

TOWN OF CHESTER  
PLANNING BOARD MINUTES  
April 15, 2015

**Minutes of the April 15, 2015 Planning Board Meeting**

Members present: Don Serotta, Chairman, Barry Sloan, Carl D'Antonio, Stephen Denes, Ernie Damiani, Robert Conklin, and Frank Gilbert (arriving at approximately 7:30 p.m.)

Also present: David Donovan, Planning Board Attorney and Al Fusco, Engineer.

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

Chairman Serotta stated that minutes went out for 12/17/15, 1/21/15, and 03/04/15. Steve Denes made a motion to adopt the minutes, seconded by Ernie Damiani. The motion passed 6-0. (Frank Gilbert not yet in attendance.)

Next, Chairman Serotta stated that the Town Board is going to hold a final public hearing on the Comprehensive Plan on April 22, 2015 at Town Hall.

**RIDGEVIEW ESTATES – 90 DAY EXTENSION**

First item on the agenda is Ridgeview Estates requesting a 90-day Extension of Final Approval. Bob Conklin made a motion to grant the extension, seconded by Carl Damiani. The motion passed 6-0. (Frank Gilbert not yet in attendance.)

**PRIMO SPORTS – PUBLIC HEARING**

Next item on the agenda is a public hearing for a sports park, Primo Sports, located on four different roads, Route 94, Tetz Road, Glenmere Road and Green Drive. The project is represented by Mark Fellenzer from Fellenzer Engineering. Present tonight are the applicants and many representatives.

Chairman Serotta explained the procedure for tonight's public hearing. First will be a presentation from the applicant to go over the whole project. When that is complete the Board may have a discussion about any questions or comments. At that point the Board will open the meeting for public hearing.

Mark Fellenzer spoke first for the project and stated that one of the owners, Luca Spensieri would introduce the project members and then he would present the technical aspects of the project.

Luca Spensieri introduced himself to the audience and the Board. Mr. Spensieri explained that Primo Sports has been around for seven and a half years in the Village of

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Florida in a place that they have now grown out of and that is why they are looking to expand. They were looking for a location where the indoor activities and outdoor fields would all be contained in the same area. Mr. Spensieri then introduced his partner from the very beginning, Jim Lagarde. Next he introduced Mark Fellenzer, Ryan Fellenzer and Amador Laput, all of Fellenzer Engineering, Don Rhuda a lighting expert, Phil Grealy of Maser Consulting, Dominic Cordisco, the applicant's attorney as well as attorney Gary Goldstein and finally landscape engineer, Stephen Esposito.

Mark Fellenzer started the presentation to explain the project to the Board and audience. Primo Sports is a 25.8 acre site which has obtained a variance in terms of the acreage on the site from the ZBA as well as an interpretation in terms of the use that it conforms to. Mr. Fellenzer showed the current site layout renderings on the projection. He showed where the building is located, three soccer fields, two baseball fields and multi-purpose areas that will be used for training and for baseball.

Mr. Fellenzer explained this is not the original plan as it was presented. It has been modified as all plans evolve over time with input from the community, Planning Board, engineers and the Town consultants. The applicants have listened to what these groups suggested and modified the plans. The building has been moved to the back of the site and the fields to the front to create more open green space visually when traveling around the site. This also places the major construction of the 62,000 square foot building and parking area as close to the industrial zoning as possible. The original drive was on Route 94 and moved now to Tetz Drive at the request of County Planning and after consultation with the State DOT, Highway Department Superintendent and engineers.

Mr. Fellenzer stated the applicants did septic system percolations on the site and it is completed. A full environmental form has been completed and submitted as well as a full storm water pollution prevention plan. The traffic study is in full and has been submitted to the Town Engineer and Board for review. There has been correspondence back and forth to NY DOT. The applicants and their landscape architects have also met with the Town's Landscape Architect Karen Arent. SEQR is underway and the Planning Board is the Lead Agency.

Mr. Fellenzer stated that two soccer fields and one ball field are proposed to be lighted. The access in and out of the site is lighted as well as the parking lot. He stated the poles are 70-foot high with LED lights. These lights will result in the least amount of glare and spill outside of the property and are mounted at that height for the best directionality.

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Mr. Fellenzer briefly discussed storm water management and how the change of the building location affected the use of the pond. He then introduced Don Rhuda of Musco Light Design to discuss the project lighting.

Mr. Rhuda stated they will be using LED lights on the project. He discussed that mounting height is critical in order to make the lighting effective. Effectiveness is keeping within the boundaries of what is trying to be lit. The taller the pole the more vertical the angle becomes for aiming. The more vertical the pole is, the more ability to contain the light within the desired area. The proposed poles are 70 feet in height in a matt-finish dark gray.

Next Mr. Fellenzer introduced Phil Grealy of Maser Engineering to talk about the entrance change and the DOT's comments on it. Phil Grealy stated he is a professional engineer who specializes in traffic and transportation. The traffic study was done using various information and data collected about the roadways serving the site, Route 94, Tetz Road, and Glenmere Road, identifying what current traffic volumes are, visual counts, machine counts and counts from New York State Department of Transportation. A study was done on prior use and what the proposed project's use will generate in terms of traffic volume. The basis for that are other studies of similar facilities from the Institute of Transportation Engineers. A project of this magnitude can generate in peak hours over 100 vehicles entering and 100 vehicles exiting in a one-hour period. The study looked at weekdays as well as weekend peak traffic conditions. The study looked at speeds and sight distances. New York State DOT was asked to review the document and they found that the document was acceptable. They sent a letter that outlined some recommendations. Access will be via Tetz Road.

New York State Department of Transportation letter dated April 14, 2015:

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Department of  
Transportation

ANDREW M. CUOMO  
Governor

JOAN McDONALD  
Commissioner

WILLIAM J. GORTON, P.E.  
Regional Director

April 14, 2015

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

RE: NYS DOT SEQR #15-0082  
PRIMO SPORTS COMPLEX  
ROUTE 29 (SH 1809)  
TOWN OF CHESTER, ORANGE CO.

Dear Mr. LaPut:

The Department of Transportation has received the Traffic Impact Evaluation documents prepared by Maser Consulting dated January 9, 2015. We've reviewed the report and find it acceptable.

We recommend that the radius from the proposed Tetz Rd. right turn lane to the site entrance be improved to allow a free flow movement as opposed to the complex movement shown. Either a larger radius or combination of a larger radius and island may be effective.

The site entrance driveway from Tetz Rd., as designed, allows for significant queue storage. No future obstructions should be introduced.

The proposed right turn lane shown on Tetz Rd. should not be extended to create a right turn lane on Route 94 as this would introduce conflict. The Tetz Rd. right turn lane and site entrance drive as shown will provide sufficient free flow movements to prevent backup to Route 94.

The sight distance measurements at the Route 94/Tetz Rd. intersection should be documented on the plan.

A highway work permit will not be required as no work is proposed within the State right-of-way.

Very truly yours,

Kimberley A. Henken  
Permit Engineer, Western Orange County

cc: A. LaPut, Fellenzer Engineering  
Michael Sassi, Regional Highway Work Permit Coordinator  
File

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Chairman Serotta stated that Karen Arent, the Board's landscape architect submitted a letter but that it would not be discussed tonight and then asked Steve Esposito, Primo Sports' landscape architect to consult with Ms. Arent.

Chairman Serotta then asked Al Fusco to speak about the following letter he submitted:

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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*

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April 14, 2015

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

Re: Primo Sports Complex  
Orange County, New York

Dear Chairman Serotta,

We have reviewed the project submittals and offer the following:

Project: Primo Sports Complex  
Zone: SR-1 (Suburban Residential)  
Classification: Annual Membership Club providing outdoor recreation  
Acreage: 25.8 Acres  
Variance: ZBA 50 acres to 25.8  
Material Reviewed: Preliminary Site Plan (Pages 1/16) Fellenzer Engineering LLP Revised 4/1/15  
SWPPP with date dated 4/1/15  
Engineer's Report dated 4/1/15  
Cover letter from Fellenzer Engineering dated 4/1/15  
Orange County Planning Dept. 239GML Review  
NYSDOT lead agency letter

Comments:

1. Include copy of variance on plan.
2. Stamped plans by surveyor and engineer.
3. Identify curbing off Tetz and in parking area; show radii and label sidewalks and show detail.
4. Show Knox box for emergency access.
5. Identify variable ROW.
6. Landscape plan approval by Town Landscape/Architecture Professional.

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7. Show end section for guide rail.
8. NYSDOT requests Traffic Impact Study (see enclosed correspondence).
9. Orange County Planning Dept. had comments regarding lighting; applicant to address concerns (i.e. plantings, on Route 94 – Engineer to look at shielding). We need light pole foundations shown.
10. Need SPEDES permits for stormwater and sanitary waste.
11. Need Orange County Dept. of Health water supply approval.
12. Commitment to be on plan for \$10,000 cash bond to be held in escrow until NYSDOT ROW work is done for turning lane into Tetz Road.
13. Escrow accounts to be set up for required inspections.
14. SWPPP monthly reports to Town Engineer for MS4 reporting.
15. Pave cul-de-sac for emergency entrance.
16. Board comments.

Action:

1. Public Hearing remain open or close
2. SEQRA review

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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Al Fusco stated he has worked very closely with the project engineers and has reviewed voluminous information several times as the project evolved. Mr. Fusco talked about the points in the letter with the project engineers.

Chairman Serotta stated under certain circumstances under NYS law called Municipal 239 an action has to be referred to the Orange County Planning Department for their review. Because the project sits along a state road it has to be reviewed. The following response was sent from Orange County Department of Planning:

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Steven M. Neuhaus  
County Executive

**Orange County Department of Planning**

124 Main Street  
Goshen, NY 10924-2124  
Tel: (845) 615-3840  
Fax: (845) 291-2533

**David E. Church, AICP  
Commissioner**

[www.orangecountygov.com/planning](http://www.orangecountygov.com/planning)  
[planning@orangecountygov.com](mailto:planning@orangecountygov.com)

**County Reply – Mandatory Review of Local Planning Action  
as per NYS General Municipal Law §239-l, m, & n**

**Local Referring Board:** Town of Chester Planning Board

**Applicant:** Luca Spenseri

**Project Name:** Primo Sports

**Proposed Action:** Site Plan for outdoor recreational facility

**Reason for County Review:** Within 500 feet of NYS Route 94

**Date of Full Statement:** March 11, 2015

**Referral ID #:** CHT 01-15M

**Tax Map #:** 6-1-85.2

**Local File #:** none provided

**Comments:**

The Department has received the above referenced site plan and has determined that the intended land use has the potential to cause inter-municipal and countywide impacts. Therefore, the following binding comments should be addressed and may not be acted contrary upon except by a majority plus one vote of the members of the Town of Chester Planning Board or by disapproving the action.

1. Light Pollution: The proposed lighting plan shows the location of the proposed light fixtures and gives their basic specifications. Bright stadium lighting along Route 94, in addition to posing a quality of life issue for neighboring property owners, has the potential to distract drivers on adjacent roadways. The proposed LED lighting, while shown in the product brochure to have limited impact on the surrounding properties, does still have the potential to be disruptive to neighboring property owners as well as traffic on Route 94 due to the proposed installation of the fixtures at 70 feet above grade.
  - a. The proposed landscaping should include a staggered double row of evergreen trees around the entire perimeter of the property, alone or in combination with a raised earthen berm. Planting in this way should be sufficient to reduce light pollution onto Route 94 and neighboring residential properties, as well as reduce noise. If the staggered double row of evergreens has been deemed a safety risk along Route 94, alternate planting arrangements could be considered that block light and noise, but allow for traffic visibility.
  - b. As an alternative, the floodlights can be lowered to be 35-45 feet above grade. 35 feet is the height of a two-story building, putting the lights generally out of the range where they pose a safety hazard for players and spectators and out of the range where they can be damaged by erratic play. If the lights are lowered to that range, the brightness and intensity can also be lowered, minimizing the impacts to the other fields onsite and surrounding properties.

See reverse side

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Additionally, this Department offers the following **advisory comments** for your consideration.

2. Stormwater Management: We continue to advise the Town that the high amount of impervious surfacing onsite may cause temporary ponding or flooding during a 100-year storm event, even though the project is not located in a floodplain. The proposed building, roads, parking and sports fields cover just over 50% of the project site and more than four acres of this is impervious surface.
  - a. Low Impact Development measures should be incorporated within the footprint of the existing development; for example, the proposed facility could have a green roof, and portions of the parking lot could be developed with permeable pavement, allowing more stormwater to infiltrate. Additionally, bioretention facilities could be developed onsite; for example, on the north end of the site between the baseball diamonds and Route 94.
3. Landscaping: The proposed landscaping plan for the project site is minimal and does not include a plant list. We advise the Town that the proposed site should include landscaping along Route 94, as a lighting and noise buffer between the project site and the surrounding properties. We suggest above that the staggered double row of evergreens should be continued along Route 94; alternate planting arrangements may also be considered as noise and light buffers. We further advise the Town that plantings along the perimeter of the parking lot can reduce the heat island effect and act as a windbreak, potentially reducing snow and ice accumulation in winter.
4. Noise Pollution: The proposed hours of operation do not extend beyond 11:00 p.m. We advise advise the Town to ensure that the noise emanating from the site during normal operations does not exceed the standards set by the Town noise ordinance.
5. Shared Parking Potential: The proposed project is located adjacent to the Tetz Industrial Park, which contains the new Coach USA bus facility. The applicant may wish to consider offering a portion of the parking lot in a shared parking arrangement during the week to Coach USA for use as a park-and-ride facility, since the bulk of activity associated with the project will take place on weekends. If the applicant and Coach USA are interested in this arrangement, the County has model shared parking agreements available upon request and would be happy to facilitate this arrangement.

**County Recommendation: Approval subject to modification as per comments # 1a and 1b.**

**Date:** April 6, 2015

**Prepared by:** Megan Tennermann, AICP, Planner

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**David Church, AICP**  
**Commissioner of Planning**

As per NYS General Municipal Law 239-m & n, within 30 days of municipal final action on the above referred project, the referring board must file a report of the final action taken with the County Planning Department. A referring body acting contrary to such a recommendation of modification or disapproval (with a supermajority vote) must set forth the reasons for the contrary action in such report. For such filing, please use the final action report form attached to this review or available on-line at [www.orangecountygov.com/planning](http://www.orangecountygov.com/planning).

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Chairman Serotta explained that Orange County Planning in a response back to a board has two options and then some sub-options within the options. One of the options they have is a mandatory comment. Mandatory comment means that they feel strongly enough about something that they are asking the Board to take a special look and would require the Board to have a super majority vote to override their comment which would be a five (5) vote on a seven (7) member board. One item was flagged as a mandatory comment.

The other option is to give advisory comments which are just suggestions. On the referral they chose to do both. One of the concerns was light pollution. Chairman Serotta read from the above document.

Chairman Serotta polled the Board for comments. Barry Sloan stated he had three issues he would like to go over. He asked what the existing building off of 94 is going to be used for. Mark Fellenzer stated that it would be renovated and used to store mowing equipment for maintenance of the fields. Barry Sloan also commented that the distance from the entrance to Rt. 94 only allows for five or six cars with 294 parking spaces in the lot. He is concerned about traffic backup. He is also concerned with the speed limit and hill crest on 94 near the project. Mr. Sloan suggested a blinking light and was informed the State doesn't want to do that, so he is concerned. Phil Grealy, traffic engineer, stated they are following the standards and have looked at the queuing. The project has a long entry road for traffic flow. State DOT does not like blinking lights and feels it has the sight distance. Mr. Grealy said they can request a blinking light again and will have additional signage.

Mr. Sloan's third comment was that he does not want to see traffic going through the residential area of Green Drive to avoid the traffic created on Tetz. He requested signage to keep people out of the residential area trying to access the property.

Chairman Serotta now opened the meeting to public comment. Let the record reflect that the proper mailings were sent out and the proper notice was put in the Times Herald Record.

The first member of the public to speak was Steven Meehawk of 24 Green Drive. His concern was the septic. He stated he has been a resident for 21 years and is aware of the lot the project is proposed on. He says water sits there all the time. He feels where the engineers have proposed the septic is not a good spot and should be located elsewhere on the property not near his well. He's concerned it's a health risk to his family, his property value and house, and the smell from the leech fields. He's concerned that if his

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well becomes contaminated, he wants either the Town or Primo to pay for remediation and to be responsible for it.

Mr. Meehawk's second concern is the trees. He wants it in writing that if anything happens to the trees that they are replaced. He is also concerned with trucking in the dirt for the fields and what's in the dirt. He stated he is not against the project, but wants the applicants to work with him, especially where it concerns his well. Mr. Meehawk stated lighting is also an issue, including the hours of operation. He requested his residential neighborhood get signs stating no parking for Primo Sports.

The next person to speak was Craig Oleniczak, 61 Jane Street, Florida, an elected trustee in the Village of Florida. He stated he was the trustee responsible for recreation and parks in the Village of Florida and has a great working relationship with Primo Sports and specifically Jim Lagarde. Mr. Oleniczak stated that Mr. Lagarde always reaches out to the Village to offer programs to the children and that the Village has benefitted greatly with little to no cost to the Village's programs. Mr. Oleniczak stated Primo Sports is a great opportunity to the area and children and wished them luck. He submitted a letter to the Board stating his support. The letter is on file.

Oliver Cassels, owner of the Rambler's Rest in Monroe spoke next. In addition to owning Rambler's Rest he is the vice-president of the Orange County Taverns and Restaurant Association. He stated restaurants in the area are down about 30 percent from last year. Mr. Cassels stated that the Primo Sports project is a great opportunity to help all local businesses.

Andrew Delo, 10 Glenmere Road spoke next. He moved to his home in 2006. He wants to know what is going to be going on in the building. He is concerned with the traffic volume. He stated all he hears on Rt. 94 is trucks Jake braking all the way down. He is concerned about the additional noise and pollution as well as the hours of operation. Mr. Delo is concerned for his family and his neighbor's quality of life as well as his property value.

Next to speak was Len Germaine 4070 Summerville Way. He lives directly across from the project on the north side of Rt. 94. He said he was jolted when he saw a building of this size proposed directly across the street from his house. He has lived here his whole life and his grandchildren are the seventh generation on his property. After generations of open space, seeing a building this size is going to be quite an adjustment. Mr. Germaine feels this is not the site for Primo Sports. He feels the lot is too small. According to Mr. Germaine, the code calls for 50 acre minimum lot size. The project was before the Zoning Board twice to get an area variance. Mr. Germaine asked Dave

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Donovan, Planning Board attorney about two executive sessions held at the Zoning Board. He stated that the Zoning Board gave no reason for going into executive session. His understanding is that the executive session has to have a reason. He asked Mr. Donovan if that is true. Mr. Donovan stated his job is to advise the Planning Board. He was not at the ZBA meeting and he is not the ZBA attorney and cannot offer an opinion.

Mr. Germaine asked for it to be noted on the record that they do have to have a reason to go into executive session and the ZBA did not do that and suggested that maybe this puts the project in jeopardy. He asked that it be looked into to see if it should be changed or recalled or possibly redone.

Mr. Germaine stated that no one has suggested lowering the speed limit on Rt. 94. He said it is a very busy road and he has lived there his whole life and it is a racetrack and a drag strip. He stated that the Town needs to petition the State to lower the speed limit on 94 from Chester to Florida asking for 30 miles per hour for the whole distance and maybe be happy to get 40.

Mr. Germaine also suggested limiting the amount of people who could be assembled on the property at one time to help alleviate traffic. He is also concerned with hours of operation. Instead of having lights, have no lights and limit the operation from 8 am to 6 pm. In the summer months lights are not needed. Anything before 8 am and after 6 pm can be conducted inside. He feels it is a quality of life issue. He does not want to hear hollering and screaming and yelling while he is trying to sleep. Mr. Germaine stated there are numerous other facilities including another new one being built in Warwick very similar to this one. He questioned how many more are really needed.

Mr. Germaine asked if he could see the applicant, Luca Spensieri's resume or a summary of the buildings he has done and how well they've been done. He's afraid of the building being started and not completed or somewhere down the road the zoning for the property being changed to industrial.

Next to speak was Amanda Dana from Orange County Partnership. She stated that she does not work for Luca Spensieri, but works for the County. In terms of economic impact and smart growth she is very pleased to support this project. She stated Primo is located in Florida and has choices. They do not have to stay in Orange County but they chose to stay. She stated the project will create construction jobs, full and part-time positions and that it is a tourism project. The people visiting Primo Sports are spending money in the community. On behalf of Orange County Partnership she is pleased to strongly endorse Primo Sports.

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Chester Slaybaugh of Chester spoke next. He stated he has been a resident since 1996. He said he has known Jim Lagarde for the past three years and he is a person who takes care of business. He knows that Jim and his team will take care of the Chester residents and will address any concerns that the residents have. He looks forward to a quality facility in Primo Sports.

Scott Perry, 221 Conklintown Road, Goshen spoke next. He commented as a parent, home owner and business owner. As a parent he loves this project. As a home owner he is pleased with the project. As a business owner he is in favor of a project that draws more people to the area. His business is security, parking lot attendance and traffic control and he believes Primo Sports has taken the steps to make the flow of traffic as easy as possible. Mr. Perry supports the project.

William Galvin of Black Stallion Court in Middletown spoke next. He has been involved with Primo Sports since they started. He stated that both Luca Spensieri and Jim Lagarde are the kind of people that would do anything for anybody. They are involved in charities and fundraisers and they take care of the community. He stated they are stand-up people. He supports the project.

Next to speak was Gary Goldstein, an attorney who represented Primo Sports in the past but is not representing them tonight. He is here as a member of the public tonight. He wants to speak in favor of the project. He stated that Mr. Spensieri and Mr. Lagarde are very community oriented. He compared the current location of Primo Sports to the proposed location and felt the new site was even better than the current location. Mr. Goldstein supports the project.

Greg Thompkins of Warwick was the final public speaker. He supports the project. He stated things are always going to change and not to fear it. He says the project will not only bring tourism for the games, but help bring people back to explore the area. Mr. Thompkins lastly stated that he trusts Jim Lagarde with his daughter's life. That's how strongly he feels about his character. He fully supports Primo Sports.

Let the record reflect that nobody else came forward to speak at this time. Chairman Serotta stated that the Board had the choice to extend the public hearing or close it at this point in time. Chairman Serotta polled the Board member as to whether they would like to close or keep open the public hearing. Frank Gilbert reserved. Bob Conklin would like to extend it as he feels there are a lot of open questions that may be up for change and he would like to hear from the public before the public hearing is closed. Chairman Serotta would like to close the public hearing as no decision is being made tonight anyway and all suggestions and concerns will be addressed by the applicants and

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answered to the satisfaction of the Board. Carl D'Antonio is in favor of closing the public hearing. Ernie Damiani is in favor of closing the public hearing. Steve Denes would like to keep the public hearing open for written comments for ten (10) days. Barry Sloan would like to keep the public hearing open as he feels there are too many unanswered questions still remaining. Frank Gilbert after further consideration voted to keep the public hearing open.

Dave Donovan explained that the purpose of the public hearing is for the public to present issues to assist the Board in its decision making. If the Board feels that there is more information that is needed from the public to assist in decision making, then it should keep the public hearing open. On the other hand, if the Board believes the issues have been accurately and completely identified by the public, but not yet answered the Board can close the public hearing. As an interim measure the Board has the ability to close the public hearing but accept written comment for a specific period of time.

Barry Sloan made a motion to keep the public hearing open until May 20, 2015, Bob Conklin seconded the motion.

Aye:

No:

Frank Gilbert  
Bob Conklin  
Carl D'Antonio  
Ernie Damiani  
Steve Denes  
Barry Sloan

Chairman Serotta

The motion to keep the public hearing open until May 20, 2015 passed. Chairman Serotta stated there will be no other notices sent out.

A brief recess was taken at approximately 8:50 p.m.

Next item on the agenda:

**BOARD DISCUSSION ON A RIDGE OVERLAY APPROVAL**

The project is called Tolis/Lee presented by Christopher Collins, Architect for 70 Ralpie Lane which is an open area subdivision off of Trout Brook Road.

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Chris Collins appeared before the Board for the applicants Arthur Tolis and Sophia Lee. He presented the Board with a site plan and explained the applicants choose the lot because it was conducive for a walk-out basement. However due to the shape of the lot being a wedge shape, the residence had to be skewed to take advantage of the topography. The curb cuts are already in. Mr. Collins showed floor plans, elevations and renderings. He described using natural materials such as a bluestone walkway and gray stucco siding in a fine texture. The windows will be black and the trim a 25 percent gray. The roof is a black asphalt shingle with accented areas of copper and copper gutters and downspouts.

Chairman Serotta stated on the ridge what the Planning Board needs to consider is the visibility of the house. The applicant would have to use non-reflective glass. The Board discussed the potential visibility of the proposed home from various locations.

Al Fusco submitted the following letter:



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Al Fusco stated that the area of disturbance is to be kept at a minimum and to be shown on the plan accordingly. Natural vegetation is to be maintained and if necessary additional plantings and the colors of the structure should blend into the natural landscape.

The Board discussed additional landscaping. Barry Sloan questioned where the septic would be located. Mr. Collins said they are working on that but don't currently have a complete answer but it would be somewhere behind the house. Mr. Collins said the drawings for the septic on the approved lot are extremely vague. Al Fusco stated if the applicant is going to move the septic, he would have to witness it.

Frank Gilbert made a motion to grant Ridge Preservation Overlay Approval based on the roofing colors, siding colors, non-reflective glass and minimum disturbance along the edge of the property, seconded by Bob Conklin. The motion passed unanimously.

**RIEGER HOMES RIDGE OVERLAY APPROVAL**

Next item on the agenda is Ian Rieger of Rieger Homes appearing before the Board to request a color change on a home to be built in the Fox Hill Subdivision. The Board had already approved the colors for Ridge Preservation Overview, but Mr. Rieger is asking to change the colors based upon the buyers' request.

Ian Rieger stated the requested change is for Lot 5. The house style is substantially the same and showed a rendering of the home and samples of the new proposed colors in beige and stone. The proposed home is approximately 2400 square feet.

Chairman Serotta polled the Board for questions and comments and there were none.

Motion to grant Ridge Preservation Overlay Approval for a color change made by Barry Sloan, seconded by Ernie Damiani. Motion passed unanimously.

**1834 KINGS HWY – WORK SESSION**

Appearing before the Board is Arthur Madonia. He is interested in purchasing the property at 1834 Kings Hwy and would like to turn it into a retail nursery. The property is currently in the foreclosure process and is in short sale. The applicant has requested a work session to get some direction on his proposed project.

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Mr. Madonia presented a rendering to the Board. He explained his project as a retail nursery selling flowers, plants, and seeds. The growing would not be done on site. Eventually he would like to put greenhouses on the site.

Chairman Serotta advised the applicant that the property had twice appeared in the Times Herald Record for foreclosure proceedings and to take that into consideration before he starts spending money on the planning process. He next advised the applicant that he would have to go through some form of site plan approval and told the applicant where to find all the relevant information. Chairman Serotta discussed fees and the general process that would need to be followed if the applicant wished to pursue the project.

The next meeting will be on May 6, 2015.

The meeting was adjourned at 9:45 p.m.

Respectfully submitted,

Tanya McPhee  
Planning Board Secretary