

## MINUTES

### VILLAGE OF CHESTER PLANNING BOARD

MARCH 22, 2016

#### REGULAR MEETING

**PRESENT:** Richard RAMSDELL, Chairman  
Anthony LASPINA, Member  
Vinny RAPP, Member  
Gene WINTERS, Member  
John ORR, Code Enforcement Officer  
Mark EDSALL, Engineer  
Harold PRESSBERG, Attorney

**NOT PRESENT:** Robert JANKELUNAS, Member

#### **PUBLIC HEARING 7:00 PM**

<b>Project # 16-01</b>	<b>Project Name: The Castle Site Plan Amendment #16-01</b>
Applicant/Owner:	Brian & Alison Leentjes
Location:	107-109 Brookside Ave. (SBL 107-2-14.2 & 107-2-15)
Re:	Proposed Addition to the existing recreational center building
Presented by	James A. Dillin PLS – Surveyor

Chairman Ramsdell opened the Public Hearing at 7:00 PM.

Project overview provided by Jim Dillin, PE:

- Proposed Site Plan Modification
- Addition of a 2 story, approximately 16,000 square foot building
- Elimination of the batting cages and either removal or location change of the go kart race track
- Ride changes
- The proposed new building would be attached to the existing building
- Additional parking is noted in the overflow lot located in the Town of Chester
- Total parking spaces required is 273 and the site plan provides 288 parking spaces
- There is an easement already in place with the Town of Chester and the Village of Chester for parking
- Completion date would now be December 31, 2017

General Discussion was held regarding:

Parking:

Jim Dillin noted that he provided a copy of the proposed changes in parking to Don Serotta, Town of Chester Planning Board Chairman

The applicant has not filed a site plan application with the Town of Chester, but the application has been referred to the Town for their comments.

Chairman Ramsdell opened the Public Hearing up to Public Comments:

- Leslie Smith of 117 Brookside Avenue, Chester, NY:
  - Indicated that based on the information, she has no major objections, but indicated that all the projects listed on the agenda do not have site plans available on the website. She's pleased the site plans are available at the meeting for review.
  - Member Winters noted that he has discussed this issue with the Mayor and the Village is working on correcting the issue with the website.
- David Stevenson of 16 Elm Street, Chester, NY:
  - Requested clarification on the parcels shown on the site plan – was the parcel shown on page 1 of the site plan in the Village and the parcel shown on page 2 of the site plan in the Town?
  - Asked how the Town of Chester site would be access for parking.

- Jim Dillin, PLS, pointed out the parking access on the site plan and noted no new entrances were proposed and there is only an exit located on the Town property
- Asked if the proposed changes were to appeal to a younger customer base
  - Applicant, Brian Leentjes advised that he rotates the rides and makes updates to keep the customers interested and keep it “fresh”.
- Asked if the 2 story, 16,000 square foot building would be 8,000 square feet per floor.
  - Applicant, Brian Leentjes advised each floor would not be 8,000 square feet as he is looking into a ride that would span both floors.

As there were no other comments, **\*MOTION** was made by Member Winters, second by Member LaSpina, to CLOSE THE PUBLIC HEARING. Motion passed 4-0.

## **REGULAR MEETING**

Chairman Ramsdell opened the Regular Meeting.

### **1. Minutes**

It was noted that the December meeting minutes are being reviewed for updates and the January and February minutes are being worked on.

### **2. Correspondence**

A memo from David Church, Orange County Department of Planning Commissioner was received after the agenda was finalized. The memo was issued to remind municipalities of their responsibilities under NYS GML 239 I, m and n (copy attached).

### **3. Code Enforcement Officer Report**

Presented by John Orr (copy attached).

### **4. Projects for Review**

<b>Project # 16-01</b>	<b>Project Name: The Castle Site Plan Amendment</b>
Applicant/Owner:	Brian & Alison Leentjes
Location:	107-109 Brookside Ave. (SBL 107-2-14.2 & 107-2-15)
Re:	Proposed Addition to the existing recreational center building.
Presented by	James A. Dillin PLS – Surveyor

Mark Edsall's comments were reviewed and general discussion held (copy attached).

- It was noted the open items are:
  - Letter from the Town of Chester regarding the proposed parking update;
  - Referral to be made to the New York State Department of Transportation to make them aware of the proposed billboard. It was noted that the Planning Board would be approving the location of the sign only. It was requested that a condition of the site plan approval is approval of the billboard by NYS DOT;
- It was noted the application was submitted to Orange County Planning.

Discussion was held regarding Jim Dillin's request for conditional final approval:

- Chairman Ramsdell confirmed we are waiting for referral responses from both the Town of Chester and Orange County planning;
- Attorney Harold Pressberg advised that without the County response, it would be difficult to grant a conditional final approval.

**\*MOTION** was made by Member Rappa, second by Member LaSpina, to DECLARE THIS A TYPE II ACTION UNDER SEQR and, therefore requires no further action. Motion passed 4-0.

**\*MOTION** was made by Member Winters second by Member Rappa, to GRANT CONDITIONAL FINAL SITE PLAN APPROVAL. Conditions of approval are: payment of all fees; positive/supportive response from Orange County Planning; letter received from the Town of Chester supporting the proposed parking changes; update site plan completion date to December 31, 2017. Motion passed 4-0.

**Project # 16-03**                      **Project Name: 3 Contorino Way Site Plan Amendment**  
 Applicant/Owner:                  Michael Adams  
 Location:                              3 Contorino Way, Bldg #2 (SBL 101-1-9)  
 Re:                                        Special Permitted Use for existing warehouse & Office  
 Presented by                         James A. Dillin PLS – Surveyor

Jim Dillin, PLS, provided an overview of the project:

- There is a potential buyer for the building/property;
- There are minor site plan changes proposed;
- The easement already in place for Mr. Contorino to access his property would remain in effect and be set up and filed prior to the sale of the property.

Member Winters asked how long the current tenant has been in the building and was advised by John Orr, Building Inspector that the current tenant has been in the building for approximately 3 years and there have been no issues.

Mark Edsall's comments were reviewed and general discussion held (copy attached).

**\*MOTION** was made by Member Winters, second by Member LaSpina, to DECLARE THIS A TYPE II ACTION UNDER SEQR and, therefore requires no further action. Motion passed 4-0.

Discussion was held regarding:

- Member Winters noted that he was glad the applicant was planting evergreens as a buffer;
- Jim Dillin, PLS, advised the applicant will agree to the request of 3 inches of pavement instead of the 2 inches currently noted on the site plan;
- The need for the continuation of the Renewable Special Permit
  - John Orr, Building Inspector asked if a special permit could be changed or cancelled with a change of occupancy, if the site plan could state that a change of operation constitutes the special permit becomes null and void and if a new special permit could be put in place for future site plan modifications.
- Mark Edsall, Engineer, noted that the Village would most likely not require a Public Hearing as there are only minor changes to the site plan.

**\*MOTION** was made by Member Winters and second by Member Rappa to WAIVE THE PUBLIC HEARING FOR THIS PROJECT. Motion passed 4-0.

**\*MOTION** was made by Member LaSpina, second by Member Winters, to GRANT CONDITIONAL FINAL SITE PLAN APPROVAL. Conditions of approval are: payment of all fees; submittal of the final site plan with corrections noted in Mark Edsall's comments, positive/supportive response from Orange County Planning; note on the site plan that the renewable special permit is null and void if there is a change in operation. Motion passed 4-0.

**Project # 16-04**                      **Project Name: Chester Plaza Billboard**  
 Applicant/Owner:                  Regency Management Corp.  
 Location:                              69 Brookside Ave  
 Re:                                        Construction of Billboard.  
 Presented by                         Larry Torro

Larry Torro, PE provided an overview of the project:

- Digital billboard at the back of the Quickway Plaza property;
- Approval was previously granted in 2003, but the billboard was not constructed;
- The billboard will be a 14 feet X 48 feet, 42 feet tall, double sided, digital billboard (both sides digital);
- Changing the sign will be done remotely;

- The applicant has made initial contact with the New York State Department of Environmental Conservation;
  - Larry Torro, PE advised NYS DEC has concerns about how the construction will disturb the land and the fill, which Larry Torro advised would only be concrete for the poles.
- It was noted that the New York State Department of Transportation has standards on how long the sign has to remain on an image.
  - Village of Chester Building Inspector, John Orr, advised that the Village of Chester sign standards mirror the NYS DOT, but whichever is stricter would prevail. He also noted that the sign may need Zoning Board approval due to the height of the sign, but he will review further and advise.

Mark Edsall's comments were reviewed and general discussion held (copy attached).

- Discussion was held regarding:
  - Applicant was asked to verify the size and scale of the billboard;
  - It's not recommended that Conditional Final Approval be granted as the DOT has to respond;
  - Strike comment # 5 of Mark Edsall's comments and do either a coordinated or uncoordinated review;
  - It needs to be determined whether a Public Hearing is needed for this project.

Larry Torro, PE, advised he is coordinating with NYS DEC for a permit.

It was noted that the Village of Chester would be coordinating with NYS DOT.

**\*MOTION** was made by Member Reilly, second by Member LaSpina, to DECLARE THIS A TYPE II ACTION UNDER SEQR and, therefore requires no further action. Motion passed 4-0.

Larry Torro, PE agreed to attend the next Planning Board Work Session on April 7, 2016 at 1:30 PM.

<b>Project # 16-05</b>	<b>Project Name: Meadow Hill Storage</b>
Applicant/Owner:	Meadow Hill Apartments LLC.
Location:	44 High Street
Re:	Addition of Storage in two units and the addition of garage.
Presented by	Albert Fini

Larry Marshall, Engineer, provided an overview of the project:

- The application is for a site plan modification to add to Meadow Hill Apartments currently under construction;
- The proposed modifications are:
  - A gazebo near the entrance to cover students waiting for the bus;
  - A 20 foot X 30 foot pavilion in the recreation area. The proposed jungle gym has been moved to accommodate the pavilion;
  - A modification to buildings 3 and 6 to include storage facilities to be rented to tenants only. The storage facilities would vary in size and be accessed from the rear of the buildings;
  - A 30 foot X 48 foot, 2-story garage with a care taker apartment and office:
    - The proposed structure would consist of a garage used to house maintenance equipment, a caretaker apartment and office as well as a rental office;
    - They have proposed 2 locations – one at the North end of the project and one at the South end of the project;
    - The proposed structure would be the same size in either location;
    - The proposed structure would be easier to construct at the North end as the South end is on a slope, however, the structure would be 2 stories at the North side, but could possibly be a one story with a basement on the South side.

The applicant was asked how tall the proposed garage would be and it was noted it would be approximately 22 feet at the peak of the roof. Gordon Shehab of 68 High Street, Chester, NY indicated

he is not in favor of having the proposed garage constructed on the North side as it would be too close to his property and become an eye sore.

Mark Edsall's comments were reviewed and general discussion held (copy attached).

- Discussion was held regarding:
  - The proposed storage facilities would leave exposed walls at the back of buildings 3 and 6 and may create a height issue with the buildings. It was noted that the building height is measured on the side facing the road frontage. Village of Chester Building Inspector John Orr noted that, in his opinion, height would not be an issue;
  - It was requested that some kind of finish be added to the exposed foundations of buildings 3 and 6;
  - The modification needs to be referred to Orange County as well as the Town of Chester;
  - The proposed care takers apartment may affect the previous approvals as it would change the total number of apartments;

Discussion was held regarding:

- Village of Chester Building Inspector John Orr noted it was his understanding that the care takers apartment would be in one of the existing structures;
- The proposed storage facilities would be accessed from outside the buildings using sidewalks and possibly golf carts;
- The proposed storage facilities would reduce the slope and amount of fill needed at the back of buildings 3 and 6. The change in slope and fill would not adversely affect the drainage;
- The additional structures on the property do not have basements;
- Village of Chester Engineer, Mark Edsall, noted that the use of the back area of the buildings drops the grade, so there would be less fill on the property and less slope. From a site disturbance and stability standpoint, it would be a benefit to drop the grade down. The visual effects need to be reviewed.

It was noted that Village of Chester Engineer, Mark Edsall, and Village of Chester Building Inspector, John Orr, would look into referrals to the Town of Chester and Orange County Planning.

Applicant Al Fini agreed to attend the next Planning Board Work Session on April 7, 2016 at 1:50 PM.

<b>Project # 16-06</b>	<b>Project Name: Day Spa</b>
Applicant/Owner:	Chang Sil Unrine
Location:	3 Brookside Ave
Re:	Day Spa.
Presented by	Tom DePuy

Tom DePuy, PE, provided an overview of the project:

- At any given time there would be approximately 3-4 employees and 4-5 clients in the Day Spa;
- The proposed site plan modification would require 14 parking spaces and the parking lot would be restriped to clearly show the parking spaces;
- A turn around area would be reserved in the parking lot;
- The Day Spa would be the only use in the building;
- The Day Spa would only use the first floor – the basement will not be utilized;
- Hours of operation would be approximately 9:00 AM to 9:00 PM, 6 days per week (Monday to Saturday).

Discussion was held regarding:

- It was noted that the existing sign would be upgraded, but no plan has been designed yet;
- All activities would be confined to inside the building;
- No-one would be living in the building;
- The garage would not be utilized for the Day Spa;
- No other uses are planned for the remaining property.

Mark Edsall's comments were reviewed and general discussion held (copy attached).

- The site plan needs to indicate the building is a single level, 2648 square feet structure;
- The site plan needs to indicate the recorded uses: first floor – Day Spa, basement – storage;
- The parking encroaches on the New York State Department of Transportation's Right of Way;
- The bulk table needs to be updated to reflect correct Zoning use and the provided values need to be inserted.

Tom DePuy, PE agreed to attend the next Planning Board Work Session on April 7, 2016 at 2:10 PM.

#### **5. General Discussion**

- Clifton Patrick of 119 Brookside Avenue, Chester, NY asked if McDonalds submitted a site plan update as he witnessed 2 vehicles backing out of the McDonald's parking lot entrance onto 17M/Brookside Avenue as there was a delivery being made and the delivery truck was blocking the entrance
- Leslie Smith of 119 Brookside Avenue, Chester, NY asked about McDonald's raising their sign 10 feet. She indicated the sign is adequately visible from the North and could be modified to be adequately visible from the South, so she is opposed to their request to raise the sign.
- Gordon Shehab of 68 High Street, Chester, NY indicated he is also opposed to McDonald's raising their sign as he believes they have enough signs already with one on the building and one in the parking lot and the building is designed so that people know it's a McDonald's.

Chairman Ramsdell asked if anyone had anything else to discuss and as there were no other comments, \*MOTION was made by Member Winters, second by Member LaSpina, to ADJOURN THE MEETING. Motion passed 4-0. Meeting adjourned at 8:58 PM.

**Respectfully Submitted,**

**Sandra VanRiper  
Planning Board Secretary**