

**TOWN OF CHESTER
PLANNING BOARD MINUTES
FEBRUARY 21, 2024**

Meeting called to order: 7:00pm

Members present: CHAIRMAN SEROTTA, JUSTIN BRIGANDI, JON GIFFORD, DOT WIERZBICKI, JACKIE ELFERS

Members Absent: MARK ROBERSON

Also Present: DAVID DONOVAN/Planning Board Counsel, MELISSA FOOTE/ Planning Board Secretary, JOHN QUEENAN/Planning Board Engineer, KRISTEN O'DONNELL/Planning Board Planner

Baroda

Proposed Subdivision / Single Family Residences

Location: Black Meadow Road

JOE PFAU

DOMINIQUE ALBANO referring to the letter they had submitted via email before the meeting. This was circulated to the Board and the Planning Board Engineer & Planning Board Planner.

JOE PFAU Reviewing the Plan, and project. These were plans that were submitted back in December 2023. This plan reflects comments from the Board & from Fusco's comments from October 2023, as well as comments from **JOE PFAU** KRISTEN O'DONNELL from the December 5th, 2023 meeting.

Reflagged wetlands,lost1 lot
124 acres of open space

CHAIRMAN SEROTTA: Introducing the new Planning Board Engineer, John Queenan from Lanc and Tully.

JOHN QUEENAN referring to his review letter – concerns, water, well testing to state, a study is need from OCDH, Site distances for driveway, traffic analysis.

JOE PFAU stated they were never asked to do the Traffic Analysis.

JOHN QUEENAN believes the board should consider having them get this done.

Discussing Ridgeline View

SWPP meets requirements, should note in SWPP grading should be more usable, flat backyard will limit area of disturbance.

**KRISTEN O'DONNELL COMMENTS – IN NEED OF
Visual impact to Ridgeline is the main objective. Grading is important. Need to see an
outline for back of the house**

Referred to §98-26 in Town Code

Chapter 98. Zoning

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Article IV. Regulations Pertaining to Specific Districts

§ 98-26. Ridge Preservation Overlay District.

A.

Purpose and policy. Topography in the Town includes dramatic ridgeline elevations running in a generally northeast to southwest direction. These elevations afford sweeping views of the surrounding countryside, and are in turn prominently visible from many other locations, forming the scenic backdrop that is an important visual element in the Town. Much of the more highly developed land in the Town has been concentrated in valleys, as the higher elevations are rocky and steeply sloped, being difficult to build and access, so that these ridges are sparsely developed and heavily wooded. Although many of these lands are either publicly owned or owned in a manner which preempts structural land uses, not all are so protected. Therefore, the Town has enacted the following regulations in order to protect these important visual and aesthetic resources in the Town.

B.

Applicability. All lands so designated on the Zoning Map within the AR-.3, SR-1 and SR-2 Districts shall be incorporated within the Ridge Preservation Overlay District.

C.

Restrictions and procedures.

(1)

Any new structure within the Ridge Preservation Overlay District for which a building permit is required shall be located to the maximum practical extent so as not to be visible from any point on Pine Hill Road, Bull Mill Road, Black Meadow Road or on a state, county or interstate highway, and if such structures cannot be completely obscured they shall be made to blend as unobtrusively as possible into the hillside to avoid breaking the natural ridgeline.

[Amended 12-6-2005 by L.L. No. 5-2005]

(a)

The Building Inspector shall have the power to approve building permit applications for such structures pursuant to this chapter if such use has not already been reviewed and approved by the Planning Board. The Building Inspector will also have the power to refer the application to the Planning Board for further analysis if he so deems necessary.

(b)

The power to approve the location and dimensional attributes of structures during the subdivision process in the RPOD is given to the Planning Board. The Planning Board shall require a visual impact assessment to evaluate the potential visual impacts of the new structures and to minimize the removal of trees and vegetation in accordance with these regulations and the Subdivision Regulations.^[1] The visual impact assessment shall include a photographic study taken from designated vantage points or areas along Pine Hill Road, Bull Mill Road, Black Meadow Road or state, county or interstate highways, with the location of the proposed clearing, new structures and its site indicated thereon. The Planning Board may waive any requirements of the Code, including the public hearing requirement, when it determines that such requirements are not relevant to the review of the new structure where the Planning Board determines that the new structure will not be visible from any point along a state, county or interstate highway.

[1]

Editor's Note: See Ch. 83, Subdivision of Land.

(2)

Any proposal for construction within the Overlay District shall include a survey showing the topography of the parcel and indicating the current areas of vegetative cover of type. Such plot plan shall indicate the proposed location and elevation of the structure, all structural and nonstructural accessories thereto, and proposed grading and vegetation clearing. Said application shall also include an architectural rendering of the proposed structure, indicating the size and shape of the house, its siding color and material, window locations, size and type and roofing color.

(3)

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Any subdivision showing a potential structure within the RPOD shall have a note referencing this section of the Code or a note indicating detailed plans and restrictions for specific structures for specific lots that have been approved during the subdivision process along with the restrictions imposed.

D.

In reviewing the visibility and compatibility of proposed structures and lot development, the Planning Board shall consider:

(1)

The building design.

(2)

The location of the building and nonstructural accessories, and any tree clearing required to locate the same. To the greatest extent practicable, tree clearing performed in order to accommodate such construction shall be minimized and carried out so as to avoid creating a larger or significant discontinuity in the surrounding vegetation cover, particularly avoiding situations where a tree line at the peak of a ridge is interrupted so that the backdrop of sky protrudes through such opening. Structures shall be located at lower elevations in order to avoid piercing the ridgeline.

(3)

The building color and visibility/reflectivity of broad expanses of window and/or skylight glass. Structures should be finished with earth-tone or neutral colors in order to blend in with the tree cover and should employ nonreflective glass in order to reduce its prominence.

(4)

The planting of appropriate native deciduous and/or evergreen vegetation to screen the structure or its accessories.

CHAIRMAN SEROTTA mentioned Soil Testing.

Soil test was performed by Tectonic per **JOE PFAU**.

JOE PFAU will be performing Well Testing for quality, if the Town would like, they can be a part of this.

JOHN QUEENAN advised **JOE PFAU** that the Well Testing should have been submitted to OCDH already and OCDH would pick the Wells.

DAVID DONOVAN advised **DOMINIQUE & JOE** that the Board can't issue preliminary approval. SEQR needs to be closed and a Public Hearing would need to be done.

WATER SUPPLY

JOHN QUEENAN stated that the project needs to prove that they have adequate water supply.

CHAIRMAN SEROTTA would like this to be sent tot the Village of Chester. Who is going to maintain the buffer, and who will have ownership. It's not part of the Open Space.

Lots 14, 21, 22 need to be readjusted, because some of the lots are against the buffer

LANDSCAPE DISCUSSION

JOHN QUEENAN mentioning additional plantings for screening should be used.

JOE PFAU Setback, side yards, rear yards need to be addressed to the buffer.

KRISTENO'DONNELL would like to see supplemental vegetation, and street trees per Boards preference.

JACKIE ELFERS would like to have the property unified and street trees added.

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BOARD COMMENTS

DOT WIERZBICKI – Street trees are a good idea

JACKIE ELFERS- Look for a mixture. Visual is important, and screening.

CHAIRMAN SEROTTA wanted to know if the curbing was cement or Belgian Block. **JOE PFAU** should also reach out to Town Highway Superintendent

JOE PFAU- Belgian Block

DAVID DONOVAN – The board can give technical reviews and comments, but SEQR isn't closed.

CHAIRMAN SEROTTA stated no Neg Dec was issued, and a Public Hearing is necessary. A grading plan would need to be submitted.

Meeting adjourned at @ 9:17pm

DRAFT