

**TOWN OF CHESTER
PLANNING BOARD MINUTES
April 1, 2015**

Minutes of the April 1, 2015 Planning Board Meeting

Members present: Donald Serotta, Chairman, Robert Conklin, Ernie Damiani, Stephen Denes and Carl D'Antonio.

Also present: Dave Donovan, Town Attorney, Scott Buchholz, Fusco Engineering and Al Fusco, Engineer who arrived at 8:07 p.m.

The meeting was called to order at 7:05 p.m.

Chairman Serotta gave an update to the Board regarding the delay in obtaining minutes. By the next meeting, April 15th, 2015 the Board will have all outstanding minutes to review and adopt.

Chairman Serotta reminded the Board that there is a public hearing for Primo Sports on April 15, 2015. Following the public hearing there are two work sessions on the agenda.

Chairman Serotta informed the Board that all members need to keep up with continuing education requirements. In the fall courses will be available to Board members. Four hours of training are required annually.

CHESTERDALE ESTATES – Six-month extension to preliminary approval.

Chairman Serotta sent out a letter from Kirk Rother. The well testing has been done and the project is in front of the Health Department. They are asking for a six-month extension to preliminary approval.

A motion to grant a six-month extension to preliminary approval made by Bob Conklin, seconded by Steven Denes. The motion passed with a 5-0 vote.

GUANERI – Continuation of a Work Session.

Two-lot subdivision of 18 Natures Trail. The applicant is represented by Jim Clearwater from MJS Engineering.

At the applicants' last work session they presented a map for a two-lot subdivision. The Board at that session had similar concerns to when another applicant, Hamling, came in. The Planning Board attorney Dave Donovan, requested deeds and maintenance agreements in which the applicants did supply. Scott Buchholz of Fusco Engineering did do a preliminary review of the proposed plans.

Jim Clearwater stated the map has not been revised since the last board meeting. He did supply Mr. Donovan with deeds that showed the existing maintenance agreement that has been in place for nearly 30 years. One of the questions at the last meeting was

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whether one additional lot on this road would over burden the road itself. Mr. Clearwater stated that he asked Bernie Kalus of WSP Sells whose expertise is in traffic about that fact. Mr. Clearwater distributed to the Board a letter written by Mr. Kalus. Mr. Kalus' opinion was that one additional lot would not over burden the road.

Mr. Donovan stated that Mr. Clearwater did present him with a road maintenance agreement with a provision in it that allows the applicants to traverse Natures Trail to get out to Gibson Hill Road. He didn't find anything in the agreement that explicitly limits additional houses or lots on Natures Trail. Mr. Donovan would have Al Fusco look at the Kalus letter.

Mr. Donovan states that §280A of the Town law requires that lots need to have frontage on a town road. The residence has an insufficient side yard lot line. Some municipalities have an internal regulation in that when there is a pre-existing nonconforming condition, that condition is allowed to continue unless there is a request to make a modification to the lot, as in this case, a subdivision. Mr. Donovan stated in two other places he works they would indicate that the pre-existing nonconforming protection would be lost and they would also need a side yard variance.

Chairman Serotta stated that when he was chairman of the ZBA they would ask the question of whether or not the subdivision would increase the nonconformity. Mr. Donovan stated the question is whether or not the ZBA has to render a determination.

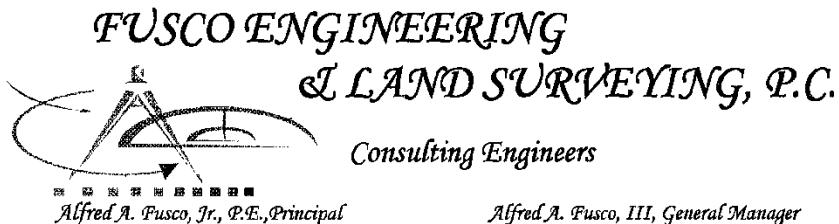
Mr. Donovan recommended that the Planning Board make the referral for a 280A variance and any other variances that may be required to the ZBA.

Mr. Donovan stated that looking at §98-9 regarding flag lots, the AR.3 does allow limited flag lots. It says that flag lots shall only be allowed in the AR.3 district on subdivided parcels and only two such lots shall be allowed per parcel to be subdivided. Any lot in excess of five (5) acres should carry a deed restriction prohibiting further subdivision of flag lots on that lot.

Mr. Donovan stated that he was a little unclear on what an unsubdivided parcel means. He raised the issue as to whether or not the applicants would need an interpretation on that issue as to whether it just impacts their lot or other lots on Natures Trail. Chairman Serotta stated that the intention was to limit the number of flag lots and that once they created a subdivision then they could not go any further from that.

Al Fusco submitted the following letter:

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- 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 13, 2015

Don Serotta, Chairman
Town of Chester Planning Board
1786 Kings Highway
Chester, NY, 10918

Re: Sketch Subdivision Plan, Guarneri Subdivision
Natures Trail (private road)

Dear Mr. Serotta and Planning Board Members,

We have reviewed the file offer the following:

Project: Guarneri Subdivision
Zone: AR-.3 District
Acres: 7 acres
SBL: 18-1-25

Project Description: This project is a sketch plan of subdividing a 7 acre parcel with an existing dwelling into two (2) new residential lots. The existing residence is located near the westerly portion of the property this parcel would be known as Lot 2, the "new lot" would be Lot 1 this lot is a flag lot.

The following items are listed to assist the applicant in completing your submission to the Planning Board. Please note that this is only a guide, as the plan progresses other items may be listed in future meetings. If you need further assistance please contact this office.

Comments: We have reviewed the site plan and offer the following comments for planning board review.

1. The AR-3 district requires that a parcel to be subdivided is to be located on a public road.
2. No permit or erection of any building shall be issued unless a street or highway giving access to said property is located on an existing state, county or town highway and appears on the Official Map of the Town per subdivision code 83-14.
3. It would appear that the Natures Trail is currently a private road and for the subdivision for the Planning Board to proceed the road would have to meet town specification for a Town Road and this road would

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then have to be adopted by the Town. Another option would be 280A variance by the ZBA, if the Planning Board Attorney concurs.

4. Provide a list of adjoiners that have a right to use the private road.
5. Identify dimensions and condition of roadway.
6. The applicant should discuss emergency access.
7. It appears that the dwelling on Lot 1 is not an existing dwelling, this should be relabeled as a proposed dwelling if the subdivision proceeds any further.
8. For the subdivision to proceed it appears that the parcel would require variances from the Zoning Board of Appeals.

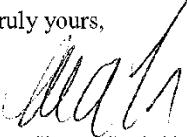
This concludes our review at this time.

Action:

1. Pleasure of the Board.

Please advise if you have any questions.

Very truly yours,


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

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Scott Buchholz of Fusco Engineering read the comments in the letter. He then asked Jim Clearwater about the sight distance out on Gibson Hill Road. Mr. Clearwater commented that the sight distance probably was not at code presently and that shrubs planted by Mrs. Lawrence were contributory to the bad sight distance. Mr. Clearwater believed the shrubs were on the County right-of-way and theoretically could be removed. The speed limit on the road is 45.

Mr. Donovan stated that one of the critical issues from the ZBA is whether or not emergency services can get up Natures Trail to provide service to the new lot. He was not certain whether sight distance would enter into it. If the variance was granted by the ZBA the sight distance issue would come back in front of the Planning Board. The issue then may have to go to the OCDPW as a County referral.

Chairman Serotta stated that he felt the applicant was not increasing the nonconformity on the property in the side yard. Mr. Donovan stated in the referral the Board could indicate a variance from the side yard if required.

The Chairman states his two big concerns on the proposed project. One is Hamling and the use of Natures Trail. He stated the differences between the two projects. Dave Donovan stated at a minimum this project now needs a 280A variance. Bob Conklin inquired if the Board could limit the number of bedrooms on the proposed house. The applicant stated that they intended to build a single-family, three-bedroom home. Dave Donovan was unsure if the Board had the authority to do that but would check.

Barry Sloan commented that he believes the Board is setting a precedent by adding a flag lot to an existing private road. He doesn't like it, but agreed to send it to the ZBA.

Chairman Serotta asked the Board to make a motion for a 280A variance and to interpret whether or not this project would increase the nonconformity and/or to give a variance to allow that piece to sit out of the setback. Motion made by Barry Sloan, seconded by Steve Denes. Motion passed with a 5-0 vote.

BAZS BELLVALE ROAD – Site Plan

Appearing before the Board representing the applicants is Jim Dillin. He stated the last time the applicants were before the Board was for the public hearing and there are still items they are working on.

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One of the concerns was the applicant, Brian Leendtjes was involved in a 1031 exchange where he sold other property that is the financing of this project and has to spend some money by a certain date. They got a Notice of Incomplete Application from the DEC in the beginning of February because of concerns about bog turtles. There could be a bog turtle on the site. The original developer had a Phase I study and it indicated that there could possibly be a bog turtle there and the DEC had a report that somebody may have found a bog turtle on Bellvale Road. The applicant has applied for a 100-foot buffer permit from the wetland lines.

Mr. Dillin stated there are two options. One is to assume there is presence of the bog turtle and redesign the project. Option two is to perform a Phase II which is to study and see if the turtle is there in the upcoming months.

The applicant is going to perform a Phase II and look for the turtle. Brian Leendtjes stated that the DEC was going to be performing a Phase I tomorrow to see if the bog turtle habitat still exists and then they will make a determination at that point whether they have to move forward with a Phase II. Jim Dillin clarified the DEC is redoing a Phase I and then they will do that study.

Mr. Dillin and Mr. Leendtjes went to a meeting in New Paltz with the DEC. Those present were Scott Ballard, the Deputy Regional Permit Administrator for the DEC, Doug Gaugler who is the conservation biologist for Region 3 and Lisa Masi who is an endangered species biologist. Everybody who would give the project a permit was at that meeting. The applicant asked if they could start working on the frame of the building and rehabilitate it under the present conditions. They said they could not issue a permit but the consensus of all three was that the building was there before the regulations and they won't say anything if they start working on the building within the limits of the framework. The applicant would have to put a 25-foot perimeter around the building with some signage stating that this was New York State Wetlands so all the workers on the project would not get close to where the turtles could be. The DEC did not want the applicant to do any digging on the site.

Dave Donovan questioned where the project was in terms of approval. Chairman Serotta stated a public hearing was held but the Board didn't go any further from there because the project needs a lot of DEC approvals to go for the site plan. Mr. Donovan's concern is that the work would be done in accordance to an approved site plan, which the Board does not have.

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Jim Dillin stated the building structure in itself is under the Building Inspector for the building permit. The site plan doesn't show anything different. The building gets built right where it is. The foundation is in and the steel is up. The only thing different that may occur is if the turtle is there they would have to do something different with the storm water management. If there is no turtle, Mr. Dillin stated that the DEC felt that the existing plan was adequate.

Chairman Serotta asked what did the applicant then need from the Board. Jim Dillin stated that they would have to go to Joe McIcoach the Building Inspector, and give him building plans to show what they were doing in order to work on the building.

Mr. Donovan questioned whether the building inspector could issue a new building permit being that there is not an approved site plan. Chairman Serotta stated there was a site plan in 1986. Mr. Donovan also stated the applicant would be wise to get something from the DEC stating that it was okay for them to work on the building. Jim Dillin stated that the DEC assured them if they just worked on the building it would not be a problem because it existed before the DEC encumbered it with their wetlands and buffer.

Chairman Serotta stated that the Planning Board was not an enforcement board, but an approval board, so he was unsure of what the Board was approving. Mr. Donovan stated he didn't think there was anything for this Board to do. Bob Conklin asked whether the most recent building permit issued in 1986 was renewable. The Board discussed that it was for Joe McIcoach to decide. Dave Donovan stated to the applicant they should get squared away with the Building Inspector and the DEC. Chairman Serotta wished the applicant luck and requested that if they could start cleaning up some of the debris and be a good neighbor it would be appreciated.

EAGLE CREST MAJOR SUBDIVISION – Road B Connection

Kirk Rother appeared before the Board on behalf of the applicant. Mr. Rother stated that at the end of the cul-de-sac on Eagle Crest, Road B, they had left a 50-foot strip to adjacent land which was also part of the Lewis Estate with that land lying in the Town of Warwick. At the time that Eagle Crest was initially proposed and received preliminary approval from the Planning Board, the policy was in place that cluster developments had to be approved by the Town Board. The applicant went to the Town Board at the time to discuss this 50-foot strip and the Board had suggested that they take it off which the applicant did. Three years later the applicant is back before the Planning Board for final approval and everyone agreed it would make sense to leave the 50-foot strip there

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so there would be lesser impacts to wetlands if and when the Warwick parcel got developed. The applicant went back to the Town Board and they agreed and the 50-foot strip got put back.

On the Eagle Crest file the 50-foot strip is part of the larger road network to be gifted to the Town to be used as a public street. At the end of the cul-de-sac there is no property line. The roadway just keeps going into Warwick. An Offer of Dedication offering roads to the Town was submitted at the time the Eagle Crest map was filed and that Offer of Dedication had a Schedule A that described what was being offered and the 50-foot strip is included in it.

Today Eagle Crest has a proposed plan of development for the land in the Town of Warwick. It's about 17 acres of land, four-acre zoning. The applicant is looking to put three lots on it. Now that the project is before the Warwick Board, the mechanics of how this going to work has now brought the applicant back before the Town of Chester Planning Board.

The applicant has realized that there are two proposed private lots and this is now being proposed as a private, shared driveway. The applicant doesn't think it makes sense that this 50-foot strip that the common driveway would be on be part of the land that the Town is going to own as part of the street infrastructure.

Mr. Rother stated he is here tonight before the Board to amend the Eagle Crest filed map to take this 50-foot strip off of the larger road network and make it private property. That would be comprised of two 25-foot strips each to be tied to one of the prospective lots in the Town of Warwick. Mr. Rother asked the question of how that would work with regard to taxes and he was told by the tax map department that the assessor for the Town of Warwick would collect the assessment for those two strips and then repay it back to the Town of Chester. The cul-de-sac is in place and the curbs have been built. The actual ownership of that 50-foot strip as shown on the current filed map for Eagle Crest shows that as being part of the Town's future road network.

Dave Donovan asked in terms of the current filed map, he sees a resolution for Section 1 and asked what is filed now. Mr. Rother said Section 2 and 3 were combined to the second section and that is filed. All those lots are created. Mr. Rother stated that when the map was filed the Offer of Dedication was provided to the Town but the Town has not taken it. The Town is not maintaining it.

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Dave Donovan asked what would be filed with the County Clerk. Mr. Rother stated just the subdivision plat, one sheet. He would refile the Section 2/3 plat to just show this strip as being removed from the rest of the roadway. It was stated what was needed was an amended dedication with a new schedule.

Mr. Donovan asked if the Board needs to do anything with SEQR and does the Board need to have another public hearing. From his point of view if Al Fusco and the Board are happy then just a brief amended approval is fine.

Al Fusco joined the meeting at 8:07 p.m. He submitted the following letter:

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- 233 East Main Street
Middletown, NY 10940
Phone: (845) 344-5863
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Port Jervis, NY 12771
Phone: (845) 956-5866

March 26, 2015

Donald Serotta, Planning Board Chairman
Town of Chester
1786 Kings Highway
Chester, NY, 10918

Re: Eagle Crest

Dear Chairman Serotta,

PROJECT:

Name: Eagle Crest of Warwick
Acreage: 17.02 Acres
SBL: 23-1-11.2
Request: Driveway Connection
Material Reviewed: Plan from Kirk Rother, P.E., dated 3/24/15

We have reviewed the driveway connection plan for the Eagle Crest of Warwick project prepared by Kirk Rother, P.E. entitled "Driveway Connection Plan" dated March 24, 2015 and offer the following comments:

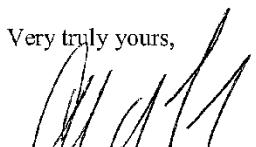
1. If the Board considers this for approval, the subdivision map needs to be amended.
2. We also suggest that new deeds of dedication be drawn for approval by the Town Attorney.
3. The plat should include a note that these driveways are for only two (2) single family homes and no further use can be obtained in the future.
4. Drainage considerations also need to be addressed. The SWPPP may need to be altered.
5. A profile and cross section should be provided.
6. Board Comments.

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Action:
Pleasure of the Board

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: Planning Board Attorney
Town Attorney
Supervisor
Highway Superintendent
Town Clerk
Building Inspector

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Kirk Rother responded to Al Fusco's letter. As for the future use of the land, because it's a cluster subdivision in Warwick three lots is it. The rest is going to be preserved as open space. Storm water management will be very easily accomplished because the driveway runs immediately adjacent to the storm water management pump and a profile and cross section will be provided.

Chairman Serotta asked that the developer preserve some kind of a buffer along Lot 2. Dave Donovan asked how the project is coming along in Warwick. Mr. Rother stated they had submitted a sketch plan and a site visit had been completed. Dave Donovan stated that the applicant would have to comply with Al Fusco's comments and he would prepare a resolution for next month for the May 6th meeting.

WARWICK RIDGE MAJOR SUBDIVISION – Ridge Road

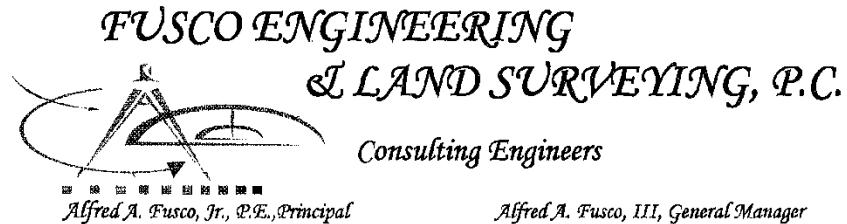
The Board gave Conditional Final Approval to a project called Warwick Ridge off of Ridge Road. It's a major subdivision. The Conditional Final Approval was for 15 lots and the applicant now wants to phase the project.

Kirk Rother appeared before the Board on behalf of the applicant. He explained the project consists of 15 lots on approximately 30 acres of land on Ridge Road. The map has not been filed yet. All of the improvements with regard to the road have been built with the exception of asphalt. The storm water management pond is in. The roads are in as well as the drainage. The applicant is now ready to sell lots and rather than file the map as one plat and get 15 tax bills, they would like to file it in two sections. Section 1 is comprised of 8 lots which would create a T turn around that naturally occurs given the shape of the road and then the applicant will come back at a later date and seek to file Section 2. The applicant is seeking the Board's approval to phase the plan and will submit amended plans to the Board of Health and then have them sign off on it.

Dave Donovan stated that the Code does allow for phasing. The Board would need an amended approval. The lots that are conditionally approved that are going to be in Section 2 would end up dropping back to Preliminary and that would be good for three years. Al Fusco's office would have to look at the phasing plan to make sure that Phase 1 stands on its own if Phase 2 is never built.

Al Fusco submitted the following letter:

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- 233 East Main Street
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- 19 Waywayup Lane
Port Jervis, NY 12771
Phone: (845) 956-5866

March 26, 2015

Donald Serotta, Planning Board Chairman
Town of Chester
1786 Kings Highway
Chester, NY, 10918

Re: Warwick Ridge

Dear Chairman Serotta,

PROJECT:

Name: Warwick Ridge Subdivision
Acreage: 30.0 Acres
SBI.: 17-1-107.2
Request: Phase I – Subdivision
Material Reviewed: Plan from Kirk Rother, P.E., dated Revised 3/24/15

We have reviewed the Subdivision Plan for the Warwick Ridge Subdivision prepared by Kirk Rother, P.E. entitled "Warwick Ridge" dated March 24, 2015 and offer the following comments:

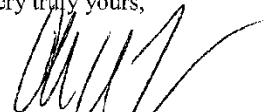
1. We should review the SEQR approval as it relates to phasing.
2. Access of the road in Phase II needs to be maintained.
3. Consideration is to be given to drainage district.
4. Board Comments.

Action:
Pleasure of the Board

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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: Planning Board Attorney
Town Attorney
Supervisor
Highway Superintendent
Town Clerk
Building Inspector

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Al Fusco stated he was concerned about emergency services and he would like to see two accesses and would like to see that the second road is maintained at least as an emergency access. Mr. Fusco would also recommend the applicant apply binder because the road was soggy for some time.

Dave Donovan stated that if the Board allows one phase it has to go under the assumption that Phase 2 may never get built. Kirk Rother stated that the roads are all built. The entire loop is built except for blacktop, curbs and everything. Mr. Donovan asked if it's just a matter of paying taxes which Mr. Rother confirmed.

Chairman Serotta stated the Board had to go under the assumption that Phase 2 might never get built and if that's the assumption the Highway Superintendent Anthony LaSpina would object to the T turn around. It was asked what the length of the dead end cul-de-sac is. Mr. Rother stated temporary is 12 times lot width and permanent is 6. Lot width is 150 so the applicant is allowed a 900-foot permanent cul-de-sac or a 1200-foot temporary.

Chairman Serotta stated his concern that approving the phase the way it is would go directly against the Highway Superintendent's wishes. Al Fusco agreed. Dave Donovan asked Kirk Rother why he was before the Board and not Ross Winglovitz. Mr. Rother stated he created the map and has to file the map. Mr. Fusco said one the issues of phasing may also require the applicant to revisit SEQR.

Ernie Damiani asked if it would make sense to dedicate the whole loop now and just not develop the houses until Phase 2. Dave Donovan stated that if money were no object that would be the right thing to do. Bob Conklin agreed. It's one continuous road with two accesses and there is still only one tax lot. Al Fusco stated that if the applicant were only worried about the taxes, they should have Phase 1 include the road. Chairman Serotta agreed stating he cannot in good conscience go against the Highway Superintendent.

Chairman Serotta said the Board did not have a problem with the phasing. The problem is with the temporary T and feels that the whole road needs to be built. Kirk Rother stated he would relay that back to the developer. The Board would like to see the entire road dedicated.

Kirk Rother stated that he was clear on Option 1 which is to include the entire road in Phase 1. He asked if Option 2 is to provide a means for a cul-de-sac instead of the T turn around. Chairman Serotta stated that even if the developer does not pave the road,

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Al Fusco wants maintenance on the road because he is worried about emergency vehicles. Al Fusco stated make the road part of Phase 1, period.

Kirk Rother stated he would come back at a later time with some kind of a proposal.

CAMP MONROE MINOR SUBDIVISION – Camp Monroe/Trout Brook/Lakes Road

Joe Scarmato, an attorney appeared before the Board representing Camp Monroe. They are interested in doing a simple subdivision and are asking for some direction from the Planning Board on how to proceed.

Mr. Scarmato explained to the Board that this subdivision was accelerated by the client's interest in phasing out of the camp business and the opportunity to put the camp into the right hands so it could continue as a functioning camp and thrive thereafter. At some point the client came upon gentlemen who were really interested in maintaining and improving the camp and they wanted to move quickly on it. Having not thought about the possibility of subdividing and knowing that in conveying only the camp area for their purposes, they closed on the camp property and sold the camp to these individuals, the client reserved in the deed the right to subdivide the property and retain Lot 3 and Lot 1. Lot 2 is ultimately going to remain in the hands of the camp. The bulk of the property has been conveyed and it is the client's responsibility under the contract to proceed with an application for subdivision to excise the camp from the other parcels. It wasn't the client's intention to move ahead with this so soon, but because he had the opportunity and the right people approached him to make that conveyance possible to a group that he knows will preserve the character of the camp and improve the camp, he felt it necessary to move forward on it.

At this point the client is here to ask that he be able to excise the two parcels from the actual camp property so that he can complete his transaction with the purchasers of the camp. The applicant has their permission to come before the Planning Board and represent them. Mr. Scarmato can provide the Board with all the closing documents and the deed wherein they authorize him to move on their behalf and they will sign the ultimate application for the subdivision. The client has the right to various easements across their property for the benefit of Lot 3 and Lot 1 to the extent necessary in the future. It's a friendly transaction and the client wants to begin the process by subdividing the property so that they can conclude their transaction with the buyers.

David Higgins from Lanc and Tully Engineering and Surveying appeared before the Board. He prepared a color version of the subdivision map. Lot 2 is designated for the camp and is 99 acres total. Lot 1 is 27 acres. Lot 3 is 30 acres. Mr. Higgins said at this

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point they are not proposing any new structures. It is just to split the parcels up for purposes of conveyance.

Chairman Serotta stated this would be considered a simple subdivision. A public hearing would have to be held. The project borders on the Town of Monroe so it will trigger §239-nn. Both the Town of Monroe and the County will have to be notified.

Chairman Serotta also made mention that this subdivision has been in front of the Board for years and over the course of the years a lot of things have popped up. One is the Town's Comprehensive Plan's goal was to tie the Appalachian Trail over into the Highlands Trail. A phone call was made to the NYNJ Trail Conference and two representatives are in attendance tonight. A second issue was if one of the lots were to be developed at a later date, water would be an issue and the Town of Chester's Head of the Water Department is also in attendance as well. The Town Code has in it that if eventually a development were to start supplying water it would have to be offered for dedication to the Town of Chester.

Bill Keller of the Water Department stated that the Town does not support any privately operated systems. So the end result is it would have to be built to the Town's standards and then turned over to the Town. Chairman Serotta stated that any time new parcels are created in the Town the applicant would be responsible to pay a \$2000 park land fee.

Al Fusco asked Mr. Higgins what were the intentions with Lot 3. Dave Donovan asked if there was access. Al Fusco asked if it was deeded access or easement access. Mr. Higgins stated it was an easement over two portions of Lot 2 to get to Lot 3 for access and utilities. Lot 3 also has an easement across the Con Edison Gas and Electric property to another property that does have frontage. Within the conveyance documents it states they have the right to access whether it is to build a lot through Lot 2 for access or some other type of access. Al Fusco asked if they could build a deeded road or just a right of way. Mr. Higgins stated his understanding was they can get the right to an access road. It doesn't say within the document whether they can get a deeded access road that they could form a tax lot and take possession of.

Dave Donovan stated the Board doesn't want to do anything that is going to create a land-locked parcel. Mr. Higgins stated they reserved that right in the deed to have access. Mr. Donovan stated that just for the Board to evaluate, they need to know where they could potentially get access to a Town road and make sure that is sufficient.

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Al Fusco stated that if the applicant had that other parcel that is adjacent to a Town road, then show it on the map. Chairman Serotta said there is no other parcel. Chairman Serotta stated they have access to McGinnisberg Mountain Road.

Al Fusco asked Mr. Higgins what the intentions were with future build out. Mr. Higgins responded that they don't have a set plan at this point. The client is evaluating this estate. He's not sure if he's going to develop it or sell it. The application was only prompted by the fact that he had a very good offer to keep the camp intact and because of his dedication to the camp and the community, he saw this as an opportunity to move forward now. Mr. Higgins stated it was unorthodox for the client to convey out the entire piece of property in deed, but they had not yet had it subdivided and legally that was the only way they could do it. Chairman Serotta stated the applicant must demonstrate they are not creating a land-locked lot.

Robert Ross, a volunteer with the NYNJ Trail Conference was invited to speak. He stated that his organization faced a few challenges for the Highlands Trail and the Appalachians Trail. The goal is to carry the Highland Trail north and northwest but there is a parcel that would block this. OSI owns it and several other parcels. Robert Ross stated that if they could get through Camp Monroe they could get through city streets to get up to Goose Pond. He stated that if he could make a deal with Con Edison who owns part of that parcel he is still blocked by a bowtie parcel. That would make the right to having public trails through the western-most parcel very important to the Conference. Mr. Ross asked if the Board could give him an introduction to Orange and Rockland or Con Edison.

Chairman Serotta asked Camp Monroe that anything they could do to help, he would like to be part of the discussion. It's outlined in the Town's Comprehensive Plan. He would like to see an easement discussed. He mentioned Bill Keller of the Water Department is interested in the water and the applicant should think about that also.

Bob Conklin asked what the plan for Lot 2 was at this point. Stanley Felsinger said the Camp is sold to run with a new owner.

Al Fusco submitted the following letter and Scott Buchholz read the comments into the record:

TOWN OF CHESTER
PLANNING BOARD MINUTES
April 1, 2015



- 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 31, 2015

Don Serotta, Chairman
Town of Chester Planning Board
1786 Kings Highway
Chester, NY, 10918

Re: Btss Holdings & Omac Realty Associates
Trout Brook Road

Dear Mr. Serrotta and Planning Board Members,

We have reviewed the file offer the following:

Project: Btss Holdings & Omac Realty Associates Subdivision dated March 27, 2015
Zone: SR-2 & AR-3 Districts
Acres: 156.5 acres
SBL: Section 15, Block 1, Lot 27

Project Description: This project is a 3 lot subdivision of Camp Monroe located on Trout Brook Road.

The following items are listed to assist the applicant in completing your submission to the Planning Board. Please note that this is only a guide, as the plan progresses other items may be listed in future meetings. If you need further assistance please contact this office.

Comments: We have reviewed the subdivision plan and offer the following comments for planning board review.

1. The subdivision map should show all improvements to the property.
2. For a lot to be created in the AR-3 Zone the lot is required to have 250 of frontage on a Town Road, this lot appears to be landlocked.
3. The applicant should present the board with a overall sketch of potential subdivision.
4. As the subdivision progresses the mapping should show topography, steep slopes, wetlands, soils lines and types, existing wells, septic disposal systems, etc. they are required per subdivision regulations.

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5. The letter from Tim Miller Associates briefly touches upon that the property could be subdivided into a cluster subdivision preserving open space, this is a option and we would strongly urge that a yield plan is presented to the board prior to approval of this three lot subdivision so that this can be evaluated fully.

This concludes our review at this time.

Action:

1. Pleasure of the Board.

Please advise if you have any questions.

Very truly yours,



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

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Scott Buchholz made a comment to Dave Donovan that the property line crisscrosses the road of Trout Brook. He asked if the Town ever takes road dedications 25-feet from centerline. The road was stated as a town road by use only. Dave Donovan said yes, they would take 25-feet from centerline where they can. It would be a separate parcel to be conveyed out. Bob Conklin asked them to consider getting rid of the right-angle turns.

Barry Sloan asked who gets the dam. It was answered that it stays with the camp. Al Fusco stated this is why he asked that the applicant show all improvements.

Chairman Serotta stated that Camp Monroe should submit a \$1500 escrow payment and application with a fee also.

The meeting was adjourned at 9:25 p.m.

Respectfully submitted,

Tanya McPhee
Planning Board Secretary