

**TOWN OF CHESTER
PLANNING BOARD MINUTES**

June 2, 2021

ZOOM Meeting called to order: 7:01 pm

Members present: Chairman Serotta, Larry Dysinger, Dot Wierzbicki, Jackie Elfers, Mark Roberson, Justin Brigandi and Jon Gifford

Also present: Dave Donovan-Attorney, Julie Tiller- Secretary, Alexa Burchianti-Building Inspector and Al Fusco-Engineer

Meeting minutes from April 7th were adopted

Chairman Serotta: Good Evening everyone, tonight we're going to start with **NMC3, LLC** and we have Jim Dillin and Ashley Torre here with us

Dave Donovan: Mr. Chairman I'm just going to step away for this portion of the meeting

Jim Dillin: Hello everyone, the only thing changed on the plan is sheet 2, Don if you could bring that up so I can talk about it. Okay, so sheet 2 shows Lots 1, 2, 3 and 4 where the wetlands are closest to the houses. The board requested wetland signage be put in on Lot #2 which we did and you can see that's on the map. We also put the trees on Lot #2 to protect the wetlands. We submitted the Phase 1 archaeological investigation where they did digs and we got a complete report and no evidence was found. We also did testing with Al Fusco's office for each lot and we got the approval letter from OCDPW back in March. At this time I believe that's everything.

Ashley Torre: Okay, there were a couple of map notes regarding the archaeological area and ridge preservation overlay that are needed and also the note about the bats as 2 separate species and the time frames on tree clearing. Additionally, a map note about compliance with the new lighting ordinance and my only other question was is there a SWPPP?

Chairman Serotta: Okay Jim so you have to get the map notes on there and the lighting notes too

Jim Dillin: Yes, I will make sure I get those updated and the applicant has no problem with any of that

Chairman Serotta: We need final sign off from OC Planning and Julie sent everything to Megan Tennerman so we're waiting for her final comments. Have you sent the Phase 1A/1B report back to SHPO so they can approve it?

Jim Dillin: No I did not send that to them but I will

Chairman Serotta: Okay so that may cause a delay because Megan from OC Planning will say okay but she may want a letter from SHPO too

Al Fusco: You need to send the archaeological report to SHPO because they will want to have that so send it electronically to get it to them faster

Ashley Torre: Yes they may wait for the SHPO impact letter

Jim Dillin: I will definitely send it tomorrow morning and call them as well

Al Fusco: All my comments were handled but we're waiting for the SHPO sign off

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Chairman Serotta: Okay so I'll poll the board now for any comments or questions

Jackie Elfers: I'm good

Larry Dysinger: Good

Mark Roberson: I'm good

Justin Brigandi: All good

Jon Gifford: Good

Alexa- Bldg Inspector: Good

Ashley Torre: Would the board like me to prepare a draft neg dec and resolution for the next meeting?

Chairman Serotta: Yes I think that would be good and anything you need just get in touch with Julie. So Jim, we'll schedule you to come back for the July 7th meeting and thank you.

Next we have **193 BMD, LLC** it's a 25,000 SF addition to an existing warehouse on Black Meadow Rd and we have Larry from Civil Tec here to represent the applicant.

Larry Toro: Hello everyone, this is an existing use at the site and they want to expand their storage. As you can see there is a DEC wetland on the site, we've had some preliminary conversations with the DEC and they have signed off on some delineations that are shown on the plan. The biggest item is on the west side, the existing building at the rear is 71.4 feet off the property line and I assume at the time this building was built that was the zoning at the time but now I believe it's 90 feet so I'm not sure if a variance is required for ZBA and how that's handled.

Dave Donovan: If I may Mr. Chairman, on that issue; this is an expansion of a pre-existing non-conforming condition so it will need to go to the ZBA for a variance and you could get a referral from the planning board if they so choose.

Chairman Serotta: I don't have a problem giving you a referral but I have a question, so you need 90 feet on each side but you're not quite showing us on your addition side on your map. Since you're making it bigger on the back side you will have to go to the ZBA. Also this whole area is inundated with floods and the GIS shows this to be in a flood zone, Zircar and BK Tiles both had to give us flood certs to be over there because there is a known defined flood elevation at 193 Black Meadow Rd. That doesn't prevent you from building but it does require you to do a few things to get approval; maybe a flood cert to determine the elevation and what mitigation will be put in.

Al Fusco: They allow water not to damage the project so they put some water shutes in there and the electrical needs to be 2 feet above water levels

Chairman Serotta: Another question is can you identify how far this addition will be from the Village well, the Village is very concerned about that well and want to know about anything that goes in over there because it's their main source of water and I'd like to know how far away it is.

Jackie Elfers: The bigger size will not affect the traffic right?

Larry Toro: They get 1 to 2 trailers a week so it will probably stay the same

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Larry Dysinger: Will they have the trailers come in the south entrance and go around? And also the lighting needs to be in compliance with the new outdoor lighting ordinance. I also have concerns about the driveway being about 3 feet below the road level so I'd like to see the elevations on the drawing

Larry Toro: As we develop the plan we will establish the elevation levels

Larry Dysinger: The building is barren of landscaping so it would be nice if they added some in

Mark Roberson: Does the addition now increase the parking spaces?

Larry Toro: As of now there's 13 spaces and it's never more than 1/3 full

Chairman Serotta: If the code calls for additional parking for that size building then you might need to designate an area for bank parking and you might need the ZBA for that too

Mark Roberson: Are there other things that should be re visited because of the size increase?

Dave Donovan: Larry is there an original approved site plan on this that we can take a look at?

Larry Toro: I'd have to look into that with the town building department

Al Fusco: You will have to do something with the drainage and being that it's a wet area it might be more difficult but you can come up with something and I'm available to help in any way.

Dot Wierzbicki: My concern about waste was already answered so I'm good

Larry Toro: As far as present material there's nothing hazardous

Dave Donovan: I think if you provide more details on that it would be helpful

Jon Gifford: Is there anything other than that drainage like additional bathrooms or things like that?

Larry Toro: No this will only be for storage

Justin Brigandi: There's a narrow alley in back so in the winter will the snow block that and then in spring will the run off cause flooding?

Larry Toro: The snow melt will be a gradual thing and should absorb into the ground

Chairman Serotta: Okay so Larry do you want a referral to go before the ZBA?

Larry Toro: Yes, I think that's my first hurdle to handle and I suspect we will need the parking as well

Chairman Serotta: I'll write the ZBA referral and try to calculate your parking and take a look at 98:22, the referral will be for side yard setback and possible bank parking. Get in touch with Julie who is also the ZBA secretary and maybe get on the July meeting agenda.

Larry Toro: Okay I'll do that, thank you everyone

Chairman Serotta: Next we have **POMEGRANATE SOLUTIONS** and Chris Fritzl is here to tell us about it

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Chris-Lanc&Tully: Thank you Mr. Chairman, we were before the board last month as a public hearing and we addressed the public comments as well as Mr. Fusco's comments. We also submitted a landscape plan as well as a view shed plan

Jackie Elfers: I think you addressed everything and the Maples are in a good area so I'm satisfied

Larry Dysinger: Then we don't need to go to our landscape consultant on that

Chairman Serotta: I agree with Larry, Jackie is very competent and we appreciate her time. This is a private road and is very different than other projects on main roads in town.

Chris-Lanc&Tully: The view shed rendering is new and we submitted from Lake Station & Bellvale and the building is not visible from there and the last location is Kings Hwy bypass and again not visible. I believe most of the technical comments were addressed, the applicant is seeking SEQRA determination and conditional resolution at this time if the board sees fit.

Al Fusco: Most of my comments were answered, they will have to do the MS4 form, the landscaping was talked about, and when SEQRA is closed the Army Corp of Engineers will be notified about the wetland disturbance, the view shed we discussed so I'm pretty ready for SEQRA action and prepare a resolution

Dave Donovan: I have no comments at this time so whatever the pleasure of the board is relative to a SEQRA determination and resolutions then I can prepare that if so desired

Chairman Serotta: Okay so we need to get that road up to town standards as we discussed right Chris? And I'll take a motion to grant the neg dec for SEQRA

Larry Dysinger: I'll make a motion

Jon Gifford: I'll 2nd

All in favor: Yes

Chairman Serotta: **Neg dec is granted.** Next I need a motion for resolution to be drafted

Dot Wierzbicki: I'll make the motion

Jackie Elfers: I'll 2nd

All in favor: Yes

Chairman Serotta: Okay resolution to be drafted by Dave Donovan and you'll come back on July 7th so we'll see you next month. Last on the agenda is **DAVIDSON DRIVE** and Mike Morgante is here to represent

Mike Morgante: Hello everyone, since last time we changed the grade of the road, raised the elevation of the building, we did some perc tests and we had some geotechnical tests and we have good drainage soil overall on the site. I have final design on the road and I believe we could dedicate a 50 foot ROW to the town if the board so chooses with Davidson Drive located within it and I wanted to bring that to the board's attention. At this time we are looking for feedback from the board if there is any and if

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this layout is meeting the board's standards then I can get this to the DEC and we're conducting a habitat study which will also be submitted to the DEC. I think that pretty much covers everything I have and would be happy to answer any questions from the board.

Jackie Elfers: I think you've covered everything we talked about so I'm good for now

Larry Dysinger: We need to make sure the people on Paradise Lane and Lake Station Rd are protected, we need traffic studies & visibility for the residents

Mike Morgante: We are engaging the services of traffic study after this meeting but I needed to make sure the building placement is good

Jon Gifford: I'm good

Justin Brigandi: I'm good too

Alexa-Bldg Inspector: Do we really need all that parking?

Mike Morgante: We need 50 spaces but we have 73

Alexa-Bldg Inspector: Do we know what the use of the building will be? I'm thinking of impervious surfaces and do we need all that parking but that's up to the board.

Larry Dysinger: You could consider using a permeable asphalt

Mike Morgante: I could consider that but I'm concerned about maintenance and maybe not suitable for this site as an industrial use building

Al Fusco: I have a few comments, you have to do soil testing and septic, an OC Dept. Of Health permit will be required, the wetland disturbance is required, need the details for infrastructure, need landscape and lighting plans, SWPPP is required and the environmental report required, view shed and renderings.

Mike Morgante: Going back to the view shed, the entire site right now is wooded and there's a significant amount that's staying there

Chairman Serotta: Eventually this will go to public hearing but we need to see the renderings, the environmentals and SHPO before that

Mike Morante: Yes agreed

Chairman Serotta: Okay so if there's no more question or comments then you get back to us when you're ready. That's everything for tonight and I just want to comment that we're waiting to see about meeting in person by next month so we'll just wait and see but it's a good possibility. Thank you everyone and Good Night.

Meeting adjourned at 8:56 pm

Respectfully submitted,

Julie Tiller
Planning Board Secretary