

MINUTES

VILLAGE OF CHESTER PLANNING BOARD

MAY 24, 2016

REGULAR MEETING

PRESENT: Richard RAMSDELL, Chairman
Vincent RAPPA, Vice-Chairman
Anthony LASPINA, Member
Gene WINTERS, Member
Robert JANKELUNAS, Member
Mark EDSALL, Planning Board Engineer
Harold PRESSBERG, Planning Board Attorney

NOT PRESENT: John ORR, Code Enforcement Officer

PUBLIC HEARING

Chairman Ramsdell opened the Public Hearing for the McDonald's Site Plan Amendment application at 7:11 PM. The Public Hearing Notice was read into the record (copy attached).

Project # 16-02 Project Name: McDonald's Site Plan Amendment #16-02
Applicant/Owner: McDonald's USA LLC
Location: 75 Brookside Ave. (SBL 110-6-1.12)
Re: Renovations to façade, interior and signage.
Presented By: Bohler Engineering

Lauren Monaghan from Bohler Engineering provided an overview of the Site Plan revisions:

- Kitchen updates;
- Interior updates;
- Drive thru updates – 2 order lanes, 1 pay window and 1 pick-up window;
- Repave and restripe the parking lot
- Reduction of parking from 41 to 35 parking spaces – based on the anticipated number of seats inside and compliance with the parking space requirements;
- Façade update including updates to the signs;
- New LED lighting, including building fixtures with shielding where necessary;
- Truck deliveries during off peak hours;
- Removed the raising of the I.D. sign at the Northeast corner of the site;
 - They will submit a separate application if they decide to move forward with raising the I.D. sign at the Northeast corner of the site;

As there were no questions from the members of the Planning Board, Chairman Ramsdell opened the Public Hearing for public comments:

- David Stevenson, 16 Elm Street, Chester, NY: Now that raising the existing I.D. sign at the Northern corner (closest to the intersection) of the site has been removed from this application, he suggested that maybe McDonald's consider moving the I.D. sign closer to the entrance to improve visibility and lessen the amount of signs bombarding motorists coming off Route 17.
- Leslie Smith, 117 Brookside Avenue, Chester, NY: Asked if the green area on the site plan displayed at the meeting was part of the McDonald's property and commented that the site used to have pear trees, but they were cut down to accommodate an addition to the front of the building. She suggested that McDonald's plant shrubs or landscaping to make the site more attractive. She also suggested that the I.D. sign at the Northeast corner of the site be condensed to improve its visibility.
Per Laura Monhagen, the green area shown on the site plan is not part of the McDonald's property, and she would discuss plantings and landscaping with McDonald's.
- Cliff Patrick, 119 Brookside Avenue, Chester, NY: Asked about deliveries being off hours as he was on 17 before 9AM one morning and witnessed vehicles backing out of McDonald's onto Brookside Avenue to allow a tractor trailer to exit the site by the front of the building and travelling against the traffic flow.
Laura Monhagen advised that site receives 2 deliveries per day, generally one large and one small truck delivery and during off peak hours such as breakfast.

- David Stevenson, 16 Elm Street, Chester, NY: Asked about the reduction of parking from 41 spaces to 35 spaces and if it was based on any calculations or if it was based on the number of seats inside or drive thru traffic. Per Laura Monhagen, it was based on the restriping of the parking lot to comply with the new ordinances, but there will be less than 87 seats inside to comply with the parking ordinances.

Planning Board Engineer Mark Edsall's comments were read into the record (copy attached) and general discussion was held regarding:

- Deliveries;
 - Possible solutions would be to change the size of the delivery truck, deliveries to be made later at night or earlier in the morning, change the direction the delivery truck travels in the parking lot or the McDonald's could no longer be open 24 hours and the deliveries could be made when they're closed.
 - It was also noted that page C-4 of the site plan indicates the seating inside ties into the number of parking spaces.

As there were no additional questions/comments from the Planning Board, ***MOTION** was made by Member Winters, second by Member LaSpina to CLOSE THE PUBLIC HEARING. Motion passed 5-0.

Chairman Ramsdell opened the Public Hearing for the Chester Plaza Billboard site plan application at 7:35 PM. The Public Hearing Notice was read into the record (copy attached).

Project # 16-04 Project Name: Chester Plaza Billboard #16-04
 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 Site Plan revisions:

- Electronic billboard at end of the Chester Plaza property by Route 17;
- 42' high (from the ground to the top of the sign);
- The billboard will be 2 sided, both 14' X 48' with a 3" catwalk along the bottom for access to make necessary repairs/maintenance;
- Monopole is set in a concrete footing;
- The project has been sent to NYS DOT and NYS DEC for review;
- Soil samples will be tested once the permits are approved;
- Power is supplied by existing utility poles;
- The sign will be accessed by the Chester Plaza property as they cannot access it from the highway due to liability and insurance reasons;
- Once all approvals are in place, they would put down matting to protect the wetlands, remove fill from the site as they cannot fill in the wetlands, install the billboard, remove the matting and replaced any disturbed vegetation.

Chairman Ramsdell requested the drill depth and diameter of the monopole and was advised they won't know the depth until they do soil samples, and they won't be able to do the soil samples until the DEC approves their application. The results of the soil testing will be provided to the Building Department.

Member Jankelunas asked if the sign would include pictures and words.

Larry Torro advised the billboard is for advertising, so it could include both words and/or pictures.

As there were no additional questions/comments from the members of the Planning Board, Chairman Ramsdell opened the Public Hearing for public comments:

- David Stevenson, 16 Elm Street, Chester, NY: Requested clarification as to where the off ramp from Route 17 began on the site plan and asked if the sign could be serviced from the highway. Both Larry Torro and Member LaSpina advised it could not be serviced from the highway due to insurance and liability reasons. Mr. Stevenson also asked if the DEC wetlands were protected and if construction was allowed in the wetlands. He also requested a picture or rendering of what the billboard would look like to scale to see how it would impact the Village and to consider the aesthetics of the sign.

Discussion was held regarding the existing Plaza sign already constructed in the wetlands, that the proposed billboard would be in addition to the existing Plaza sign and the proposed sign would be 6' taller than the existing Plaza sign.

- Gordon Shehab, 68 High Street, Chester, NY: Asked if there were any standards or limitation as to the number of billboards/signs allowed per certain amount of space or the amount of space in between signs/billboards.

Member Winters advised there is nothing in the Village Code to limit signs/billboards. Planning Board Engineer Mark Edsall also noted there is nothing in the Village Code to limit, but also noted that the DOT and/or DEC could deny the permit applications.

- Leslie Smith, 117 Brookside Avenue, Chester, NY: Asked if the proposed billboard is 42 feet high, will be non-compliant with the existing code which allows for 35 feet. She was advised that the Code Enforcement Officer would make that determination and send the application to the ZBA for a variance if needed. Larry Torro advised that the billboard was approved by the Planning Board in 2003 at 42 feet high without ZBA requirements. Planning Board Attorney Harold Pressberg again advised that the height would be reviewed by the Code Enforcement Officer and sent to the ZBA if necessary. He also advised that the Planning Board is approving the site plan, not the height of the sign.
- David Stevenson, 16 Elm Street, Chester, NY: Asked if SEQRA was done as he would think that something in the middle of wetlands would have some impacts. Per Planning Board Attorney Harold Pressberg, since less than 7,000 square feet would be disturbed, the Planning Board typed the action as Type II. The NYS DEC still has to issue a wetland permit.
- Gordon Shehab, 68 High Street, Chester, NY: Asked if the Village had the ability to approve/disapprove the amount of signs. Planning Board Attorney, Harold Pressberg, advised that it appears that the DOT regulates the number of signs along the interstate.
- Cliff Patrick, 119 Brookside Avenue, Chester, NY: Is concerned about the animation, brightness and frequent changes will be a distraction to motorists who already have enough distractions. Planning Board Engineer Mark Edsall advised that the DOT reviews that information, and the Village has its own code regarding those issues. The Code Enforcement Officer will require technical information be provided when the building permit application is submitted to review those issues.

As there were no additional questions/comments from the Planning Board, ***MOTION** was made by Member Winters, second by Member Jankelunas to CLOSE THE PUBLIC HEARING. Motion passed 5-0.

REGULAR MEETING

Chairman Ramsdell opened the Regular Meeting at 8:00 PM.

1. Minutes

There was discussion whether any Board members had any suggested changes to the various drafts of the minutes. In each case, there were no suggested changes. The following motions were then made and adopted:

***MOTION** was made by Member Jankelunas, second by Member Winters, to ACCEPT THE DECEMBER 2015 MINUTES AS DRAFTED. Motion passed 5-0.

***MOTION** was made by Member Rappa, second by Member LaSpina, to ACCEPT THE JANUARY 2016 MINUTES AS DRAFTED. Motion passed 5-0.

***MOTION** was made by Member LaSpina, second by Member Jankelunas, to ACCEPT THE FEBRUARY 2016 MINUTES AS DRAFTED. Motion passed 5-0.

***MOTION** was made by Member LaSpina, second by Member Rappa, to ACCEPT THE MARCH 2016 MINUTES AS DRAFTED. Motion passed 5-0.

***MOTION** was made by Member Winters, second by Member, LaSpina to ACCEPT THE APRIL 2016 MINUTES AS DRAFTED. Motion passed 5-0.

2. Correspondence

The Chairman reviewed the following correspondence:

- Letter from NYSDOT re: The Castle: the letter dated May 3, 2016 was read into the record and a request was made to send a copy of the letter to the applicant.
- OCDP Response to Project # 16-04 Chester Plaza Billboard

3. Code Enforcement Officer Report

None

4. Projects for Review

Project # 16-02 Project Name: McDonald's Site Plan Amendment #16-02

Applicant/Owner: McDonald's USA LLC
 Location: 75 Brookside Ave. (SBL 110-6-1.12)
 Re: Renovations to façade, interior and signage.
 Presented By: Bohler Engineering

Planning Board Engineer Mark Edsall's comments were read into the record (copy attached) and the following open issues were noted: resolve delivery issues; add completion date and cost of site improvements.

Planning Board Engineer Mark Edsall noted that approval could be conditioned on approval of smaller trucks and that they only travel with the normal traffic flow as shown on the site plan. If they can't comply, they'll have to come back before the Planning Board for additional approvals. The applicant's representative indicated that this proposal was acceptable.

***MOTION** was made by Member Winters, second by Member LaSpina to GRANT CONDITIONAL FINAL SITE PLAN APPROVAL. Conditions of approval are:

1. Payment of all fees;
2. Plans revised to reflect small truck deliveries only and the delivery trucks are to follow the existing traffic pattern;
3. Addition of the project completion date to the site plan;
4. Submittal of the site cost estimate to be reviewed and approved by the Village of Chester Engineer and the Village of Chester Code Enforcement Officer;
5. Revised site plans submitted and approved by the Village of Chester Engineer.

Motion passed 5-0.

Project # 16-04 Project Name: Chester Plaza Billboard #16-04

Applicant/Owner: Regency Management Corp.
 Location: 69 Brookside Ave
 Re: Construction of Billboard
 Presented By: Larry Torro

Larry Torro, PE asked what additional information the Board needs for this project.

- Rendering would provide an idea of how the sign would compare to the surrounding buildings, signs, etc.;
- DOT response. Village Engineer Mark Edsall advised he would get in touch with Mary McCullough from NYS DOT to review their process and ask about their criteria in limiting the number of signs;
- DEC permit;
- CEO needs to look into the height of the sign.

Planning Board Engineer Mark Edsall's comments were read into the record (copy attached).

5. General Discussion

Discussion was held regarding:

- Signs;
- Architectural Review / Architectural Review Boards;
- What is appropriate for the Planning Board to request of an application regarding signs;
- The Village Board would be the governing body with the ability to amend the Code to outline what the applicant is required to submit and what the Planning Board can require of an applicant regarding signs;
- David Stevenson asked if The Preservation Collective Attorney's letter to the Planning Board was included with the Public Hearing comments for Elmwood Park Apartments. He was advised we have the letter and would make sure it was included in the Public Hearing comments.

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 Jankelunas, to ADJOURN THE MEETING.

Motion passed 5-0. Meeting adjourned at 8:48PM.

Respectfully Submitted,



**Sandra VanRiper
 Planning Board Secretary**

PLANNING BOARD
VILLAGE OF CHESTER, NEW YORK
PUBLIC HEARING
MAY 24, 2016

NOTICE IS HEREBY GIVEN, that the Planning Board of the **Village of Chester, New York will hold a Public Hearing at the Village Hall, 47** Main Street, Chester, New York, on May 24, 2016 at 7:00 P.M., or as soon thereafter as the matter can be heard, concerning the application of McDonald's, for site plan amendment for a project known as McDonald's Site Plan Amendment involving an renovations to the façade and interior.

The property is located in the Village of Chester, New York, at 75 Brookside Avenue and is listed on the Village Tax Map as Section 110, Block 6, Lot 1.12, in a B-2 Zone.

The Planning Board of the Village of Chester, New York, will hear all person's interested at the aforementioned time and place.

BY: ORDER OF THE PLANNING BOARD
VILLAGE OF CHESTER, NEW YORK

RICHARD RAMSDELL, CHAIRMAN



McGOEY, HAUSER and EDSALL
CONSULTING ENGINEERS D.P.C.

MARK J. EDSALL, P.E., P.P. (NY, NJ & PA)
MICHAEL W. WEEKS, P.E. (NY, NJ & PA)
MICHAEL J. LAMOREAUX, P.E. (NY, NJ, PA, VT & VA)
MATTHEW J. SICKLER, P.E. (NY & PA)
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WILLIAM J. HAUSER, P.E. (NY, NJ & PA)

VILLAGE OF CHESTER
PLANNING BOARD
REVIEW COMMENTS

PROJECT NAME: McDONALDS SITE PLAN AMENDMENT
PROJECT LOCATION: 75 BROOKSIDE AVENUE
SECTION 110 – BLOCK 6 – LOT 1.12
PROJECT NUMBER: 16-02
DATE: 24 MAY 2016
CONSULTANT: BOHLER ENGINEERING
PLAN DATE: No New Drawings for this Meeting
DESCRIPTION: THE APPLICATION PROPOSES AN UPGRADE TO THE SITE DRIVE-THRU LANES. FOUR (4) SEPARATE MINOR ADDITIONS ARE PROPOSED TO THE BUILDING, WITH THE OVERALL BUILDIGN FAÇADE TO BE MODIFIED. THE APPLICATION WAS PREVIOUSLY REVEIWED AT THE 23 FEBRUARY 2016 AND 26 APRIL 2016 PLANNING BOARD MEETINGS. THE APPLICATION IS BEFORE THE BOARD FOR A PUBLIC HEARING AT THIS MEETING.

1. For the April meeting, the applicant’s engineer provided a letter response identifying the various changes which have been made to the plans. All except some minor remaining corrections have been accomplished, so the plans are in good condition. The minor corrections can be included on the final set submitted for stamping.
2. From a procedural standpoint:
 - SEQRA – Declared Type II – complete
 - Orange County Planning (GML 239) – “Local Determination”, advisory comments 3/24/16
 - Project Completion - As per Section 98-30.2 of the Village Zoning Code, the Applicant should indicate a reasonable anticipated completion date for the project on the plan.
 - Site Improvement Estimate - The applicant should submit the Improvement Estimate to the Engineer for review and acceptance. The applicant is advised that a standard schedule of acceptable unit costs is available from the Engineer for the Planning Board.

Respectfully Submitted,

Mark J. Edsall, P.E., P.P.
Engineer for the Village

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PLANNING BOARD
VILLAGE OF CHESTER, NEW YORK
PUBLIC HEARING
MAY 24, 2016

NOTICE IS HEREBY GIVEN, that the Planning Board of the **Village of Chester, New York will hold a Public Hearing at the Village Hall, 47 Main Street, Chester, New York, on May 24, 2016 at 7:00 P.M.**, or as soon thereafter as the matter can be heard, concerning the application of Regency Management Corp, for site plan amendment for a project known as Chester Plaza Billboard Site Plan Amendment involving construction of a billboard.

The property is located in the Village of Chester, New York, at 69 Brookside Avenue and is listed on the Village Tax Map as Section 110, Block 6, Lot 1.111, in a B-2 Zone.

The Planning Board of the Village of Chester, New York, will hear all person's interested at the aforementioned time and place.

BY: ORDER OF THE PLANNING BOARD
VILLAGE OF CHESTER, NEW YORK

RICHARD RAMSDELL, CHAIRMAN



**Department of
Transportation**

ANDREW M. CUOMO
Governor

MATTHEW J. DRISCOLL
Commissioner

TODD WESTHUIS, P.E.
Regional Director

May 3, 2016

Mr. Richard Ramsdell
Village of Chester
47 Main Street
Chester, NY 10918

**Re: NYSDOT SEQR #16-102
The Castle Fun Center
Route 17M, Village of Chester
Orange County**

Dear Mr. Ramsdell:

The New York State Department of Transportation is in receipt of the Village's application package for the above referenced project, received on April 12, 2016.

We appreciate the opportunity to comment. If the Castle Fun Center wishes to change their static sign to a digital one, they would need to resubmit their application to this office indicating the change which is then followed by some more paperwork/forms. They will also need to provide proof of local municipal approval for the construction of the sign.

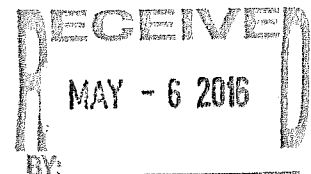
Please be advised that their prior Highway Work Permit was never closed pending outstanding work. Once the application is complete and reviewed by this office, we can issue a revised permit.

Please have the applicant contact Joe Roberti, of our Right-of-Way Office, at (845) 437-3350 if they have any questions.

Thank you for your interest in highway safety.

Very truly yours,

Mary McCullough
SEQRA – HWP Unit



cc: Permit Field Engineer, Residency 8-5
Mark Edsall, P.E., P.P. – MH&E Consulting Engineers DPC



Steven M. Neuhaus
County Executive

Orange County Department of Planning

124 Main Street
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David E. Church, AICP
Commissioner

www.orangecountygov.com/planning
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County Reply – Mandatory Review of Local Planning Action as per NYS General Municipal Law §239-l, m, & n

Local Referring Board: Village of Chester Planning Board

Applicant: Louis Schwartz for Regency Management Corp.

Project Name: Chester Plaza Billboard

Proposed Action: Site Plan for new installation of a double-sided billboard on previously developed commercial plaza

Reason for County Review: Within 500 feet of NYS Routes 17 and 17M

Date of Full Statement: April 7, 2016

Referral ID #: CHV 06-16M

Tax Map #: 110-6-1.111

Local File #: none provided

Comments:

The Department has received the above referenced site plan and has found no evidence that significant intermunicipal or countywide impacts would result from its approval. We would like to offer the following advisory comments:

Application Completeness: In future, it would be helpful if the Village would complete an application cover sheet for all referrals to the Planning Department. The cover sheet is available on our website.

Site Plan Requirements: While the proposed billboard is consistent with the commercial area, it is directly adjacent to NYS Route 17/Interstate 86. The Village should contact the DOT to determine whether the proposed site plan meets DOT requirements. We would advise the Village to have the applicant prepare a lighting and landscaping plan for the billboards, so that safety issues relating to lighting can be addressed.

County Recommendation: Local Determination

Date: May 11, 2016

Prepared by: Megan Tennermann, AICP, Planner

A handwritten signature in black ink, appearing to read "David Church".

David Church, AICP
Commissioner of Planning

As per NYS General Municipal Law 239-m & n, within 30 days of municipal final action on the above referred project, the referring board must file a report of the final action taken with the County Planning Department. For such filing, please use the final action report form attached to this review or available online at www.orangecountygov.com/planning.



McGOEY, HAUSER and EDSALL
CONSULTING ENGINEERS D.P.C.

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VILLAGE OF CHESTER
PLANNING BOARD
REVIEW COMMENTS

PROJECT NAME: CHESTER SHOPPING PLAZA SITE PLAN AMENDMENT
(PROPOSED BILLBOARD)
PROJECT LOCATION: 69 BROOKSIDE AVE.
SECTION 110 – BLOCK 6 – LOT 1.111
PROJECT NUMBER: 16-04
DATE: 24 MAY 2016
CONSULTANT: CIVIL TEC ENGINEERING & SURVEYING
PLAN DATE: No New Plans for this Meeting
DESCRIPTION: THE APPLICATION PROPOSES A NEW BILLBOARD ALONG NYS
ROUTE 17 ON THE EXISTING MALL SITE. THE APPLICATION WAS
PREVIOUSLY REVIEWED AT THE 22 MARCH 2016 AND 26 APRIL 2016
PLANNING BOARD MEETINGS. THE APPLICATION IS BEFORE THE
BOARD FOR A PUBLIC HEARING AT THIS MEETING.

1. The plan proposes a 14 ft x 48 ft billboard sign, 42 ft. in height. Based on the configuration depicted it would appear to be two separate single-sided billboards, connected on the south ends, and mounted off a single monopole. The plans submitted for the April meeting responded to all prior comments
2. The following referrals have been made, we are not aware of response status:
 - NYSDOT dated 3/28/2016
 - Orange County Planning dated 3/28/2016
 - Town of Chester dated 3/28/2016
3. The Planning Board should discuss SEQRA with the Attorney for the Planning Board.

Respectfully Submitted,

Mark J. Edsall, P.E., P.P.
Engineer for the Village

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