

TOWN OF CHESTER
PLANNING BOARD MINUTES
August 4, 2021

Meeting called to order: 7:03 pm

Members present: Chairman Serotta, Jackie Elfers, Justin Brigandi, Mark Roberson and John Gifford

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

Absent: Larry Dysinger, and Dot Wierzbicki

Meeting minutes from July 7, 2021 were adopted

Chairman Serotta: Good Evening everyone. First on the agenda is **Arthur Alzamora, 26 Neal Drive, Chester, NY.** Pam Ziolkowski from Infinity Solar Systems, LLC is representing Arthur Alzamora. Arthur lives on In an AR3 Zone. He is looking to install a ground mounted Solar Array, in a revised location. Pam, please come up and tell us what you're trying to do. (*Pulling up Plans for location*)

Chairman Serotta: Back in December we approved an Array in the back of the property.

Pam: Yes

Chairman Serotta: We signed a letter, Alexa received that letter and there was an approval given, so they can build their Solar Panel in the back. Something happened in between. Can you please explain?

Pam: Yes, the day of install the home owners decided they didn't like the view from their home and they proposed a new location. We had to stop Install.

Chairman Serotta: So, I'm assuming that you have a new location. As you and I have discussed, In our Code, Section 98.40/Solar Energy, Town of Chester; Sect d; Small Scale, which is ground mounted home owners type of scale 1b, (Looking at the map) This is Neal drive, I feel this is the front yard and I don't see how we can get around this, and Arthur feels because it's on the right side looking down from the road that this would be on his side yard. At times we have interpretation rights, we have variances, we can issue variances, and this is not one of them. He can go to the Zoning Board of Appeals if he chooses to.

Pam: He does choose to.

Chairman Serotta: Ok, so he does choose to do it, and he can make a case with them.

Pam: I've sent you some photos also; he's behind trees on a hill.

Chairman Serotta: If everyone remembered before, his neighbor gave us a letter; stating they have no problem with where Arthur wants to put it. With the new location I don't see why they would object to it. The other neighbor has about 100/200ft at least of woods. He might be able to make a case and I'm not speaking for the Zoning Board, we have absolutely nothing to do with that, but he might be able to make a case, saying that even though the code says that, they have the right to grant relief from that

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Chairman Serotta: So, let's just hear from the Board about the front yard situation. We can vote on sending it to the Zoning Board tonight, and we'd write a referral letter to them. **Let's start with Justin.**

Justin Brigandi: I agree that's definitely what I would call the Front Yard, but I also personally don't have much of an objection of where he wants to put it. I don't think it stands out.

Chairman Serotta: So what will happen is, if they give them the right to put it in the Front Yard it will come back to us again and that's when we'll take a look at it. All we need is the ability to say is ok, you can have it in your front yard, and we would be able to accept that. John?

John Gifford: I think we just need to wait and see.

Jackie Elfers: I think it's the Front Yard.

Mark Roberson: Is that location that's marked off the second location?

Pam: Yes, that's the second location.

Mark Roberson: I agree then, that's definitely the Front Yard.

Chairman Serotta: Does someone want to make a motion?

Dave Donovan: Yes, someone can make a formal motion to go to the Zoning Board.

Jackie Elfers: **I'll make the motion to send to ZBA.**

Mark Roberson: **I'll second the Motion.**

Chairman Serotta: All in Favor

Jackie Elfers: Yes

Mark Roberson: Yes

John Gifford: Yes

Larry Dysinger: Yes

Justin Brigandi: Yes

Chairman Serotta: We'll write a letter, and you can call Melissa to get you on the schedule. If they grant you relief we'll see you back here and it will be a fairly simple process from there.

Chairman Serotta: **Next on the Agenda is iCan Storage.** Hello Kirk. Let me bring up your plan.

Kirk: We are here this evening to get the Boards feedback on a very conceptual Site Plan. We have Dave & Judy Klein in the Audience and to best describe their business (because, it's very similar to Pods), their business is called iCan Storage. You can go on their website and see what they do. It's a family business run by Mr. & Mrs. Klein and their 2 sons. Right now they operate out of Congers at a property that they rent and they're looking to purchase this property and use it to store their Pods. This parcel of land is just stone's throw up the road here on the right side of the map the north side would be where it abuts to Frozen Ropes. It's just off the right side opposite of County Route 13 by Pond Rd.

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Kirk: So, this proposed plan is basically just a parking area and those units are 16Ft long x 8Ft wide and we're just looking to use this property to store them, as a staging area. They're not really open to the public, no employee's besides the Klein's themselves. No signs, no proposed structures, no proposed bathroom facilities. I think this fits in the code as the GC Zoning District. There is outdoor storage associated with self-storage or there's outdoor storage associated with Contractor yard. It seems like this might fit in one of those 2 uses.

That's really the main purpose that we want to try to flush this out in front of the planning board before they actually purchase, and close on the property. I saw Mr. Fusco's comments, with this particular layout we can stay under an area of disturbance. So we're not getting into a full blown SWPPP. There would be some very basic lighting here, but nothing that would be beyond their hours of operations, which is 8am – 6pm generally speaking. There will be infrared security cameras on the property.

They did ask me what the feasibility of maybe putting some sort of a structure here for self-storage would be. I'm sure the board has seen this with other self-storage applications. To do that we generally have a fairly narrow structure the topography on this site makes that kind of difficult to achieve, plus if you look at the minimum set back lines, there's not really a whole lot of space left for a self-storage structure.

Furthermore if we have a long narrow structure which we could fit we'd have to build an access road to get to that structure, the best use of an access road is to have buildings on both sides of it but because of the terrain we couldn't do that, so my advice to them was that it would be very costly to put a self-storage building on this property. That wasn't their main goal, their business is this. So we're just trying to get the Boards Feedback on it, and if there's no red flags then we'll go to work designing it and come back;

Chairman Serotta: Al, let's bring up your comments (*referring to Al Fusco's Review Letter*)

Al: I think he answered some of my questions. Is there any proposed structure in the future? Because in the last presentation they made, there was some mention of that, but you answered that. Regardless of that, I think there's going to be some need for some lighting and some landscaping. You answered about parking; you're not going to have many clients there at all. You have someone picking up and delivering.

Kirk: That is correct, I had asked Mr. Klein, "Can the Customers actually come to the property to take stuff in and out of their units, and the answer was? Yes, they can but last year they have 2 people come over the course of the entire year. It's really not intended to be open to customers.

Al: Some of these things are filled with people's goods? There are no hours of operations? It's just the trucks move this in the daytime?

Kirk: 8am – 6pm.

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Al: Maybe you can put that on the plan. Show an area of disturbance. If you're over an acre that you have to do some sort of SWP. You can give us that. You're not putting in sanitary facilities, because you don't have any employees.

Kirk: That's correct.

Al: Drainage, grading, we'll need it certified. That's about it.

Kirk: We're on a County Road so County DPW

Chairman Serotta: Right, so it's going to have to go to County Planning too.

Al: You'll need a 239 as well.

Kirk: I'm sure they going to be interested what we're doing for drainage because it's going to be discharging on a County Road.

Chairman Serotta: I took a ride by today and it looks like you have the site distance. You're going to have to show us that 40 miles per hour.

Kirk: If you go further north we're limited but on the South Side, I think we're safe.

Chairman Serotta: Larry who isn't with us tonight, one of his comments that he was concerned with and this is something you're going to have to demonstrate to us. So one of the challenges (24:01) you're going to have to show us would be on the drainage end. A couple of things, it appears that we have a topo of 540 and you're going up to 560 in the upper corner, so there has to be a 20Ft cut. Is this going to be a level pad or does it matter?

Kirk: It would be close to level, we probably wouldn't want the slope of that pad to be more than 5%. We can carry some elevation through there but yes, we're creating a level pad at the top of the step. Realistically it would be more of a 10Ft. cut, 10Ft. fill.

Chairman Serotta: So is there a retaining wall up at the top, you're going to have to show us.

Kirk: We'll definitely give you a Grading plan.

Chairman Serotta: The other thing is you're going to have to be careful with your drainage up in there, because Frozen Ropes isn't going to want a Waterfall. Somehow you're going to have to show us how the water is not either going to water fall down onto Kings Highway or waterfall down onto his property. You probably don't have a lot of room for ponds or anything. You're going to have to spend a little time on that and show us.

Kirk: I'm not concerned about discharging water to Frozen Ropes. You can see from the topography a little bit, long that property line it rises. So we're definitely sending our water to Kings Highway.

We're going to have to show how we're mitigating a concentrated flow onto Kings Highway. I'm sure that the County is going to want to see our drainage study. We do have the area where we can do some storm water management. We've looked at very early grading and if the county wants us to come off their road a -2% then we can get up this slope here at 10% or even less, because we know we're dealing with truck traffic. We will grade as flat as we can in this area. The grading is not as severe as you might

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think. Before I got involved, they did do soil tests/boring, and up at the top here they've got rock that I believe is about 5Ft., and down in this are they got to 8FT. They used an excavator.

Chairman Serotta: What color pods do you use?

Judy: They're white and purple.

Chairman Serotta: So, we're a board that we do like to have some landscaping. It could be even to hide everything and a bunch of evergreens in there. We would like it to at least look the least intrusive as we can. If you could give us some landscaping plan, we'll take a look at it.

Kirk: We'll address that but we're almost 100Ft back from Kings Highway and this is all wooded.

Chairman Serotta: So then you can show us that and if you're not cutting any trees down, that might be good enough. I don't know.

Chairman Serotta: There's a new lighting plan that was passed, so you'll need to make sure you address that. It's Section 69. It has its own chapter.

Kirk: Is it on eCode yet.

Chairman Serotta: Yes, it is.

Dave: Don, are we satisfied with the Uses Permitted?

Chairman Serotta: You're positive it's in a GC Zone?

Kirk: Yes.

Chairman Serotta: Referring to Code Book §98-18, §98-29.

Dave: So there's going to be 40 cans there. Do they go off and on site, periodically?

Kirk: Yes

Dave: So, if I was moving and I needed the storage I can bring my unit there with my personal property in it, and it would stay there?

Kirk: Yes, that's correct. So you would contact them, they would bring a can, storage container to your house on their truck and you'd fill it with your belongings and they would come and pick it up and bring it to this property, and park it there until you need it back.

Dave: Is there some limitation on the items that can be in there?

Kirk: Yes

Dave: So in other words you don't have chemicals, flammables, in there?

Judy: Yes, nothing chemical, nothing flammable, nothing explosive. We have that all in our lease.

Al: Can you also leave them on site, if the people want?

Judy: Yes.

Jackie: Are you planning on fencing it.

Dave: So you have some security measures?

Al: Are you going to have a sign?

Kirk: We didn't talk about it.

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Kirk: Judy, are you going to have a sign at the entrance?

Kirk: They'll definitely be a gate at the entrance.

Chairman Serotta: Well you're allowed a sign.

Judy: Maybe, maybe not.

Kirk: Because it's not really a public thing.....

Dave: So it's different from your traditional self-storage but it is a self-storage facility, because my stuff can be onsite there and with permission I can go get it. Right?

Judy: Right.

Dave: So it sounds like it's a permitted use. Kirk you may want to take a look at those special requirements to make sure they either apply or can be satisfied.

John: The pods are how high?

Judy: They are 8Ft high.

Chairman Serotta: We'll poll down the board here real quick, but do you feel that this applies to a self-storage that it meets the zoning. Justin?

Justin: Yeah, I think so. I think it's absolutely a self-storage.

Chairman Serotta: John?

John: It looks fine from everything I can see so far.

Chairman Serotta: They're going to have to do a Site Plan but the main thing is that it looks like self-storage. I agree. It's a modern self-storage. It's different. I don't think I see anything in here that would reject them from doing that.

Jackie: It looks as though it meets the criteria for self-storage.

Mark: How high do you stack these?

Judy: Just one level. They are 8 x 8 x 16.

Chairman Serotta: Again, when we get a little bit more in to the site plan, we'll take a look at the aesthetics, and possible landscaping and other things like that, at that point and time.

Kirk: If you can go to iCanstorage.com, you can see what these units look like. There are pictures on the website.

Al: One other item, I didn't get a copy of the SEAF. The Environmental Assessment Form. I didn't look it up in the DEC Mapper, so if you need anything from Endangered Species or SHPO, you'll need to follow up on that.

Kirk: I don't think we did a short EAF.

Board is viewing a video on how iCan pods are dropped off for iCan leasees to use.

Chairman Serotta: What are they going to sit on, the floor, dirt, and some kind of material?

Kirk: It would definitely be gravel.

Chairman Serotta: Mark what do you think? Are you ok with them to proceed ahead?

Mark: Absolutely.

Chairman Serotta: Jackie?

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Jackie: I think it would fit there. We'll address what goes on going forward.

Dave: How are these lifted onto a truck?

Board is viewing a video on how iCan pods are dropped off for iCan leasee's to us.

Kirk: There are to different systems. The second system is independent of the truck. It's a remote control. It's 50 ft., from can to can for the truck to be able to fit in. There's enough turn radius when you come into Kings Highway.

Mark: So you won't have to unload any of the trucks on Kings Highway?

Kirk: No. they drive right in and they drive to the top and there is enough space for them to maneuver.

Chairman Serotta: So, I guess we've heard from everybody. **You're going to have to engineer it, you'll have to show us landscaping,** and maybe a tree buffer might be enough. Maybe it's not. We'll have to look at the Drainage, typical Site Plan type of things. It's an agreement that it meets the zoning; it's a new type of self-storage. Sounds good. **Kirk will have to get everything engineered and then come in front of the board. You'll have to go through the County & the DPW.** We have to get these referrals back to us, we have no choice we can't approve you until we get something back from them.

Chairman Serotta: OK, so you can just get in touch with Melissa whenever you want to come back, and we'll welcome you back and start the process.
Thank you.

Meeting adjourned at 7:53 pm

Respectfully submitted,

Melissa Foote
Planning Board Secretary