

**TOWN OF CHESTER  
PLANNING BOARD  
NEGATIVE DECLARATION**

**Determination:** Please take notice that, according to the provisions of 6NYCRR, Part 617.7, the Town of Chester Planning Board as lead agency, having reviewed and considered information provided by the applicant, the Environmental Assessment Form and plans for the proposed project and having considered the reasonably related long-term, short-term and cumulative effects and impacts of the project, has determined that the action described below will not have an adverse impact on the environment and the Planning Board has, therefore, adopted a resolution to this effect.

**Contact Person/Address:** Donald Serotta, Chairman  
Town of Chester Planning Board  
1786 Kings Highway  
Chester, New York 10918  
(845) 469-7000

**Name of Project:** Route 94 North, LLC [Primo Sports Complex]

**Location:** State Highway 94 & Glenmere Road

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

Town of Chester, County of Orange

**Type of Action:** Type I

**Project Description, Background and Reasons Supporting the Negative Declaration:** Route 94 North, LLC has applied for site plan approval allowing them to construct an indoor/outdoor sports complex on certain real property owned by Chill Factor Cooling, LLC which property is more particularly hereinafter described. The sports complex will consist of a 61,875 +/- square foot indoor recreation facility; four outdoor soccer fields; one indoor soccer field; two outdoor little league baseball fields; two beach volleyball courts and a bocce court all with customary appurtenances. The site also has designated parking for up to 294 vehicles. The premises will be serviced by a well and septic.

The Lead Agency has carefully considered all issues of potential environmental concern and concludes that the project, as proposed, will not have a significant adverse effect on the environment for the following reasons:

The Town of Chester Planning Board has reviewed this project over many months, plans have been revised pursuant to comments received from the planning board and other interested agencies. A Stormwater Pollution and Prevention Plan has submitted for the project. The planning board has requested additional information during its review which the applicants have provided including updated landscaping plans, traffic studies, reports regarding threatened and endangered species, traffic analyses and assessment of potential

noise impacts, and assessment of potential lighting impacts.

The planning board has reviewed the project with regard to potential impacts on threatened and endangered species including review of the site through the NYS DEC databases, the review of the site with regard to threatened and endangered species has been undertaken including coordination with various State and Federal Agencies and the preparation of a report by the applicant's consultant. Based upon the foregoing, the planning board finds that the proposed project will not have an impact on threatened or endangered species.

Impacts to the surface water were evaluated including the review of a comprehensive Stormwater Pollution and Prevention Plan. The Stormwater Pollution and Prevention Plan has been prepared for the project to control both water quantity and quality runoff from the disturbed area. The project will obtain a SPDES General Permit for stormwater discharges during construction. The project will not impact groundwater and specific measures will be undertaken to address and alleviate the public's concerns regarding the migration of wastewater offsite. Moreover, the Board recognizes that the premises currently contain stockpiles of construction and demolition ("C&D") debris that was imported from an offsite location. The Board is in receipt of correspondence from the New York State Department of Environmental Conservation dated November 16, 2015 wherein the NYSDEC indicated that it would be in support of a beneficial use determination subject to the receipt of acceptable plans to allow the C&D to remain on site, or, alternatively the removal of the C&D from the site. The applicant has agreed to remove all of the C&D material from the site thereby alleviating any concerns of the Board and/or the public regarding this issue.

The Planning Board reviewed information pertaining to traffic at the site. Specifically, the planning board reviewed a traffic impact evaluation prepared by Maser Consulting dated January 9, 2015. Pursuant to correspondence dated April 14, 2015, the New York State Department of Transportation stated that "we have reviewed the report and find it acceptable." Additional recommendations made by the NYSDOT in their April 14, 2015 correspondence have been incorporated into the site plan.

During the course of the public hearing held before the Planning Board, many comments were received from the public relative to the potential for adverse conditions relating to noise and the lighting of the athletic fields. In response to these concerns, the applicant engaged the services of Tim Miller Associates ("TMA") who produced a report, dated November 2, 2015 relative to the noise and lighting concerns. With regard to noise, the report concluded as follows: "It is anticipated that noise levels from activities at the Primo Sports Chester site will increase noise levels less than 5 dBA from ambient condition for neighbors of the site. Such an increase will fall into the category of "unnoticed to tolerable" [] and would not be objectionable for project neighbors."

In connection with lighting, the TMA report concludes that the Primo Sports facility is compliant with the Town Zoning Code requirements. However, while the report concludes that the lighting utilized by the facility will not spillover onto

adjacent property, it does find “the lighted field(s) will be visible from the adjacent residences and that the proposed LED lighting at the Primo Sports facility will reduce impacts to neighbors during evening and nighttime games.” In order to further ameliorate this condition, the applicant has agreed to end all activities so that the lights will be turned off by 10:00 p.m. as opposed to the originally requested 11:00 p.m. so that the visibility of the lighted fields from the adjacent residences will be minimized.

Based upon review of the Long Form EAF, including all supplemental information provided, a review of the project plans and the input received during public meetings, the Planning Board finds that the project will not have a significant impact on the environment and that an Environmental Impact Statement will not be required.

**Date of Action:** December 2, 2015

**Date of Mailing:**

**Involved Agencies:** Town of Chester Planning Board  
1786 Kings Highway  
Chester, New York 10918

New York State Department of Environmental Conservation  
21 South Putt Corners Road  
New Paltz, New York 12561

New York State Department of Transportation  
4 Burnett Blvd.  
Poughkeepsie, New York 12603

Orange County Health Department  
124 Main Street  
Newburgh, New York 10924

**Interested Agencies/Parties:**

Orange County Planning Department  
124 Main Street  
Newburgh, NY 10924