

TOWN OF CHESTER
PLANNING BOARD MINUTES
April 3, 2019

Meeting called to order: 7:05pm

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

Also present: Dave Donovan-Attorney, Alexa Burchianti-Secretary, Al Fusco-Engineer

Absent: Mark Roberson

A motion was made to adopt the minutes from March 6, 2019 made by Dot. Second by Larry. Motion carried 6-0

Next meeting of the Planning Board is scheduled for May 1, 2019 with the possibility of cancellation. If there are no submissions by April 17, 2019 we will cancel the May meeting.

Board updates:

Clean Energy Collective-Conti Solar-Discussion

Jason Guertin from Conti Solar- 215 Black Meadow Rd. Jason is the contractor that installed the Solar Farm on 215 Black Meadow for (Nautilus Solar Energy-New Owner)

They installed the typical fence that they always use instead of the black coated fencing that was approved on the plans. It was an oversight they didn't realize.

Chairman Serotta took a ride out, and the surrounding area and stated you really couldn't see it.

Dave Donovan stated that just for continuity and if someone should look 2-3 years from now why is the black fence a galvanized fence, attorney had suggested just to adopt a motion approving a minor amendment to the site plan relative to the fence. Just so that there is something that the building inspector can file in case there is a question raised in the future.

Landscape Architect Karen Arent went to the sight to look at it, and determined that there was no impact.

Karen Arent Letter 3-29-19:

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KALA

Karen Arent Landscape Architect

To: Chairman Donald Serotta and the Town of Chester Planning Board

From: Karen Arent, Landscape Architect

Date: March 29, 2019

Subject: 215 ~~Black Rock~~ Rd. Solar Farm - Conti Solar
Black meadow Clean Energy Collective

COMMENTS:

The solar fields sit far from Black Rock Rd. behind industrial buildings and is only visible between the buildings. The chain link fence around it is hardly noticeable as the silver flat metal color blends with the apparatus of the solar arrays. In my opinion, in this instance, it is not necessary to install black pvc coated fencing.

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Motion made to make the change going from the black to the galvanized fencing made by Jackie. Second by Larry. Motion carried 6-0

Letter will be drawn up and sent to the building department.

Tin Barn Brewery-Decision

Jeremy Valentine from Lehman & Getz. Lauren did a presentation at the last meeting, traffic report was submitted from the last 10 years, public hearing was closed. Recommendation was made by the chief of police and the board regarding lowering the speed limit on the bypass to 40mph.

Larry added the comment of that if we lower the speed limit to 40 on that road you might get more traffic going through the village that's the downside to lowering the speed limit there.

Chairman stated that they will write a recommendation letter to the Town Board, and will speak to Bob Valentine again.

Received letter from Jim Farr regarding putting a larger tank in and drawing less water. Waste product is going to be taken by local farmers. All of the questions have been pretty much answered at the last meeting. The sewer, Jeremy stated that he spoke to Lanc & Tully Moodna's engineer and he was fine with the capacity.

Bob stated that regarding the speed limit, lowering it might bring it in more into conformance with the rest of Kings Hwy. His only question is it is a County Road do we have any say in that speed limit. Chairman stated that Bob Valentine would have to make a recommendation to them. There was also some discussion at the Town Board meeting about possibly taking over the old Kings Hwy. The answer is we can't force it but it could be recommended by the Supervisor it might hold some weight.

Polled board for any final comments or questions:

Dot: You have farmers lined up to pick up the grain? Lauren: Farmers are actually easy to find, they have worked with a couple but haven't finalized any contracts or anything since they are not open yet. She spoke to other breweries that work with farmers right now, it's actually easy to find farmers and backup farmers and have a list because they want this grain so badly.

Bob: So by removing the grain daily or weekly that will take care of the concerns of the surrounding residents that were concerned about odors or smells coming out of the place? Jeremy: They are stored in closed containers for no more than 2-3 days most

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likely it will move faster than that. Bob: out of curiosity how is it removed from the containers? Vacuumed? Lauren: “My arms and a big shovel and a rake”

Motion for a Negative Declaration made by Bob. Second by Dot. Motion carried 6-0

Dave Donovan went through the Resolution.

Motion to grant Conditional Final Approval made by Bob. Second by Larry. Motion carried 6-0

1251 King Hwy - Ostreicher-Site Plan Review

Michael Morgante-engineer present for the applicant Simon Ostreicher.

Board was looking for more details on plans which they addressed. Added landscaping, lighting and SWPPP. Put together the OCDPW entrances details and designs and turning diagram.

Al Fusco Letter 4-25-19:

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

FUSCO ENGINEERING
& LAND SURVEYING, P.C.

Consulting Engineers

Alfred A. Fusco, III, General Manager

- *233 East Main Street
Middletown, NY 10940
Phone: (845) 344-5863
Fax: (845) 956-5865*
- *19 Waywayup Lane
Port Jervis, NY 12771
Phone: (845) 956-5866*

March 25, 2019

Town of Chester
1786 Kings Highway
Chester, NY, 10918

Re: Simon Osteicher
3 Lot Subdivision
1251 Kings Highway
Our File #CH-153

Dear Chairman Serotta,

We have reviewed the recent submission and offer the following:

PROJECT:

Name: Osteicher 3 Lot Subdivision – 2 warehouse/wholesale buildings
SBL: 17-1-99.221
Acres: 38.89 Acres
Zone: IP
Material: Arden Consulting Plans 3/15/19 - SWPPP

COMMENTS:

1. Wetland delineated with JD from NYSDEC pending.
2. Shadow parking shown for 2 lots as requested. Add note: shadow parking to be constructed as directed by Town Engineer.
3. Show stabilized construction entrances on site plan; detail is shown.
4. Need surveyor's certification and subdivision fileable plan.
5. SWPPP:
 - a. The NOI must be signed by both applicants.
 - b. The NOI notes that the soils are B and D soils, but the calculations appear to be based upon an HSG of C soils. Please clarify.
 - c. Due to the proximity for the NYSDEC State Wetlands to the proposed development, the wetland validation certification must be provided by the NYSDEC.
 - d. The applicant is proposing infiltration ponds for stormwater treatment. Infiltration testing is required to verify the acceptability of the soils for infiltration purposes.
 - e. Green infrastructure calculations should be provided in the SWPPP to verify that the minimum RRv has been met.

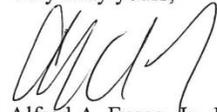
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- f. Regarding Building #1, the FFE is 514.5 but existing grade is 490 (24-foot fill). It appears the SWPPP needs to show either a retaining wall or a stabilized slope necessary to meet these grades.
 - g. The SWPPP should provide a calculation for both ponds to assure that the proposed sediment basins are sized to meet the minimum 3600 CF per acre of site disturbance.
 - h. Regarding the erosion and sediment plan, provide topsoil/spoil stockpile locations as required.
 - i. Stabilized construction entrances need to be indicated in the plan view.
 - j. It appears that diversion swales with stone check dams may be necessary at certain locations to assure that sediment laden run-off will actually drain to proposed sediment control structures.
 - k. 4.75 inches of rainfall for a 10-year storm seems to be relatively low of this area. Please comment.
 - l. Since both site plans are cumulative to one parcel, a note should be added to the plans that only one site can be built at a time; thereby complying with the maximum 5-acre site disturbance requirement (at any point in time).\
6. We need a Long Form EAF, DEC mapper (enclosed) shows endangered threatened species – “Bog Turtle”. Therefore, we need a study and DEC sign off.
7. Mapper also shows archeological sites; so we need SHPO sign off.
8. Landscape upgrade.
9. Escrow account recommended for erosion, sedimentation and SWPPP inspections.
10. Board comments.

Action:
239 GML
Set Public Hearing.

Please advise if you have any questions.

Very truly yours,



Alfred A. Fusco, Jr., P.E.
Fusco Engineering
& Land Surveying, P.C.
AAF/cam

Cc: Alexa Burchianti

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Al reviewed his letter. We need a delineated with a jurisdictional determination from the DEC. Showed shadowed parking, wants a note that if in fact in the future more parking is required or the engineer or building inspector asks for it they have to put it in. The stabilized construction entrances have a detail but they are not specifically shown where and a lot of contractors will argue (so that needs to be shown). Will need another plat for surveyor certification because it's a sub-division and will need it to file it. SWPPP was good just some minor details. Needs Long form EAF, possible bog turtle issue, it showed up on the mapper. Showed some possible archeological sites so will need SHPO sign off.

Parking was reduced down, and made it shadow on sheet 2 and 3.

Karen Arent Letter 3-29-19:

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KALA

Karen Arent Landscape Architect

To: Chairman Donald Serotta and the Town of Chester Planning Board

From: Karen Arent, Landscape Architect

Date: March 29, 2019

Subject: 1251 Kings Highway - *Ostreicher*

Consultant: Arden Engineers

COMMENTS:

1. Hedge rows and wooded areas to remain should be shown on the site plan so it is clear what vegetation will remain in perpetuity. Existing vegetation provides significant screening from several viewpoints.

Building One

2. The building will sit low in the ground. A hedge row and berm exist along Kings Highway screening the site from the road. This berm and hedge row should be preserved to save the significant screening that exists. The hedge row should be shown on the drawing and preservation fencing and notes should be included. The grading of the infiltration basin extends into this hedge row. Is it possible to design the detention basin a little differently so grading does not extend up into the hedge row? Norway Spruces are shown to be planted in the area of the hedge row. This will change the rural character of the screening and will allow views into the site as they are proposed 20' apart. They should be removed from the drawing.
3. Views will exist into the site at the openings to the highway as they are quite wide. Significant vegetation must be planted to block views. Infiltration basin #1 takes up much of the space for screening on the west side. This basin should be designed to allow space for significant screening. Layers of screening are needed. The hedge row and berm provide screening of the ground plan and slightly above, whereas trees further down the hill will provide future screening of the building and roof. It would be great if this basin could be designed to enable space for layers of screening.
4. A combination of deciduous trees and White Pines should be shown on the slope between the hedge row and infiltration basin and proposed parking. A naturalistic arrangement should be shown to create a landscape that fits with the character of the surrounding area. White Pines could be dappled along the slope with some Red Maples and other native trees that exist in the general vicinity. White Pines can be used in this location as the berm and hedge row will provide the screening up to the deer browse line and the White Pines will provide screening above this line.

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1251 Kings Highway
Dated March 29, 2019 continued

5. Studies have shown that wood chips spread over exposed, native soils allow seedlings of trees to germinate. This could be an option if there is a deer control and landscape monitoring plan proposed. Planting as described in comment three could be less if this “wood chip” option is presented in a way that is acceptable. Deer control must be secure deer fencing for several years until the trees grow above the deer browse line.
6. A native seed mixture should be specified for all disturbed areas. A pH test of the existing soils should be taken and a seed mixture that consists of local native plants that will thrive in existing soils should be specified. Please note that one seed mixture will not suffice for all the different soil types and sun exposures that exist on the site.
7. Notes should be put on the drawing to take another pH test after fine grading to make sure the specified wildflower grass mix will thrive. Changes to the seed mixture should be made if necessary. All plants specified in the seed mixture must be native and found within the general vicinity of the project site.
8. The seed mixture of the infiltration basin should be native.
9. Existing vegetation along the western property line should be shown and preservation notes and details should be included on the drawing. This vegetation should be supplemented with Norway Spruces and if screening is needed above the deer browse line, White Pines.

Building Two

10. A hedge row exists along Belvale Road that provides screening and should remain.
11. Screen planting of the building using White Pines and native deciduous trees should be provided in accordance with comments described for building one.
12. A hedgerow exists along the northern section of the eastern property line. Show this hedge row and notes and fencing needed to preserve it.
13. The hedge row along the railroad tracks and wooded areas in the rear of the property should be shown to remain.

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Karen likes to keep as much of the natural growing vegetation/berms as much as possible. When the Chairman spoke to her she felt that there was too much bulldozing and grading. She wanted him to try and keep as much as possible. Mike Morgante stated he has not spoken to her after he received the comment letter, however his only comment was, some grading is going to be required in the front simply for some kind of sight distance that they can create. He stated they will do their best to minimize any grading that is required. But if they can't can they replant? Chairman stated that she had mentioned that. Mike Morgante stated he will work directly with her.

Polled board for any comments and questions:

Bob asked about Norway spruces and if they can be closer. Feels Norway Spruces are best option and planted closer together. One large storage unit? Or broken up? Mike stated that they are proposing just one large warehouse area not breaking it down into separate units that's not the intention right now.

Carl: Asked about the driveways entrances on Kings Highway and if they are 2 way. Both entrances are 2 way.

Jackie: Just general warehousing operations, we don't know what's going in? Mike: General warehousing, can tell you that it won't be any hazardous chemicals or anything of that nature. Jackie: Employees, hours of operation? Mike: he put hours of operation on the front sheet. Note #13. 7am-10pm Sunday through Saturday.

Dot: So these buildings are not being built specifically for a company already? Mike: No

Mike stated that it's a 40,000 sq. ft. warehouse it sounds big but for a warehouse it really isn't. You aren't going to get a ton of traffic because, 1. There are only 2 loading bays. 2. The max they could get in loading and unloading is approximately 8 trucks a day and that would be pushing it.

Larry: Still wants to see left turn lanes to be able to turn into both locations. On Kings Hwy and on Bellvale. It may not be needed today but moving forward it sure would help prevent stopping of traffic. On Kings Hwy he sees both entrances are 2 way, you may want to consider possibly having one as an entrance and one as an exit to control traffic. Mike: His only comment to that is because it has to accommodate tractor trailers the width has to be 30ft and would have to have 45ft radius. Most of the traffic is going to flow from the Southern entrance and back out to the Northern entrance. Larry: On the drawing it's 2 way, believes if you change the drawing it would help the flow of traffic. The trees, is that a single row of trees or 2? Mike whatever Karen wants, has it as double staggered rows, he will defer to her expertise on that.

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Bob: Since this is a county road the County would have to approve these entrances?

Chairman: Yes. Bob: So depending on what the County says this may all change. Mike: Yes, and the left turn lanes are quite frankly are the county's decision on that too. The board can certainly express their concerns and wishes on it, ultimately it's their decision.

Plans have gone to DPW and OCDP for 239 reviews. NYS DEC is also an interested agency since they are doing the bog turtle study.

Mr. Donovan stated that will do a coordinated review and declare the intent for LEAD Agency. Copies need to be provided to Mr. Donovan and he will circulate.

Motion made to declare LEAD Agency made by Jackie. Second by Dot. Motion carried 6-0.

Ridgeview Estates-Discussion

Mark Siemers submitted the sheet for the curb cut and a 15ft pad around it for the easement for the stormwater pond. They couldn't get all the way around it because of the wetlands but they made accommodations for a turn around. Al stated that it was acceptable. They came to the town with deeds of dedications and easements. One of the other things that was also talked about was to have deed restrictions with each house with rain gardens and this was a suggestion not a mandate by the DEC but they felt that future endeavors we should consider that. Al spoke to Mark Siemers on that since he was the designer, but in relationship with the rain gardens, at this point we don't have a problem with that, Al stated that we will talk to the building department and make sure they keep an eye on it. It is properly listed on the plan that they need maintenance. On future endeavors that needs maintenance by property owners Believes that it would be a good idea to consider deed restrictions.

Larry feels that there should be restrictions on easements that, that area cannot be used and can't put structures (ie sheds) Al stated that there is.

Anthony had brought up to the Chairman that he feels the Town should own the ponds. Chairman and Al stated that the Town was against it.

As long as we always keep Anthony in mind when designing at the planning board stage to be mindful of what Anthony will have to do as far as maintaining the ponds.

Respectfully Submitted,

Alexa Burchianti
Planning Board Secretary