and for the State of New York, hereby certify:

That the witness whose examination is hereinbefore set forth was duly sworn by me and that the transcript of said examination is a true record of the testimony given by the said witness; and That I am not related to any of the parties to this action by blood or marriage and I am in no way interested in the outcome of this matter.

Jennifer A. Dentino
Court Reporter