

**RESOLUTION OF APPROVAL**  
**SITE PLAN**  
**FOR**  
**POMEGRANATE SOLUTIONS, LLC**

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**Nature of Application**

Pomegranate Solutions, LLC is the owner of four parcels of land which are to be combined to form one 8.73 +/- acre lot which is located in the in the IP (Industrial Park) Zoning District. The applicant proposes to construct a 110,000 +/- square foot light industrial building, including approximately 8,000 square feet of office space. The building will be served by private well and septic system. Two access points are proposed to Davidson Drive, which is a private road recognized by the Town of Chester.

**Property Involved**

The property affected by this resolution is shown on the Tax Maps of the Town of Chester as parcel(s) Section 17, Block 1, Lots 83, 84, 85 and 86.

**Zoning District**

The property affected by this resolution is located in the IP Zoning District of the Town of Chester.

**Plans**

The Site Plan materials being considered consist of the following:

1. Completed application dated July 21,2020.
2. Plans prepared by Lanc & Tully Engineering and Land Surveying, PC dated February 26, 2020, last revised June 23, 2021, consisting of 13 sheets, as follows:

<u>Author</u>	<u>Title</u>	<u>Last Revision Date</u>
Lanc & Tully	Cover Sheet	June 23, 2021
Lanc & Tully	Existing Conditions	June 23, 2021
Lanc & Tully	Site Plan	June 23, 2021

Lanc & Tully	Grading & Utility	June 23, 2021
Lanc & Tully	SDS Design Details	June 23, 2021
Lanc & Tully	Erosion & Sediment	June 23, 2021
Lanc & Tully	Erosion Controls	June 23, 2021
Lanc & Tully	Road Profiles	June 23, 2021
Lanc & Tully	Landscape Plan	June 23, 2021
Lanc & Tully	Lighting Plan	June 23, 2021
Lanc & Tully	Truck Turn Analysis	June 23, 2021
Lanc & Tully	Construction Details	June 23, 2021
Lanc & Tully	Construction Details 2	June 23, 2021

3. Full Environmental Assessment Form dated July 22, 2020 .
4. Threatened and Endangered Species Habitat Suitability Assessment Report prepared by Ecological Solutions, LLC dated October 16, 2020.
5. Correspondence from United States Department of the Interior Fish and Wildlife Service dated October 16, 2020.

## **History**

### ***Date of Application***

The application was filed with the Planning Board in July of 2020.  
Permit

### ***Public Hearing***

A public hearing was convened on May 5, 2021 and was closed that same evening.

## **SEQRA**

### **Type of Action:**

This matter constitutes a Type I Action under the State Environmental Quality Review Act.

### **Lead Agency:**

A Notice of Intent to become Lead Agency was issued pursuant to Part 617 of the implementing regulations of Article 8 of the Environmental Conservation Law (the SEQRA Regulations). A Notice of Intent to be Lead Agency was circulated by the Planning Board on March 5, 2021. No other involved agency expressed an intent to assume Lead Agency status. Accordingly, the Town of Chester Planning Board is the lead agency in regard to this action.

### **Declaration of Significance:**

A negative declaration was issued on July 7, 2021.

## **GML 239 Referral**

This application has been referred to the Orange County Planning Department for review and report. The Planning Department in a communication dated March 22, 2021 has reported that this matter is one for local determination, there being no significant inter-municipal or countywide considerations found to exist.

## **Findings**

The Planning Board has determined that approval of this site plan will substantially serve the public convenience, safety and welfare in that the land to be improved is of such character that it can be used safely for building purposes without danger to health or peril from fire, flood or other menace. Further, the site plan is appropriate and consistent with the requirements of the master plan, the official map of the Town, Article V of the Town of Chester Site Plan Regulations and applicable zoning regulations, subject to compliance in full with conditions hereinafter imposed.

## **Resolution of Approval**

NOW, THEREFORE, THE PLANNING BOARD RESOLVES to approve the final site plan application of Pomegranate Solutions, LLC. as said proposal is depicted on the plans identified above and upon the conditions outlined below, and the Chairperson (or his designee) is authorized to sign the site plan map(s) upon satisfaction of those conditions below noted to be conditions precedent to such signing.

### **Specific Conditions**

1. This approval is subject to compliance with the terms, conditions, notes and all provisions contained within and upon the “Plans” referenced hereinabove, including all improvements shown to be performed on Davidson Drive.
2. This approval is subject to the applicant depositing such amount as the Town Board may deem appropriate for erosion control inspections.
3. All stormwater storage and conveyance facilities shall be installed, to the satisfaction of the town engineer. Compliance with the requirements of section 98-13 of the Town Code, including delivery of the required *Stormwater Control Facility Maintenance Agreement* prior to map signing is required. Moreover, a map note to this effect shall be placed on the plans before they are signed.
4. Compliance with requirements imposed by the Planning Board Engineer, Fusco Engineering & Land Surveying, P.C, in their correspondence to the Planning Board dated June 25, 2021.

### **General Conditions**

This approval is conditioned upon the applicant submitting all necessary copies of the plans to be signed, including mylars when required, to the Town of Chester Planning Board in accordance with the requirements of the Town Code.

This approval is further conditioned upon the applicant delivering (prior to signing of the plat) proof, in writing, that all fees—engineering, planning, legal and otherwise—in regard to this project have been fully paid. The plans shall not be signed

until proof, satisfactory to the Chair, has been presented showing that all fees have been paid.

A FAILURE to comply with any such condition in a timely manner shall result, without further action, in a lapsing of this approval.

In Favor 7

Against 0

Abstain 0

Absent 0

Dated:

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DONALD SEROTTA, CHAIRMAN  
TOWN OF CHESTER PLANNING BOARD