

TOWN OF CHESTER
PLANNING BOARD MINUTES
September 2, 2020

ZOOM Meeting called to order: 7:00 pm

Members present: Chairman Serotta, Bob Conklin, Larry Dysinger, Jackie Elfers, Mark Roberson, and Dot Wierzbicki

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

Absent: Carl D'Antonio

Meeting minutes from June 3, 2020 were adopted

Chairman Serotta: Tonight we have a public hearing for the **OSTREICHER 1251 KINGS HWY** project; if you would like to speak just join in on the chat feature and it looks like we have a couple of people here already. Please remember to limit your time and what you have to say to allow for others to get the chance. So I'll turn it over to Mike now so he can tell us what he wants to do.

Mike Morgante: Thank you Chairman Serotta, so we can bring up the plans and grant me the host so we can share with everyone. I am the PE for this project; this property is on the southeast intersection of Bellevale & Kings Hwy. There is one dwelling with barns, there is a DEC wetland, the site also has gently sloping topography and everything drains into the DEC wetland. It's a proposed 3 lot subdivision; Lot 2 will be a warehouse of 40,000 SF +/-, Lot 3 will be an additional 40,000 SF building with access onto Bellevale Rd for loading docks. This is in the IP district and is permitted use, all lots meet zoning standards, parking will be provided for all warehouses, both buildings are served by individual septic's and drilled wells. Here you see the grading plan for Lot 2 off Kings Hwy; 2 small retaining walls in the back, storm water pond installed and all storm water from roof tops will go into this wet pond area and discharged through culvert pipe into rip rap outlet. Test pits have been conducted and all passed in accordance with septic design and will also be treated by storm water basin. We are 100 feet from the DEC area and when we receive the neg dec we can return to the DEC for final permitting. So that's the general layout and we have an extensive warehouse plan and comments from Karen Arent that will add even more landscaping. Actually the trees have been pushed further into the site and offer a really good tree line. Lot 3 has much more screening than originally planned; we have a SWPPP that was approved, we are providing extensive silt fence and soil stockpile areas will be more than adequate for what DEC requires. We also have renderings using earth tone colors to blend into the background and our extensive landscaping plans, so that concludes my presentation and I'll turn it back over to the board.

Chairman Serotta: Okay thank you, so whenever we do a planning board project we have to submit to Parks, Recreation & Historic Preservation which was done and we received a letter stating it was all clear. We also do an endangered species and wetlands

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study, there was a bog turtle habitat found there and no impact was found and no additional on fresh water wetlands. So Mike you need a permit right?

Mike Morgante: Yes, once we receive the neg dec we will get the DEC permitting

Chairman Serotta: Okay good. We get a second opinion on architect design from Karen Arent Landscape Designer and we need a final letter from her stating everything looks good. Also any project on a county road gets submitted to OCDP so the GML 239 was submitted and came back with notes about wetlands, storm water & shadow parking which we all like and the final determination was it was to be a local determination. We will also need a letter from OCDPW before we can give final approval. Al, do you have any comments on this?

Al Fusco: You actually answered all my comments; we need an escrow account for the SWPPP and you already mentioned the landscape architect so I don't see any reasons why this can't move forward.

Dot Wierzbicki: Are there any tenants yet?

Mike Morgante: No not yet

Bob Conklin: Are any fences or gates going to be incorporated?

Mike Morgante: Not right now

Bob Conklin: Will the existing barn have any improvements?

Mike Morgante: None that I know right now

Jackie Elfers: I think they should do something with that barn

Larry Dysinger: Pursuant to the OCDPW memo from 8/5/20 there were issues with the line of sight and the hedgerow may have to be removed and that has to be complied with the bay filter that needs to be maintained, so how will that happen?

Mike Morgante: All DEC SWPPP requires O&M to owner to maintain

Larry Dysinger: Okay so SWPPP will have maintenance included and one other thing I would like a turn lane there but that's up to OCDPW

Mark Roberson: Great job on the presentation but I feel you glossed over the first site with the house and the barn. Is that in the Chester Ridge Preservation?

Chairman Serotta: No it's not in the Chester Ridge Preservation

Mark Roberson: Okay and I also didn't see a light plan

Mike Morgante: Yes, it's in there on the plan, we have proposed poles and building mounted lights along the building. The foot candle lighting levels are listed and they are minimal. There is no light spill over beyond Lot 3 and the lighting is screened by extensive landscaping. I think we have taken good care to have the lighting to light up the building only and not cause light pollution to surrounding area.

Larry Dysinger: Do you have details on those lights?

Mike Morgante: Yes there is a lighting detail on the plan and they are all downward facing and no glare from any sides

Larry Dysinger: And the building lights are also facing downward?

Mike Morgante: Yes they are

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Chairman Serotta: I have a question, how many trucks are estimated for traffic?

Mike Morgante: Approximately 8 to 10 trucks a day so not a tremendous amount

Chairman Serotta: Okay and what about fencing? We might need a consideration for a standard fence to protect any children and I also support sprucing up that barn

Bob Conklin: Are they looking to use both levels of the barn?

Mike Morgante: No, there is no use at all

Chairman Serotta: So it's just the existing barn, okay

Larry Dysinger: That barn was used as agricultural in the past

Alexa: That barn used to repurpose old barn wood so it was used as commercial, they are gone now and it's been vacant

Mike Morgante: It's just an accessory use and is probably best to put a note on the plan to state that. If they do renovate it then they may want to use it for business purposes

Alexa: Do we have anything about the landscape? Will this be in perpetuity?

Chairman Serotta: Good question Alexa, if it is for screening then it will be, so we'll have to put make sure that's on the plan

Mike Morgante: They are mostly trees so it will be a thick screen and they will only get bigger

Chairman Serotta: Okay good, so I'm going to unmute and open the public hearing. Let the records reflect all notices were published & mailing done. So this is not a question and answer forum, this is just for comments; Mike Morgante is available to answer. We did receive a letter today and we'll get to that so **public hearing is officially open.**

We received a hand written note from a resident at 1207 Kings Highway who is concerned about the water source and emissions from vehicles on Ridge Rd. They are requesting the site can be denied to upkeep the integrity of the area.

Mike Morgante: The warehouse will not draw a lot of water; it's probably less than a 4 bedroom home would

Chairman Serotta: I did see some emails from Sugar Loaf people about signage and I did reach out to Eric at Orange County that we had the idea of about putting up a sign stating 18,000 lbs and local deliveries only but the DPW shut that right down. They do not put signs on the road at all, he committed to try and resurrect the talk in the future. The town wanted to take over the hamlet portion

Larry Dysinger: The bypass is 13A, they should swap it and maybe present

Chairman Serotta: Bob Valentine is in full support of doing this; if the town took it over they can put any signage they want

Linda G: (*public comment*) I would like to know the traffic pattern

Chairman Serotta: That was answered at this point & time but we will have more about it at the next meeting

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Linda G: *(public comment)* What are the operating hours of the trucking? Did you get my question?

Tracy Schuh: *(public comment)* My internet is unstable so I'm switching to phone

Chairman Serotta: Okay Tracy so you have the floor, I did receive your comments late in the day today

Tracy Schuh: *(public comment)* Yes, can you hear me? I apologize for the lengthy letter and I'm not against development but I have to keep in mind the environment and the natural beauty of the area we live in. I've reviewed the plans and I'm not sure about the dimensions, if there is any way to add to the architect details and renderings with colors so it doesn't look out of place, attention to detail makes a big difference. As far as the lighting detail, I drove past Suresky to see how theirs looked and they are very big and intrusive with bright lights so I would like to see more detail on that with this project to ensure we don't have the same problem. I appreciate all the landscaping and feel it definitely needs to be layered, I would also like your landscape consultant to be more involved and stay involved on the follow up. The stockpile area seems to be encroaching on the hedgerow; the hedgerow needs to be trimmed back for better visibility. Maybe the county can reduce the speed limit; I'm disappointed about the signage and the county comments, it seems to make sense to add signage. My concern is the wetlands and steep slopes, I thought wetlands were to be preserved if over 25%? Maybe the buildings can be a little bit smaller to leave more space for wetlands. And finally, I need to know the whole project is completed correctly from start to finish. Thank you for your time

Chairman Serotta: So Mike you have some homework to do but you did a nice job tonight presenting your project. Okay so at this point and time we need a motion to close the public hearing

Larry Dysinger: I'll make a motion to close the public hearing

Jackie Elfers: I'll 2nd

All in favor: Aye

Chairman Serotta: Public hearing is closed. Our next meeting will be Oct.7th and the Ostreicher project will be on that agenda.

So last on the agenda for tonight is **NMC3, LLC**

Dave Donovan: Mr. Chairman before we begin I'd like to state I have a conflict of interest on this matter due to this client also being my personal client for many years

Chairman Serotta: Okay we spoke about this and until we get to that point I think we are good. So this is a proposed 7 lot subdivision and the P.E is Jim Dillin and I'll let him take the floor now and explain what he wants to do

Jim Dillin: Thank you Mr. Chairman, if you could please bring up sheet 2 of the plan to review. This piece of property was recently purchased by NMC3, back in 1980 this road did not exist here and they asked permission to put it through their property. What we have is 72 acres in the AR3 zone which is a 3 acre residential zone. We are proposing 7

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lots; 3 on mountain side and 4 on the road. We have a Ridge Preservation Overlay district behind lots 5, 6 & 7 and all dwellings are being kept below that line. The back of the property is very mountainous, there is proposed 7 single family dwellings with individual septic systems. All driveway entrances will have to be approved by the town, we've done all test holes and were satisfactory so everything complies and on average they will be 10 acres lots.

Chairman Serotta: Okay thank you, I did a site visit with Jim and the owner was there too and it's a beautiful property, some of the lots will be encrusted in trees so it's minimal tree cutting and a good buffer from the road. So this does meet the threshold to get approval for all driveways and we need OCDP & OCDPW approvals. There's a residence on the Hamlet side of Kings Hwy and they need a buffer over there. All the other homes along Bellevale are in the woods and the Ridge Preservation has more restrictions about colors to mute and blend. There are 100 ft septic separations between wetlands and this area was designated on Town of Chester comprehensive plan.

Dot Wierzbicki: Any idea what size the houses will be?

Jim Dillin: Lot #6 will be the owner's house so it will be a larger size, the others will be determined by whoever buys the lots

Chairman Serotta: Dave do we typically set standards on the size of the homes?

Dave Donovan: No we do not

Chairman Serotta: Okay so does the board have any comments?

Bob Conklin: No comments at this time

Jackie Elfers: No comment

Mark Roberson: I would hate to see farmland lost but other than that I have no comment

Alexa: Does this need to go to the Dept. of Health?

Jim Dillin: No they are over 5 acres

Chairman Serotta: So I did talk to Jim and our conversation plan goal was to get to the top of Sugarloaf Mountain Rd but the Palmer family shot us down. My first thought was to ask the owners to give us a 50 ft strip and Jim said a 50 ft strip going up the steep incline wouldn't be good. We can't encourage people from trespassing on private property, so I know Bob Valentine was on board with this and their goal was to possibly purchase this and they've been talking to the state. And similar to the Chester Golf project open space purchased it with an agreement from the State of NY to add that to the Goose Pond Park and that's what happened. This would be the land trust goal also and they said they had talks with the State of NY and this would be part of Goose Pond Park. So Bob Courtenay originally brought it to my attention and this is all we've been trying to do to figure out how we can do this and support getting this done. Okay so any questions from anyone? Dot?

Dot Wierzbicki: No nothing

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Bob Conklin: The one thing I'd like to say about the Palmer property is it's a very sensitive environmental piece of property because it's the complete drainage basin that feeds down into where the town wells are across from Kings Hwy and probably into the aquaphor where the Village water is tied into so whatever could be done to preserve it would be extremely beneficial in my opinion

Chairman Serotta: Yes, mine too. This is was part of the comprehensive plan and I believe in it too. Jackie, do you have anything to comment on?

Jackie Elfers: I think that's a great idea and could infuse back into Sugar Loaf and bring back the meaning of where we are, aside from bringing in the industry, open space would be great.

Chairman Serotta: They said even if we couldn't get option 1 which is Goose Pond tied all the way across then option 2 would be; come visit Sugar Loaf and eat in our restaurants and then hike on our mountain

Jackie Elfers: Yes and I'm sure tourism would get behind that

Dot Wierzbicki: So would they do a revamp of Scotts Meadows?

Chairman Serotta: My suggestion would be just re do the whole place. The one thing that bothers me is every time we do a project in Sugar Loaf we make them cut trees and make parking lots so this could be a perfect spot to make a municipal parking lot and could really be a good thing.

Al Fusco: I applied for a grant one time to take Sugar Loaf and take Scotts Meadows and make that parking and upgrade the roadway through Sugar Loaf and move that forward, we made an application for over 5 million dollars. We weren't successful because it was a downtown revitalization but this coupled with what you're talking about could work out whenever the consolidation funding starts up again this year. It got bombed because of COVID so keep me on your email chain because it wouldn't take much to resurrect the plan and add this to it.

Chairman Serotta: Alright good. I'm hoping a team or committee is formed and we can move forward from there.

Larry Dysinger: I think it would be a good thing for the community to keep that property open space

Mark Roberson: I love the open space idea

Chairman Serotta: I see the owners are here and I'll allow them to speak if they want to so they can unmute

Jerry Gagliardi: Hi everyone I'm Jerry Gagliardi, I've been building for over 30 years. I plan on living there and my son also and hopefully a few more family members will get on those lots. We will be in control of building all the homes there and keep them in natural colors and developing the lots in a nice way. I have to be honest the warehouses have me a little concerned and we looking for peace and quiet but I understand

Chairman Serotta: Okay well we try our best to keep the peace and preserve the environment as much as we can. So Jim, do you have any other questions or comments

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for us? Do you want to be on the next meeting? The county and DPW require at least 30 days to respond

Jim Dillin: Yes I would like to be on the agenda for October 7th

Chairman Serotta: Ok well the agenda can change but it's best to get yourself on it now. So if no further questions or comments then we'll close the meeting. Thank you to everyone and have a good night

Meeting adjourned 8:35 pm

Respectfully submitted,

Julie Tiller
Planning Board Secretary