

**TOWN OF CHESTER**  
**PLANNING BOARD MINUTES**  
**March 2, 2022**

**Meeting called to order: 7:00 pm**

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

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

Absent: Jackie Elfers

**Other Business**

Virtual meetings, by the governor extended this to march 16, the executive order  
Back in person for the April meeting.

**Michele Dressler** discussed AV/Streaming for upcoming Planning Board Meetings at Town of Chester, Town Hall. Installation of new equipment was purchased new line run from optimum that's a dedicated line only, that will only operate the live stream.

**Public Hearing for Oakwood's Subdivision**

**Applicant – Meadow Hill LLC**

6 lot cluster subdivision off of Camp Monroe Road – In front of the planning Board for over 1 year. Approximately 15 acres of open space in the rear of the project. Originally, developer was proposing the open space was going to be owned by Lot #3 & 4, but that has changed. The process of a Cluster with the Town of Chester, is to always ask Chester first if they would like to own the property. It could be also a combination of private ownership and as with the Home Owners Association. At first it didn't seem like the town of Chester wanted it, but then, through subsequent meetings/presentations in front of the town board, the Town Board decided they do want to take ownership of this property. It's going to be a total of approximately 15 acres. They'll be no development in the back, no disturbances, no tree cutting, and no further subdivision to be allowed in that space. With the cluster they're allowed to build on a smaller lot size, and lot size depends on Wells, and Septic's. Certain regulatory requirements have to happen, referrals to the OCDP, State Historical & Preservation Office have to be contacted report issued to Town of Chester Planning Board on any Historical Archeological issues that may be found on property and then what may have may or may not have to be mitigated. Department of Environmental Conservation Mapper required. No County DPW or State is required, but applicant should consult with Town DPW/Highway superintendent. Highway Superintendent has been out to property, 2/3 times for comments. Working with New Jersey Trail Conference to provide access.

**Chairman Serotta:** Received State Historical Preservation Office on November 29, 2021. SHPO stated no properties including archaeological and historical resources listed. project. **OCDP 239 Response received - local determination.** Received email from Planner/ addendum/adjustments.

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**From:** Temmerman, Megan <mtennermann@orangecountygov.com>

**To:** Donald Serotta <donaldserotta@yahoo.com>

**Sent:** Monday, February 28, 2022, 10:17:21 AM EST

**Subject:** CHT 06-21N Oak Woods Subdivision

Hi Don,

Per our conversation this morning, I'm writing to confirm several adjustments to the County's comments regarding the proposed Oak Woods subdivision. I've received the updated map as well, thank you.

Regarding the County interdepartmental referrals—this is a standard comment for projects that have the potential to cause impacts monitored by the Department of Public Works and/or the Department of Health. As the project is a realty subdivision, Department of Health will be required to sign off on certain aspects of the onsite water and septic provisions for the proposed homes. Executive Order No. 4 of 2018 requires the Department of Planning to refer projects interdepartmentally to determine potential impact—I have sent the project to the County Department of Public Works for their opinion of any potential traffic increase on Lakes Road. The Town is not required to refer the project to DPW. This comment is merely intended to notify the Town that potential impacts could occur and to inform you of the actions that we have taken; I acknowledge that the wording could be confusing. No approval from DPW is necessary for the Town to proceed with this project.

Regarding the environmental constraints onsite—again, this is a comment with standard wording. The applicant has noted on the map the best practices for protecting the Northern Long-Eared Bat, which is the only endangered or threatened species present onsite; additionally, the two significant natural communities have been included in their entirety into the Conservation area of the site. From the perspective of the Planning Department, no additional measures will need to be taken by the applicant, other than following best practices during site construction. I apologize that the wording was unclear, I'll work on that.

If you have any additional questions, please let me know; I'll take a look at the updated map as soon as I can.

Thanks,

Megan

Megan Temmerman, AICP, Senior Planner  
Orange County Planning Department  
124 Main Street, 1<sup>st</sup> Floor Goshen NY 10924

Phone (845) 615-3855

Planner mentioned about two significant endangered type of Tree Forests, Oak Hickory Forest and a Chestnut Oak Forested area. Since they are located in the proposed conservation easement in the rear of the property, they won't be touched. No additional measures need to be taken by applicant other than following best practices during site construction. It's considered a major subdivision, (lots are under five acres), required to go to the Orange County Health Department, under a Realty Subdivision. The lots don't meet that criteria. Once they have preliminary approval from the Planning Board, they will go to the Orange County Health Department, who'll need to sign the maps or come back with recommendations, and/or changes to the Planning Board. The typical Realty Subdivision Health Department Process will take approximately one year. If Planning Board gives preliminary approval, and we send to OCHD, we won't see them again for another year, they will come back to us at that point in time. We'll

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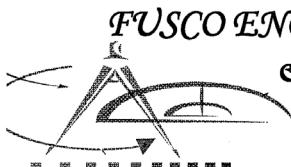
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need a letter, and signed maps from the Health Department saying they approves their Septic Systems and Wells if not approved we'll follow protocol. Highway superintendent reviewed driveway locations and drainage on to Camp Monroe Road. We asked Engineer, James to mark & stake middle of the driveway. Highway superintendent had some recommendations, and worked with Al Fusco, Town Engineer. There is an issue with a 24-inch culvert pipe possibly changed to 36-inch due to possible additional drainage. Due to building issue that weren't done correctly, possible culverts installation discussions along Pickerel Road. New York New Jersey trail conference. 50 foot wide, that would come up along lot five. The 50-foot wide is wider than a public road. Trail Conference requested this planting purposes, shrubbery and trees. Will work with the planning board. Adding shrubs or evergreens in here, along with signs so that no trespass to keep any hikers off of people's property. The trail master for the highlands trail, sent email and asked he understands why the trail comes in like this. Instead of them having to go through wetlands, they don't want them to come in with diggers/machines, they come in and they either create what they call a bog bridge, putting in large stones for people to step on. Spoke Bob Valentine, Town Supervisor, to get his opinion, he stated it's going to be up to the town board's decision. Bob Valentine, the supervisor made a request among the town board members suggested that instead of having two municipalities dealing with the trail, why couldn't the town of Monroe dedicate this little piece of area (about 125 feet by 50feet wide) dedicate this parcel to the town of Chester. With easement rights to the New York New Jersey trail conference to come across. More coordination with the town of Monroe needs to take place. Town of Chester supervisor wrote a letter to the Town of Monroe supervisor who in turn wrote a letter back to the town of Chester's Supervisor. This plan is yet to be determined.

Engineer Fusco sent a drainage report submitted in December.

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**FUSCO ENGINEERING  
& LAND SURVEYING, P.C.**

*Consulting Engineers*

*Alfred A. Fusco, Jr., P.E., Principal*

*Alfred A. Fusco, III, General Manager*

- 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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March 1, 2022

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

Re: Oak Woods Subdivision  
Section 15, Block 1, Lot 27.41  
Our File No. CH-186

Dear Chairman Serotta,

We have reviewed the most recent submittal and offer the following:

**Comments:**

1. We have reevaluated the existing culvert across Camp Monroe Road and replace the 24" with a 36" which we have noted on the new plan and agree with the design.
2. The driveway culverts as noted on plans are acceptable.
3. We have reviewed the response to the protection of the bats and find the proper notes for tree cutting on the plan.
4. The significant natural communities are in the Conservation area and protected.
5. The Town Board will seriously consider dedication of the Conservation area and additional right of way out to Camp Monroe Road and work with Trail Conference as negotiation by the Chairman.
6. The storm water questions and requests we made were satisfactorily responded to.
7. The cluster development with the Conservation area was a good design for both the applicant and the Board.
8. We propose that after final review, besides a road bond for \$20,000 for the highway that an escrow account be set for public improvement inspections.
9. This project requires Health Department approval. Therefore, final approval shall not be granted until Orange County Department of Health approval is granted.
10. Submit a complete basic SWPPP for review including notice of intent.

**Recommendation:**

Pleasure of The Board

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**Board Comments**

**Larry Dysinger:** Outdoor lighting ordinance compliance still not on the map. Erosion control plan - no construction entrance for lot six that should be updated. No identification of what trees you will be adding. Major trees of 20 inches in diameter or larger should be identified, for clearing purposes. Concerned about line of sight for the drive ways, a little bit more cutting at the entrance to provide adequate line of sight needs to be looked at. Storm structure needed, when it comes out onto the intersection of Pickerel & Camp Monroe. Right now, the existing pipe shoots out this way directly to the house, the new house. You'll need to change the direction of the workflow. Construction driveway entrances like to show a flare at where it meets the road with a 10-foot radius.

**Alexa Burchianti:** Issue with the driveway on Lot six also.

**Chairman Serotta:** Let the record reflect that the proper notices were sent out by certified mail and proper legal notice was published in the Times Herald Record.

*Received 2 written documents*

**Comment #1 – Tracy Schuh/Letter sent** - 17-page letter from an engineer she hired re Stormwater, to be reviewed by the applicants engineer & the town engineer. Answers to the document will happen at a future meeting.

**Comment #2 Madeline:** I am the property right in the corner on Lakes Road. Lot six will be by my property line. When building or clearing concerned about any damages if any occur how will this be addressed. If goals or priorities is to maintain their natural appearance, even with houses there, how is this going to be maintained? Concerns with fencing and if it will blend with nature. Wetland questions with the Monroe piece. Concern with preventing excess debris from construction. Questioned about single family homes and height restrictions. Concerns about acreage size.

**James Rugnetta:** Stated lots are different sizes. Smallest lot is .69 acres and largest lot is 4.7 acres.

**Chairman Serota:** If and when Public Hearing is closed you will have 10 days after that to submit written comments.

**Comment #2 / 9 Rainbow Lane:** A private little lane opposite 6 proposed lots. Concern with speed coming down that road. Comment that wants to keep the beauty with the trees in the front being cut down, it could be a buffer if they say.

**Comment #3 read by Chairman Serotta:** Wants to know dates for Tree Cutting.

**Chairman Serotta:** November 1 – March 31.

**Comment #3: Luke:** In the process of looking to purchase property close to trail access, which would be directly behind property and concerns with hikers and lack of possible privacy.

**Chairman Serotta:** It runs from the Chester border over to lakes road, and it would be approximately 50 feet would not approximate it would be 50 feet wide. a concern for you. A request can be made to them to see if something could be done there. The New York New Jersey trail conference absolutely doesn't want to disturb neighbors or anything like that. Willing to put an evergreen or some kind of landscape buffer, along with signs inside the buffer. wanted to try and get on here as a new person in the area to see what the situation might be with that before we move forward.

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**Comment #Brandon Holdridge/Councilman:** I just wanted to thank Don, for working with me and the rest of the board on the Trail thing. I know it's not set in stone yet. But you've really made yourself available to the idea and the whole process of it. Concerns with residents' comment re natural beauty and Pickerel Road.

**Chairman Serotta:** Brandon's worked hard on the trail conference He's brought it to the town board. we'll have another meeting and talk about the access through the, the open space in the back.

**Comment #5 Jonathan, Kennedy Lane:** Thank you all for the thinking around the Trail Conference and overall preservation of the natural space. Commented on the historic marker on Camp Monroe Road. Archaeological Number 67633 wants confirmation that it doesn't have any archaeological value, not sure why it has an archaeological number in the in the Cultural Resources Information System.

**Chairman Serotta:** The applicants required to go to State Historical Preservation Office comes back and says to us, okay, we've had some projects like this one where they came back clean, we've had other projects where there were questions on sites there. SHPO is has given them the ok and letter was received

**Comment #6:** Appreciate Board, Brandon, and residents' comments/concerns. Thank you for considering the Open Space, and for accommodating the highlands trail. I thank you very much. I'm a lifelong resident of the area 40-year resident of the town of Chester, and I maintain 44 Excuse me four miles of the highlands trail in the Goose Pond area. Fantastic job.

**Tracy Schuh:** I'm a president of that organization of the preservation collective, it's a collection of members in the community that are concerned about impacts of new development. We advocate for open space preservation. Referring to letter sent. (Letter is on TOC Website under March 3, 2022) Commented that the first of three subdivisions from this developer and that they should have been brought up together. Concerned about swales in area during big storms and how it will be addressed. Felt an expert should be called in to addressing Pickerel. Commented email correspondence that were had with the Army Corps of Engineers regarding feelings that a permit with the developer was needed to divert that. Questions about drainage, and the swale along Camp Monroe Road. Commented that maybe highway department may want to look at that. Concerns during construction. More data should be reviewed on water going the other way. Stated didn't see a habitat study on the Town Website. Commented that with the lots behind are wetland a buffer might extend into the Monroe side. Mentioned no SHPO on websites hippo. I'm sorry, I did not see that on the town's website, I put that in my letter. It's something I did not find. So, I'm, I am interested to find out foil for that. Would like Town Historian to comment on the project. Mentioned tree survey should be done and compared that to the Town of Monroe that the provide a detailed map highlighting trees. Looking forward to Town of Monroe's progress with Town of Chester. Would hope that they update Town Code based off of questions and issues that arise from past and existing projects regarding buffers and conditions, and habitat. Commented on Markers for Wetlands and limiting disturbances. Thank you.

**Chairman Serotta:** Received a lot of good comments from the public tonight, regarding tree cutting on Camp Monroe Road, etc.

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We can close the public hearing, as long as we address some of the comments that the residents made.

**Motion to close the Public by Dot Wierzbicki**

**Second by Mark Roberson**

**All in favor – 5 Ayes**

**Chairman Serotta:** Public hearing is closed? We will answer comments.

**Broccoli Patch**

**Chairman Serotta:** Broccoli Patch is located at 1355 Kings Highway. It's a proposal for a distillery, restaurant, catering Hall, and a residence. We have not seen them for about two years. Donnelly is the owner of the property. Started the application process in November 2018. We were before the board I think five different times throughout 2019, including several submissions to the Zoning Board of Appeals, there was questions regarding use of the property and whether or not use was a permitted use zone and the zoning board ultimately made an interpretation that yes, this use was permitted in the zone. The planning board also hired a fire consultant, there was concerns about potential fire apparatus access, specifically, since it is going to be a distillery to the fire code specialist that the town hired, reviewed the plan several times ultimately provided the letter to the board that the site plan was in compliance with the fire code. Biologist visited the site regarding the walkthrough, one of those comments tonight is to get that letter DEC and getting confirmation regarding his findings. Made a request to the town board regarding potential for water project and proposals for water supply water tank. Requests came from the planning board regarding how we could explore the potential for central water extending the water system. Made requests to the tap board in late 2019. Everything got sidetracked because of COVID. We rekindled the conversation with the town board in May of 2021. And in December 8 2021. So just a couple months ago, the town board did confirm that they would supply water to this project outside user basis. And we need to enter into an agreement with the town for water. These plans do reflect that tea as well as significant increase in the level of detail of design we had that whole year in 2019. We're working through the concept plan. Issues of fire access layout, the addition of the central water, we developed these more detailed design plans and submitted them to the board back in January.

The project will also be connected to sewer stormwater analysis as to stormwater ponds. We will have your tap engineer verify some of the infiltration testing that we did some of the route some of the stormwater will be returned to groundwater through infiltration. We've just looked at to kind of restart the process now that we've got the framework of the layout zoning and water resolves.

**Ross Winglovitz:** No agreement has been signed, with regards to Water. Agreement to be prepared based upon us getting our site plan approval, they don't want to enter to enter into an agreement. Unless we have a site plan approval, they don't want to just have water committed without the production.

**Chairman Serotta:** 239 submitted to the Orange County Planning, with really strong wording, which requires the board to do a supermajority to vote against. Other advisory comments, with the water situation, if you do get the water. 239 DPW referral. I

**Ross Winglovitz:** Received 239 review.

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**Chairman Serotta:** A fire consultant was hired, received a sign off letter from the fire officials. We understand we're getting pushback from the residents on fire, explosions. You need to go to the fire chief in Sugarloaf. We need a letter from the fire company saying that based on the size and the number of barrels, that they're going to have enough to fight an alcohol fire here. Need to know what is being stored. Questions regarding alcohol prevention foam. Lighting issue addressed, (foot candles) to make sure they conform to Town Code, and the affect across the lake and to the houses over there. Need protections for the lakes, with relation to salt or fertilizers. Swales need to be engineered and discussed.

**Chairman Serotta:** Brandon was discussing putting some kind of a playground at the PAC so I don't know how that affects having a building over there.

ZBA had some questions in the past, of whether or not a catering Hall was allowed in the village of the hamlet of Sugarloaf and the ZBA did give them an interpretation that that was an acceptable use in there.

**Larry Dysinger:** No drawing for a lighting plan as well as the details that's missing. I looked at the drawings for the retaining walls. We'll be more concerned by how long they'll stay totally upright. No snow storage areas identified. Since I don't notice any curbs, how is the water going to be captured? As far as parking right now, Sugarloaf.... there are times where, there's no place to park in Sugarloaf and I would not make sure that all the parking for this facility is able to park on the property and not on the streets. You have a formula there saying that there's one parking spot for three people, I don't know if that's a good calculation or not for catering halls, or something like that. Maybe it should be one spot every two people. We need to look into that. With respect to water consumption, we'd like to see numbers for both by the distillery as well as the restaurant. Question about outdoor seating. Noise control issue.

**Chairman Serotta:** Referring this to Consultant, Karen Arent for Landscaping purposes.

**Chairman Serotta:** Silos on the property?

**Chairman Serotta:** Hours of operation are indicated, but previously there was a restriction that the board had asked for regarding outdoor events be limited to nine that is general note number seven.

**Chairman Serotta:** Renderings needed, with colors. With respect to water, another concern is based on the consumption, you anticipate, we need to make sure that analysis done. We don't want to impact the existing customer, or overburden the existing well, there's essentially only one Well, maybe another well has to be done. Becker is a water consultant; he's doing a lot of research. There's 200,000 gallons available a month, Sugar Loaf has two wells. Number two is over on Woods Road and it sits in a DEC wetland. This was discovered because Brandon Holdridge wanted to put a park/playground over there. He asked me to do some research, and the research showed it is contaminated with E. coli. I don't know what the level means, it could be a tiny little drop, or it could be massive. Recently the pump blew on the water tank, and they had it automatically switch over to that well.

**Chairman Serotta :** Ross, it's your job to tell us how much water you're going to need to use. I think that's going to be in the water agreement. I did some analysis for the town board for when they do come up with an agreement with the town. Looking into additional improvements that several of the water districts, so we'll be having answers for you working with Mr. Becker.

**Chairman Serotta:** Next meeting is scheduled for Wednesday, April 6.

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**Meeting adjourned at 9:45pm**

Respectfully submitted,

Melissa Foote  
Planning Board Secretary

DRAFT