

**TOWN OF CHESTER
PLANNING BOARD MINUTES
July 6, 2022 at Town Hall**

Meeting called to order: 7:04pm

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

Also Present: Melissa Foote/Planning Board Secretary, Todd/Fusco Engineering for Town /Al Fusco, Alexa Burchianti/Town Building Inspector

Next meeting of the Planning Board is scheduled for August 3, 2022

Other Business:

Chairman Serotta Discussed Lydia's email re. Broccoli Patch Planning Board can set up Planning Board visit for 25 Creamery Pond. Purpose is for visual & noise. Mentioned August Applicant ARX Wireless.

Public Hearing for 509 Bellvale Road / Ryan Westervelt - Continuation

Project Type: Build an 8,100 square foot warehouse and add on to the existing barn located at the back of the property.

Project Location: 509 Bellvale Rd, Chester, NY

Chairman Serotta will open the meeting for public comments, either for in person or through the streaming service chat function.

Motion to open Public Hearing by: Justin Brigandi

Second: Jon Gifford

All in Favor: 7 Ayes

Jeremy Valentine, Project engineer describing project - adding additional warehouse of 8,100 square feet, and increase the size of the barn in the back 1,800 square feet. New septic is needed to accommodate the increase in flow from the building. Employee parking on the side and in the front.

Todd/ Fusco Engineering - reviewing Fusco Comment Letter

Board Comments

Larry Dysinger existing building was a great improvement. Two concerns - Landscaping concerns, 40 spruces were to be installed, and it was only 28. There are 30% less trees planted than what was supposed to and the lighting that was approved is not what was originally agreed upon.

Chairman Serotta Opens the Public Hearing. Proper notices went out by certified mail, a notice was placed in time to record but there was a glitch.

Comment #1 / Rosemary Shaughnessy of 83 White Oak Drive

Exterior lighting on the green building, will magnify the problem of the present lighting, excessive glare and light trespass. Advocates the use of timed motion detectors and light at lowest intensity. Feels this light trespass produced by luminaries is extending beyond boundaries of the property on which it is located. All exterior lighting should be shielded and directed away from residential areas. Referred to new Chester lighting code.

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Comment #2 - Tracy Schuh: email was sent of pictures with the lights that she took of the property. They were emailed after business hours so the board wasn't able to view them. Landscaping - because the site is higher than some of the other properties maybe landscaping can help with that. Asked if the applicant was agreeable to 40 trees. New building, taking up more land coverage, possibly throughout the site add some trees for stormwater runoff. Plantings around the retention ponds or anywhere in line of sight, since covering land with a building. Concerns with the wetland buffer, and didn't notice it on this map. Commented on the sign off from the archaeology study from SHPO, and the DEC Habitat Study.

Comment #3 – Lydia Cuadros

Will the additional warehouse increase traffic? Will there be a traffic study?

Comment #4 – Tracy Schuh mentioned Wetland Buffer and D.E.C.

Chairman Serotta: Stated that comments are noted and are going into the record. Received approval from Orange County. DPW and Orange County Planning commented a local determination.

Motion to close the public hearing by

Second by Larry Dysinger

All in favor – 7 Ayes

David Donovan drafted a Negative Declaration and Resolution of Approval Amended Site Plan

Motion to approve Negative Declaration: Jon Gifford

Second: Jackie

All in Favor: 6 Ayes

Against: Larry Dysinger

Motion to approve Resolution of Approval Amended Site Plan: Dot Weirzbicki

Second: Jackie Elfer

All in Favor: 6 Ayes

Against: Larry Dysinger

Public Hearing for NY Solar 1001 LLC

Project Type/Description: Community Solar Farm / Large Scale Ground Mounted Solar Array

Project Location: 190 Greycourt Rd/North side of Greycourt Road.

Jackie Basile & Emily Trichtnber Discussing project and showing presentation slides. Working with Karen Arent from Town regarding Landscaping design and vegetation management.

All studies completed.

Visual renderings were shown. Aerial view of the project and showed Greycourt Rd view prior to landscaping design.

Construction will take 6 months. Entire site doesn't need to be graded. Erosion control plan in place.

There will be posts in the grounds. The panels rotate and follow sun.

Fencing – Agricultural Fencing was selected for Animal Safety

Decommissioning plan – 20 years

Chairman Serotta: Are the panels smaller because they follow the sun?

Jackie B: They are 13ft and they will be tracking the sun East to West|

Karen Arent: For the Landscape Plan, the area is well screened. Tried to go for a softer naturalistic view. It is well screened. Went for native plants due to them being noninvasive.

Agricultural Fencing was chosen to give it a farm like feel and to allow passage of small animals.

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Chairman Serotta: DPW letter was sent to NY Solar, and a Bond Restoration is needed.

Applicant agreed to sweeping the road.

SHPO concerns with Landscaping – SHPO letter received, and read to Public.

Motion to open Public Hearing by: Justin Brigandi

Second: Jon Gifford

All in Favor: 7 Ayes

Comment #1 – Tom Becher, 163 Lehigh Ave.

Visual impact – coating & framing, make it more esthetically pleasing

Brought up the watermain & the village of Chester

Maintenance schedule available – Quarterly mowing?

20 yr old Oak Tree – Please leave in place

20 yr. decommissioning, will the inflation rate chosen be sufficient enough.

Disappointed that there wasn't someone going door to door from NY Solar to reach out to residents, and not made part of the planning process or asked for feedback on the impact to the residents this may have.

Chairman Serotta: How dowe know where water main lines are in the village of chester. We'll need to reach out to the Village.

Comment #2 – David Collins, 3 Sanford Ave.

Likes current view. Possible to blend in more.

Concerns over the construction period (6 months) and traffic.

Comment #3 – Barbara, 189 Greycourt Road

View/landscape concerns

Effect of wild life animals

Health concerns and effect of panels

Worried about negative impact of property value of homes next to the project.

Comment #4 – Sherry, 168 Greycourt Rd.

Visual aspects concerns

Noise concerns

Comment #5 – Nehmi Berthe Hanna, 186 Greycourt Road

Visual impact concerns

Solar panels are 20/25ft higher – plain view of panels will be in his back yard

Concerns with reflection of the arrays.

Comment #6 – Larry, 72 South Side Drive

Concerns with visual impact & the trees currently on site.

Comment #7 - Cory Pilat's – 14 Sanford Ave.

email from July 6, 2022

Hi there, my name is Cory Pilat, I live at 14 Sanford Ave in Chester, in a property opposite to the planned NY Solar 1001 LLC project at 190 Greycourt.

I unfortunately cannot make the planning board meeting tonight, but wanted to take a moment to ask some questions and voice concern.

I wanted to say up front, I fully support the move to clean and renewable energy, and understand the desire to utilize existing farmland that will benefit the farmer, the community, and the environment.

I have looked through the [linked](#) presentation from Lightstar that can be found on the Town of Chester's

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website as well and have the following concerns/questions:

- There's mention of screening and vegetation in accordance with the "landscaping plan and vegetation management plan" (pg 20 of the presentation) but there are no links or details as to what these plans are. Is there any more information that can be given for this?
- Are there any plans to plant trees or use some kind of architectural fencing near the Sanford Ave side so residents don't only see the framing of the solar panels?
- I have included two pictures of the spots where the proposed panels are supposed to go and what I'll see from my window. While the presentation shows a ground level view from the edge of Sanford Ave, it doesn't truly capture what will be seen by the residents. Most of this view will now be the framing of solar panels. Does Lightstar have any ideas or thoughts to blend the frames better with the environment?
- Finally, are these solar panels and frames the kind that follow the sun throughout the day. I've seen other solar projects where the panel frames have small motors so the panels can track the sun throughout the day. Are these the same kind or are they stationary?

Thanks for your time for listening to my concerns. As I said, I am all for utilizing land for renewable energies and installing solar. I'm glad the owners of the property are able to utilize it as such. I would just like Lightstar and the town planning board to bear in mind how this impacts the residents. I believe the investments that Lightstar can make can bring a large-scale renewable project to the area while also working with the residents so the panels don't devalue our properties and area.

Chairman Serotta: Mentioned the Comprehensive Plan of 2009 and noted that Zoning for Greyourt is Industrial.

Comment #7 – Lydia Cuadros

Zoning codes should be reviewed again by the town, and Town should listen to residents.

Motion to continue Public Hearing at 7pm on August 3, 2022 @ 7pm.

Motion by: Jon Gifford

Second by: Jackie Elfers

All in favor: 7 Ayes

Site Plan

ARX Wireless

Project Type: Shared-Use Wireless Telecommunications Facility

Project Location: End of Poplar Drive

Paul Ryan/ARX Attorney Addressing the Board

There are no Wetlands, no clearing is needed. Limited disturbance. Easement for utilities is 20ft wide. Setbacks are met. The Pole is 150ft. Eventually 2 other companies may be added to the tower, Co-Locate. The other 2 towers are over utilized, and the new tower is going from 4G to 5G. At the next meeting tech requirement will be addressed.

David Donovan: Consent to be Lead Agency for SEQRA purposes

Board Comments:

Chairman Serotta: Referred to Towns Planning Board Consultant, Clint Smiths Memo (on Town Website). ARX Site was chosen by the Town in a Lease Agreement. Mentioned the 1996 Cell Tower Code.

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Larry Dysinger: Concerns with lighting & decommissioning plan.

Paul Ryan: No lighting is really needed. At night, something may be done on ground level, possibly sensor motion.

Justin Brigandi: Will a Variance be needed because of height of Tower, and does Tower height mean better reception?

Paul Ryan: Verizon determined 146ft is better ground coverage.

Chairman Serotta: Cited Code 89-8 Height of Tower.

Mark Roberson: Why do they have to choose the lease agreement for where it is. Why can't it be further away?

Jackie Elfers: Concerns with visibility.

Motion to set Public Hearing on August 3, 2022 @ 7pm

Motion by: Larry Dysinger

Second by: Jon Gifford

All in favor: 7 Ayes

Planning Board Secretary will reach out to applicant with the Public Hearing Notice, and Mailing List to be mailed out.

193 BMD, LLC

Project Type: 25,000 SF Additions to Existing Warehouse

Project Location: 193 Black Meadow Rd

Issues with Wetlands. Needs SWPP, and D.E.C.

Westerly parking spaces, mentioned stone vs. asphalt – impervious surface. Needs to figure out number of parking spaces to add.

Chairman Serotta: Would like a description of the products that are being stored in the warehouse. A sprinkler system is needed. Restriction, might need to be added with distance of the warehouse to the Well (250/300ft).

Board Comments:

Larry Dysinger: Lighting concerns, will they shine outward? New lighting must conform to new code. Storm Water Maintenance agreement needed.

Justin Brigandi: What are the hours of operation? Landscaping looks good. Is the Height of the building going to change?

Chairman Serotta: Agrees with Larry Dysinger about the lights. Will it be the same color as the other building? We may have to go to County, D.E.C, etc. This will have to be circulated, but our Attorney, Dave Donovan isn't here tonight.

Larry Torro: Yes, it will be the same color.

Scheduled to return to the September 7, 2022 Planning Board Meeting.

Subdivision Application

Bell Station Corp Subdivision

Project Type: 5 Lot Subdivision – 5 single family

Project Location: Westerly side of Bellvale Rd.

James Dillin presenting to the board. Lot 4 & 5 are flag lots and would have a common drive.

There is an existing home that has an existing driveway. There is to note there is a cemetery on a property. There are 3 or 4 visible headstones. Would add a permanent easement around it for protection.

Some soil testing has been done and it seems to be satisfactory, we haven't shown you yet.

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Some of these stones do project onto the County Right of Way.

Brian Leeches: Design of the houses is to blend with the environment. Lot 2 has a farm house which will stay that way. Lot 4 is to be built into the hill with waterfalls. Haven't gotten to far into with the details of the other lots.

Board Comments:

Chairman Serotta: Site plan showing 4 driveways off of Bellvale Road. Town Historian, Clifton Patrick is unable to attend. According to Code no commercial and/or residential structure shall be erected within 100 feet of a cemetery or burial site as identified herein. This might pose a problem. Maybe you could move the driveways or hire an expert to locate graves. The Town historian is going to do more research. OCDOH isn't needed.

Larry Dysinger: You have 2 flag lots on the subdivision. Lot 5 we would probably want something s that it could no longer be subdivided in the future.

Meeting adjourned at 9:30pm

Respectfully submitted,

Melissa Foote
Planning Board Secretary