

Meeting called to order: 7:10pm

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

Next meeting of the Planning Board is scheduled for September 6, 2022.

Other Business:

Chairman Serotta spoke about the Site Visit for 25 Creamery Pond Rd arranged by Lydia Cuadros for August 17, 2022 @ 6pm. Mentioned projects on the September 6, 2022 Agenda – 193 Black Meadow Road, AT&T, ARX Wireless, 1414 Kings Highway.

ARB Application

Project Type/Description: Wood sign 3 x 4. White Background with Black & Gray writing

Project Location: 62 Wood Road, D4

Applicant: Ashley Lenahan / Indigo Beauty Lounge LLC – Nicole Pena / Partner of Indigo spoke about her project/sign. The sign will be on the side of the building. Color scheme to be Grey & Black.

No Board Comments

Motion to approve ARB Application by Dot Wierzbicki

Second by Larry Dysinger

Applicant to receive Approval Letter and they are now able to go to the Building Department for a Building Permit for the sign.

Public Hearing Continuation 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

Applicant: NY Solar 1001 LLC

Jackie Basile discussing project & Water Line issue. Waterline location was confirmed with the exact location. In the fields, there was a slight adjustment. We spoke with the Village of Chester's Code Enforcement office, John Orr. Right now, we have the approximate location. When they originally did the survey, it was based on the deed and location of easement within that deed. They did adjust it so after talking to John today, he's asked that we change this from approximate to make it more of a legality term and put the actual legal description of the easement and reference it in on the site plan. We talked to our engineers and they are planning on doing that. As well as making a note about the Fence line, re posting.

David Donovan: Sounds good.

Chairman Serotta: This all happened when we got a letter from the mayor. The mayor was looking for the easement to be fully depicted as described in the attached deed documents. Easement is not encroached or built on so Jackie was talking about was the fence posts themselves won't go into the easement itself, and the fence will stretch across and could always be taken down, and the road is okay.

Chairman Serotta: Environmental No Impact letter from the DC for Rattlesnakes was received. Also, there were no Bog turtles.

Al Fusco: *Reviewing his Review letter. Also noted SHPPPO letter received re Landscaping.*

Chairman Serotta: Orange County to 239 submitted but not received as of today. Also spoke with the Orange County Commissioner planning.

Board Comments:

Jackie Elfers: Maintenance plan is a really smart idea.

Larry Dysinger: On the EAF, Part two on page six, nine F, asks if there are similar projects visible within the following projects the proposed project and the answer is no. That was checked. However, that's not correct. Currently, there are three large commercial solar array system. One is on Black Meadow Road. Fortunately, that system is hidden and not seen by any of the residents. There's another on Kings Highway, and there's another on Johnson Road, which you can see from route 94 and also Johnson Road but fortunately there's no really no homes there, so no one's really impacted. The concern I have is this is going into an area that will be affected by the neighbors surrounding this site. I do have a concern that no assessment was done on a potential valuation of homes, it will have an impact, what that is, I don't know. But there was no evaluation performed at all to see what that impact would be financially to the help. I had requested many months ago, photos of others, similar solar arrays and I still haven't seen anything. I know you said there's no outdoor lighting,

Chairman Serotta referring to Larry Dysinger's concerns with the EAF, Part two on page six, nine F, asks if there are similar projects visible within the following projects the proposed project and the answer is no. That was checked. Explained that the word used, "**Visible**" was what the Applicant referred to, the proposed project site ISN'T visible to other projects as NY Solar.

Larry Dysinger: Concerns with the Decommissioning Bond. Felt the calculation was off

Jackie Basile: Explained that these are based on calculations that are there's like studies that that our engineers do to come up with these calculations. They're standard assumptions that are used in the industry.

Larry Dysinger: Concerns with Panel removal. The amount of panels to be removed and the time frame doesn't seem correct. I think your number is grossly wrong by three or four folds. I think you need to go back and it's just not realistic.

Larry Dysinger: I didn't see any cost about transporting the panels to a recycling center.

Jackie Basile: We don't include salvage value for our decommissioning plans. We don't include with costs.

Larry Dysinger: I've been in a construction business for 30 years. I know, having attended some state webinars, which included decommissioning, the state's recommendation, and come up with the current costs, add 25%. And then two and a half percent compounded over the term was 20 years, but that's what the state recommends. I'm not sure 2% is good. There were no details in there about the frameworks. The company that's putting the software are they getting the state federal funding for this, because I notice that all the equipment is non USA.

Jackie Basile: There are very few companies in the USA.

Chairman Serotta: Referring to Larry Dysinger's comments about the Decommissioning Bond,

The town board negotiated that you could reach out to them regarding that.

Melissa, the mails and the notices were sent out on Time.

Melissa Foote: Yes.

Chairman Serotta: So let the record reflect the proper notices were sent by mail and the legal notice was published. This time we didn't do any kind of republishing, as explained this was going to be a continuation and there would be no new notices going out.

Chairman Serotta: Opening the Public Hearing, please just raise your hand and then come up to the podium. If you could state your name and address.

Comment #1 – Tom Becker - 163 Lehigh Avenue

Apologized for last meeting and the complications that came about on the Waterline. Spoke with Village of Chester, and we found markers that helped clarify where it belonged.

Tom Sent Pictures of views from 3 Marian Court & 3 Sandford Avenue, reviewing them with Board and Public

Feels that some unique ways of creating blending should be done for these projects, so they don't stand out so much.

Concerned with looking out into Black Solar Panels vs looking into the green field.

Asked if the board can look into other companies that have painted the framework.

Planting that's going around the project is working on the edge of the project, but it's not covering anything in the middle of the project.

Due to easement, would it be possible to put a row of trees or something that just to break the project off?

Concerns with property values.

The more unique ways to make these things happen would be greatly appreciated.

Comment #2 – 186 Greycourt

Karen Arent mentioned that there's three cedars trees there.

These are our trees, there's only one and two are dying.

Concerned over the propose 5/6ft tree plantings mentioned by Karen Arent because they may take an additional 30 years for the trees to block the view.

**** Karen Arent suggested Green Giants because they grow faster****

Concerned over noise level of panel rotation.

Resident invited Board to visit his property to understand the situation.

Comment # 2 Barbara – 189 Greycourt

Concerns with project effecting property value of homes and why a report wasn't done.

****Don Serotta mentioned that the Planning Board doesn't do this****

Health concerns, and effect if any of water.

****Jackie Basile mentioned that the new panels approved from the EPA show no evidence of contamination****

Motion to Close the Public Hearing by: Justin Brigandi

Second by: Larry Dysinger

David Donovan: If we are the only Agency, we don't have to notify, this is a Type I Action.

Chairman Serotta: We just need a final letter from the Mayor of the Village of Chester.

Public Hearing for ARX Wireless

Project Type: Shared-Use Wireless Telecommunications Facility

Project Location: End of Poplar Drive

Applicant: ARX Wireless

Engineer: Tectonic Engineering Consultants, Steven Matthews, P.E.

Paul Ryan/Emory Law Firm representing ARX discussing project along with OSU Sharif/RF Engineer from Verizon.

Chairman Serotta: We have Clint Smith, our telecommunication specialist with us.

Paul Ryan: This is a 4.6 acre parcel that used to be a wastewater treatment plant for the town. The town actually approached ARX and Verizon, about putting a tower on the site, so they recognize the need prior to us getting involved. Its zoned SR 2, cell towers are permitted use there. What we're proposing is 150-foot, with a four lightning rod at top. Verizon would place their three antennas or their three panels of three antennas on the top of the 146-foot level. And then there'll be co-location for other cellular vendors below Verizon. The access for the property would come in from partners

Chairman Serotta reviewing site plans and exhibits.

So in the center right here to square that 60 by 60 foot fence enclosure, we put the monopole in and then some of the other related telecom equipment along with the generator. And that's a limited area of physical ground disturbance. There's not a lot of clearing that's necessary here. It's flat level, no wetlands on the property, we meet the setback requirements. Utilities are going underground, and we will have an easement on either side of the road but its minimal disturbance. There will be some lighting at the ground for maintenance should someone need to come and do a repair for some security reasons. Essentially at night you really wouldn't see any lighting. Verizon is still going to be at the top. We have proposed co-location vendors. There is a potential at some point in the future, if we need to extend the pole and come back to the town and ask to put additional links above the pole. It's nothing we're planning to do today, but it's a potential expansion. We'll be looking for co-location vendors as soon as we build a tower. There's no need for area lighting on this. We started the dialogue

with your telecommunications engineer, and with your other engineer, Mr. Fusco. We've addressed a lot of the questions that have come up, there's still some lingering issues that need to be resolved.

Chairman Serotta: A balloon test was done last Saturday. ****Reviewing photos of the Balloon Test (online)**** the red dots represent the homes that can see to Tower, and the green dots represent the ones that can't see the tower. The Yellow dots would represent partial view for the homes, but there's no yellow dots. We can see from where the white car is. The balloon goes up to 150 feet. All documents are available on the website. We are not closing the Public Hearing.

Al Fusco going over his review letter

Chairman Serotta: SHPO sent a comment letter, went over RF Factor and FCC Rules.

Clint Smith: Referring to RF Factor Analysis

Report needs to be run at 154ft. Height of proposed Cell Tower

Co-Location needs to be identified (3) by Applicant

Interference – Needs to add 1st Responders

EMF Radiation – Report by Site Safe completed and covered more than needed

Carriers need to supply compliance on a yearly basis.

When new Co-Locators are added on, a new EMF need to be done along with Capacity Need.

Sharif – Verizon Engineer

Discussed Capacity & Coverage in regards to Low, and mid band

There is a need for more data which is through Mid-band.

Clint Smith: When coverage shrinks you need to add more sites.

Comment #1 – Tom Becker

Working w/ Al Fusco in regards to Walton Lakes since Water Dept is drilling well at Walton Lake.

Needs to make sure there is no interference.

****Paul Ryan will delineate cabling, road ways, etc.****

Comment #2 – Larry Worsharer

Concerns with playground & tower and health effects, and children.

Move the tower away.

Comment #3 – Lydia Cuadros

Conflict of interest because Town of Chester reached out to ARX.

Comment #4 – Tracy Schuh – Write in via email 8-3-22

Motion to Close the Public Hearing by: Larry Dysinger

Second by: Justin Brigandi

Site Plan

Broccoli Patch

Project Type: Distillery/Restaurant Catering Facility, Residence

Project Location: 1355 Kings Highway

Applicant: Broccoli Patch Inc.

Ross Winglovitz describing project.

Minor Site Plan modifications per Planning Board were *made*.

6-15-22 – DEC – Bog Turtle habitat report sent

Moodna & Sewer Connection discussion

Suggested Field visit with one of the neighboring properties.

Al Fusco – Referring to his Review Letter

Karen Arent– Town Planning Board Landscaping will address after Site Visit on August 17, 2022.

Chairman Serotta: Sign needs to be addressed (will need to go to ARB for approval. Location of sign needs to be put on map.

David Donovan: No discussion of the project at the August 17, 2022 site visit.

Chairman Serotta: Need to address Noise Issues, Music times, etc. and they need to be added to the site plan.

Board Comments:

Larry Dysinger: Details on light description, outdoor lighting, water reflection.

Curbs – Concerns with Right of Way, curb to direct water to catch basin?

Jackie Elfers: Please add hours of operation, and include length of music on the site plan, as it's not on there now.

Chairman Serotta: Broccoli Patch to be added to the October Planning Board Agenda, but we should try to schedule a Planning Board site visit to Broccoli Patch location in September.

Motion to Adjourn Meeting@ 9:51pm by Larry Dysinger

Second by Dot Wierzbicki