

**TOWN OF CHESTER**  
**PLANNING BOARD MINUTES**  
**February 2, 2022 via Zoom**

Meeting called to order: 7:00 pm

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

Also present: Melissa Foote – Planning Board Secretary, Al Fusco-Engineer, Dave Donovan-Attorney, and Alexa Burchianti – Building Inspector

Absent: Jackie Elfers, Mark Roberson

### **Other Business**

Remote meetings are authorized through February 14, 2022.

**New York Solar 1001 LLC** - moved to March 2, 2022. Landscaping agreement with Karen Arent is currently incomplete. Al Fusco is still working on some technical items, and bonding.

**Broccoli Patch** – Proposed distillery, and catering hall submitted to come back in front of the Planning Board, added to March 2, 2022 Agenda. Minutes from prior meetings where they were on the Agenda, will be emailed to the board members so then can be updated on this project. They were recently accepted for tying into the water system at the December 8, 2021 Town Board Meeting

### **Oakwoods Subdivision**

**Chairman Serotta** stated that the originally scheduled public hearing had to be canceled due to no response from OCDP for 239, and Open space & Trail Conference status.

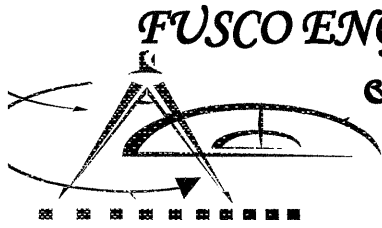
### **Oak Woods Subdivision**

**James Rugnetta, Engineer, Pietrazk & Pfau, Engineering & Surveying, representing applicant**

**Chairman Serotta:** 6 six lot cluster subdivision located on Camp Monroe Road, also known Trout Brook Road. Went to visit the site with Town DPW Supervisor John Reilly, and Melissa Foote. Sent plans to him prior to our visit. Al received the Drain Report. After Al shares his comments, I'll go over the NY NJ Trail Conference, Town Board and open space property and where they stand with the space. Presentation to Town Board took place and they've kind of settled into an answer. Will share after Als report. Whether or not they want the property or not. So we did another presentation the other night.

**Al Fusco:** John Riley had some requests, which made sense. Drainage report reviewed, recommendations (1/31 Fusco Comment Letter) #2 If the cover isn't appropriate, we might go with some type of steel or ductile if not the plastic PVC, or something similar. Show details on that.

**Chairman Serotta:** Stated the \$20,000 bond is a request by the highway superintendent not something the planning board sets.



**FUSCO ENGINEERING**

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

**Consulting Engineers**

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January 31, 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,

PROJECT: 6 Lot Subdivision  
SBL: 15-1-27.41  
Acres: 26.9 Acres  
Zone: AR-3  
Material Reviewed: Drainage Report

We have reviewed the submittal and offer the following:

**Comments:**

1. We have reviewed the drainage and recommend a larger culvert across Camp Monroe Road and replace the existing 36" pipe with an equivalent 46" culvert or arched pipe to insure sufficient cover.
2. Minimum culvert under driveways 15" material dependent upon allowable cover. Show details.
3. Pitch Lot 1 back toward existing drain.
4. Extend existing pipe along Pickerel Road into Trout Brook Road also rip rap.
5. Enhance site distance with trimming and cutting exist vegetation.
6. The applicant to propose rules and regulations for open space planned. If town does not request deed to open space. Also provide 50' town ROW through Lot 4 for trail access.
7. Provide water analysis from area wells to show yield.
8. Road Bond \$20,000.00 to Highway Department.
9. A basic SWPPP is required for this project and the total area of disturbance exceeds one acre.
10. The SWPPP must show provisions for silt storage, i.e. silt pond or equivalent for each lot.
11. There are no soil stockpile locations shown as required.
12. The sequence of construction notes must be provided on the plans and should be site specific to each lot.
13. A note must be added to the plans that "In the event that each lot is sold to another entity, prior to the start of construction or building permit, the current owner shall file a Notice of Termination with the NYSDEC and the new owner shall obtain SPDES coverage as required.

14. Stone check dams must be provided for driveway construction to help minimize soil erosion during construction.
15. The completed draft eNOI must be included in the Drainage Report and all forms signed where necessary.
16. Provide Green Infrastructure calculations to verify the adequacy of the sizing of the proposed rain gardens.
17. The engineer should discuss the acceptability of the rain gardens in proximity to the proposed sewage disposal systems since they will be inundated with storm water.
  
18. Board comments.

Action: establish Lead Agency

Please advise if you have any questions.

Very truly yours,

A handwritten signature in black ink, appearing to read 'AAJ', is written over the closing text.

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

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**Chairman Serotta:** Requested James to stake out driveways at site. Board should take a look at site if possible. John mentioned to take Lot 1 driveway 0 until that shoots, which is high, to take the drainage instead of running it down Camp Monroe Road towards the camp, to run it back towards the hole in the ground/ditch and grade it back that way

**James Rugnetta:** Will take a look. The invert for that the crossing for that pipe is higher than the than the bottom of the driveway. Will try to pitch everything as much as we can to go that way.

**Chairman Serotta:** Referring to the topography, if you can take in grades so the water won't go down towards the road, and will take some of that water and head it back to the inverter. Can't be done on the culvert water. Needs to be looked at. Any questions for Al?

**Alexa Burchianti:** John Riley installed catch basin further down camp Monroe Road for two of the driveways across the street from the other development.

**Chairman Serotta:** How is that going to help us?

**Alexa Burchianti:** Since it runs downhill, it'll run towards that catch basin that they installed on the new subdivision side on Camp Monroe Road across in between those two new houses.

**Chairman Serotta:** Spoke to Donna Thom today, John's admin and asked her to have John take both Al's comment letter to go back out to newly marked driveways back out there and maybe come up with a new report. Drainage Analysis - Any other questions on the drainage or anything analysis?

**Larry Dysinger:** I reviewed Al's letter earlier today or tonight earlier I'm in full agreement with it.

**Chairman Serotta:** Encourage everybody to see where the driveways are going to it puts everything into perspective when we're talking about culverts under the ground. When the developer did the 3 houses across the street, he didn't do the drainage correctly. This project could a make it exacerbate it even further. Question does the ditch on Pickerel have to be dug any deeper and what other improvements need to go on the other side of the street?

**Larry Dysinger:** I believe, I think it was the email from the highway department said they would run a pipe along pickerel down to the stream.

**Chairman Serotta:** That's what they think they're going to do. This hasn't been addressed. NY NJ Trail Conference - I've had two meetings with the town board. At the last meeting I attended for this it appears now that two things are happening. My many conversations are with my contacts there, the "trail master" for the highlands trail, Glenn, NY NJ Trail Conference lawyer, Robert Ross. Originally, the trail master was not keen on going through this property with the highlands trail, he felt he still wanted to stay up on the top, on the ridge, and somehow still get over towards the Appalachian Trail. That's what the goal here is to keep the hikers off of Lakes Road, which is a 55 mile (which means) 65 mile an hour road and it's dangerous. It's not wide, no shoulders, anything like that. The goal all along has been trying to do whatever we can do to help with that. Right. In further discussions with the attorney, it now has been determined that they would like access through this property. At this point in time, they would like to have access into the property to get into the Monroe piece and over to Lakes Road.

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Open Space - The NY NJ Trail conference is not interested in owning property, only in very few cases. They want easements, they want the towns to own the property, and they want easements across it. There are many ways open space can be owned. It can be from individuals to partially individuals and homeowner's associations and towns, etc. But it is our goal always to offer the town of Chester the open space first. In the first meeting I had with them, they were not interested, now their opinion has changed. No vote has been made. The 50-foot width that is there has been negotiated up in Monroe. The Chester Town board is saying they would like to gain ownership of that 50-foot stretch. They've now requested to have ownership on that. Spoke with Monroe Planning Board's Attorney, Ashley Torre, and her suggestion was that the Town of Chester's Supervisor calls Town of Monroe's Supervisor and negotiate that. Al and I have discussed it, the best thing to do here would be along Lot 4 to give us a 50 foot or less strip, they say less than 50 they explained to that what they worry about is not all hikers are good citizens. If we're going to come close to houses, they want 50 feet, to build landscaping, they're willing to put shrubs up in here up along the back end. The Town of Chester and their easements could definitely document that and say that there has to be, you know, a buffer of trees put in here and add. But if it's anything less than 50 feet, it's not wide enough to say they can't do it. So, they need a 50-foot buffer.

**Chairman Serotta:** Are you in agreement with that Al?

**Al Fusco:** Yes.

**Chairman Serotta:** I don't know how this affects your lots or size of lots. You'll have to come back to us.

**James Rugnetta:** It shouldn't affect the lots. The reason we do conservation easements like that is mostly because that's part of cluster developments, more than 50% of the area in a lot has to be conservation easement. As per the town code, that's the definition of clustered subdivision. So as long as that area still stays conservation area, we should be okay.

**James Rugnetta:** have a question for Al. You do mention in it that basic SWPP is required for the project because the total area disturbance exceeds one acre. According to the DEC general permit, this project only qualifies for SWPP that only includes erosion and sediment controls, which is like silk fences and other general things like that it's not full SWPP

**Al Fusco:** Basic SWPP not full SWPP.

**James Rugnetta:** Yes, so just only includes erosion and sediment controls, which we provide on the plan with when we show silk fences....

**Al Fusco:** We need an NOI

**James Rugnetta:** That's fine.

**Al Fusco:** Not a full SWPP, just a basic.

**Larry Dysinger:** Easement for trail, it's going across the identified wetlands. How would that be protected to make sure there's no harm to those wetlands?

**Chairman Serotta:** Al can you comment.

**Al Fusco:** You can add trails, across wetlands.

**Chairman Serotta:** I don't think they're talking about making big roads through there. It's not their intention to do anything major.

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**Justin Brigandi:** Is there anything we need to be concerned about with who maintains the trail?

**Chairman Serotta:** NY NJ Trail would maintain it. When they take over a trail, they completely maintain it.

**Alexa Burchianti:** I'm just worried that you're putting this easement on the lot and we're going to have people straggling off the trail and onto people's properties. That's the purpose of the 50 feet that they will landscape it. Will the whole path till it gets to the open space to be lined with evergreens or whatever shrubbery?

**Chairman Serotta:** Well, the answer will be yes, but maybe not. They definitely would create a landscape buffer to try to keep these people on their track. In our last meeting, we voted to send James off to a public hearing. I think at this point in time, we are ready to get him off to a public hearing. I don't know what the outcome of Monroe. I think at this point in time, we're ready to go to the Public Hearing for March 2, 2022.

**Motion by Dot Wierzbicki for a Public Hearing on March 2, 2022.**

**Second by John Gifford.**

**All in favor – 5 Ayes**

**Westervelt / 509 Bellvale Road**

**Jeremy Valentine, PE for MHE** Engineering representing applicant

**Chairman Serotta:** Jeremy, from Valentine from MHE engineering is here. Ryan's proposing an 8,100 square foot building. That born to the left in the back, is that where they're going to either put an additional on there?

**Jeremy:** Correct, extend that back of the barn on the back corner. He wants it for some additional storage.

**Jeremy Valentine:** This was the old sawmill. We were back in front of the board about 2 years or so ago to convert sawmill to a warehouse. Orange County DPW approval for the driveway, did some work to lose the entrance, landscaping in front to screen the project, and fence for privacy. We're back in front of the board to build a traditional warehouse in the upper top. The upper portion of property is a small associated parking for the people that will be using that warehouse. There's an existing barn there now and the Ryan like to extend that some just for some additional storage. With the new warehouse, we're going to have to do a new septic for the bathrooms. The system would be using the existing well. With a tie into existing water system for that and the barn on the bottom, if anyone there has use bathroom, they will use the bathroom in the new warehouse.

**Al Fusco:** Please show the areas or lines to show that you have room for the trucks.

**Chairman Serotta:** Truck flow needs to be shown. How are the trucks backing in, how are they going to get to those bays?

**Jeremy Valentine:** It's set up for our workflow, it doesn't mean they're necessarily going to be used, it also doesn't mean it's going to be a traditional tractor trailer, it may be a 16-foot box truck. That's how we designed it. It's not going to be a trucking terminal. I don't see it being used any different than the way the existing buildings being used, it's just we need more space and a higher ceiling.

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**Chairman Serotta:** Make sure we understand how the trucks are going to back into there.

**Jeremy Valentine:** Basically, doesn't use tractor trailers, just trucks. Trucks are 26 feet & 16 feet. We do have trailers occasionally, when we're sending out package loads of the clothing, maybe 2 or 3 times a month for a couple of hours.

**Chairman Serotta:** Looking at Septic area on map.

**Ryan Westervelt:** We will have to schedule with Mr. Fusco so soil test and Perks design, and septic.

**Chairman Serotta:** You'd have to show us how your trucks are going to back in.

**Board Comments**

**Al Fusco: Reviewing Comment letter (1/31/22) #10** – The EAF to show that you need SHPO sign off. I'm assuming you had one before, that might be serviceable again, but we'll check that out.

**Jeremy Valentine:** I resubmitted to SHPO and they're a little slower for sure right now so we're waiting to hear back from them.

**Al Fusco:** Then when we probably get to the next round, we should do 239, once we get a little more detail, no plans look clearer.

**Chairman Serotta:** I guess it will have to go to OCDPW since we're adding some additional traffic.

**Al Fusco:** That's correct. I skipped over the traffic report. They can do it in house if they wish.

**Jeremy Valentine:** This project did go before the DPW before. No change in use, there's a little more volume, that's going to be the only change

**Chairman Serotta:** SHPO, I agree with Al.

**Jeremy Valentine:** With the last project, we weren't doing much ground disturbance. This one has more disturbance. I wanted to explain to show that we're doing a little more than were previously and make sure they're fine with it.

**Chairman Serotta:** Okay, also in your EAF, I guess the mappers showed the potential that there could be a bog turtle in there.

**Jeremy Valentine:** It would still have the same report because we're not doing anything in the trees or where the wetlands would be.

**Chairman Serotta:** I think you need show a little bit of the traffic flow, some of that show us the bays better and stuff like that. Then we can do 239 and out to OCDPW.

**Justin Brigandi:** Yeah, so just thinking aloud here, right, you've got the existing structure that's got, you know, five or six bays on it, you've got the new structure with five or six bays. Right now, there's not tons of trucks coming in and out of it, but with what's going on between Davidson and pomegranate, just around the corner, do you want to do a traffic study or anything like that? Because if this changes hands, there could be, you know, potential for a lot more trucks in and out.

**Al Fusco 1:01:31** Yes, I had put that down in my report also. I think Jeremy can address that up his work. What I said is, if you feel comfortable doing a house fine, if they can put it out to traffic engineer, but I think I do agree that we need additional data.

**Justin Brigandi:** The use maybe the same industry but it could be substantially higher.



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

*Alfred A. Fusco, III, General Manager*

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January 31, 2022

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

Re: Synergy - Westervelt  
17-1-9.1  
Our File CH-221

Dear Chairman Serotta,

We have reviewed the submittal and offer the following;

Project: Warehouse 8100 SF and Addition to Barn 1800 SF  
SBL Section 17, Block 1, Lot 9.1  
Zone: IP  
Acreage: 4.53 Acres  
Material Received: Application, Ecological Report, SEAF, Plans MHE

Comments:

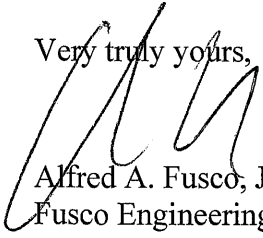
1. Parking and loading zone needed to be reviewed. Show tractor trailer loading and parking.
2. Show lighting to meet Town code and landscaping and fencing.
3. No parking sign for van unloading ADA.
4. Traffic report from engineers to Planning Board and OCDPW
5. Drainage and stormwater report to be submitted.
6. Sanitary system details required.
7. Detail well capacity.
8. Show driveway around west side of buildings for Fire Department access.
9. Provide building elevations with colors.
10. Need SHPO signoff
11. Board comments.

Action:  
239 GML when more complete.



Please advise if you have any questions.

Very truly yours,

A handwritten signature in black ink, appearing to read 'A. Fusco, Jr.', written over the typed name.

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

Fusco Engineering

& Land Surveying, P.C.

AAF/cam

Cc: Melissa Foote, Planning & Zoning Secretary

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**Ryan Westervelt:** How's that going to change? I mean, that's, that's a risk with any property. Loss?

**Larry Dysinger:** Traffic issue, we have a problem at the intersection of Kings Highway and Route 17 M. The main point is we need to know how much additional traffic with having the addition to the one and the new building, how much more traffic volume per day is projected for this addition.

**Ryan Westervelt:** I understand that but I mean the two warehouses that I believe are approved that are adjacent to this property, I think you're looking at 160,000 square feet, is that correct? Or somewhere in the neighborhood we're talking about adding so I just I'm just confused honestly, those add all kinds of traffic studies I don't see how this study is going to put a make or break anything when it's a negligible square foot addition compared to the existing two large buildings that are being built on the left and right at this building which are also going to affect all the same truck.

**Larry Dysinger:** The Issue is our what how much more volume per day is projected. I think that's the information we need.

**Jeremy Valentine:** Is it something we're looking at I just use the ICC and do the warehouse size and traffic count.

**Chairman Serotta:** You've got to come up with some numbers. I agree with you Ryan. I guess some of the concerns we have is we just approved 120,000 square foot one down further you on Bellvale road and then there's another one another proposed 100,000 at least somewhere around that range.

**Larry Dysinger:** I agree with most of our comments in his letter of definitely want to see a lot more detail. The lighting outside is not conforming to the current count standard. New drawing should reflect details on what lights are to be used. The lights that are on the building today do not conform with the current outdoor lighting ordinance.

**Jeremy Valentine:** That's news to me the lighting plan that we had to submit for the original part, but it's news to me, but that's fine if you need to fix something. I just need to know what to fix.

**Larry Dysinger:** I looked at it today. There's somewhat downward but I can see the light itself from the road.

**Dot Wierzbicki:** How many employees do you expect to in existing building?

**Ryan Westervelt:** 3

**Dot Wierzbicki:** The Box Trucks only come during the day?

**Ryan Westervelt:** Generally during business hours, 8 – 8pm. It's not a 24-hour operation.

**Chairman Serotta:** I'm assuming you want to come back on March 2. You'll get some of the information updates, plans to us.

**Meeting adjourned at 8:15pm**

Respectfully submitted,

Melissa Foote  
Planning Board Secretary