

## MINUTES

### VILLAGE OF CHESTER PLANNING BOARD

APRIL 25, 2017

#### REGULAR MEETING

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

**NOT PRESENT:** Vincent RAPPA, Co-Chairman

#### PUBLIC HEARING

Chairman Ramsdell opened the Public Hearing for The Castle Site Plan Amendment application at 7:05 PM.

**Project # 16-08**      **Project Name: The Castle SPA (Zip Line & Addition)**  
Applicant/Owner: Brian & Alison Leentjes / XLLC & 717, LLC  
Location: 107-109 Brookside Avenue (107-2-14.2 & 15 / B2 Zone)  
Re: Construct 12' X 40' Platform for a Zip Line and 10,000 square foot addition  
Presented James Dillin, PLS

Jim Dillin PLS provided an overview of the project:

- Application is for a zip line and a 10,000 sq ft two-story addition to a previously approved 16,700 sq ft addition;
- The proposed addition is for indoor storage and ride areas;
- The flex ride areas on the site plan are to designate areas where the rides can be changed when needed to keep the center updated and progress business;
- Parking requirements are updated – the proposed zip line and addition require 302 parking spaces and they currently have 302 parking spaces on site as well as overflow parking and off premises parking when additional spaces are needed. The applicant submitted a parking narrative;
- Zip line involves property in both the Village and the Town of Chester;
- The pole for the zip line in the Town will be 130 feet high. The Town of Chester granted a variance for the pole height;
- Mike Baier with The Castle provided a safety overview of the zip line;
  - They follow the manufacturers recommendations for all safety procedures;
  - They will not need fire department assistance;
  - The Castle employees will be trained by the manufacturer on how to handle emergency situations;
  - The zip line will be connected to the existing generator in case of a power outage. In the event the power and back-up power fail, the zip line is equipped with manual brakes so the operator can bring the passengers safely back to the platform and the zip line is equipped with a battery powered wench to lower the main cable.

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

- Ted Talmadge – Route 17M, Chester: He requested the DOT letter be read into the minutes. Chairman Ramsdell said it would be read into the record when we reviewed all the responses. Mr. Talmadge also expressed concerns regarding The Castle's hours of operation and the lighting being a distraction to drivers and a nuisance to the neighbors.
- Leslie Smith – 117 Brookside Avenue, Chester: Provided the Board with written comments and then read them into the record (copy attached).
- Clif Patrick – 117 Brookside Avenue, Chester: Displayed video taken from 3 different viewpoints – along Route 17M, from the Chester Mall exit on 17M and from the field across Brookside Avenue. He expressed concerns with the hours of operation, lighting, increased activity and noise off the zip line in the usually quiet Town portion of the property. He also showed the board a picture he created showing the proposed pole height to scale to show the possible visual impact. He commented that the Planning Board does not currently have the authority to control light pollution of the rides or the billboards.

- Amanda Dana – OC Partnership, Office of Economic Development: She indicated the OC Partnership supports this project. She also advised it is common for projects like this to be close to a highway and The Castle is a huge job creator for the County. She finally questioned how much of a distraction the zip line would actually be as there are no big noises that a roller coaster or other large ride would have.
- David Stevenson, 16 Elm Street, Chester: He is concerned the billboard might be a distraction depending on the color of the lights; he asked for clarification on how the ride works, and Brian Leentjes gave him an overview of the ride. Mr. Stevens asked if they had the capacity to expand the zip line later and divide it into stages, would they? Brian Leentjes advised they looked into that kind of zip line and, for manpower and rider safety reasons, they feel this is a safer and more controlled experience as planned, and they would not divide it into stages.

Chairman Ramsdell reviewed the responses from the NYS Department of Environmental Conservation, the NYS Department of Transportation and the Orange County Department of Planning (copies attached).

Jim Dillin provided an overview of the NYS Department of Environmental Conservation response:

- There are no DEC wetlands on the property;
- There are federal wetlands which ends at the stream bank without a buffer;
- The applications to the Town for the billboard and workshop will not disturb the flood plain as the proposed billboard is existing and the proposed workshop is being constructed on an existing impervious surface;
- The proposed addition will be constructed on an existing impervious surface, thereby not increasing runoff;
- There will be no additional parking as the current spaces fulfill the requirements;
- The proposed Town billboard will cover most of the zip line, so the only part visible at night are the lights;
- The proposed zip line will have lights on the side of the pole and a light pointed toward the riders;
- Jim Dillin showed the Board a picture of an existing pole & advised it's about the size of a telephone pole;
- CEO John Orr commented that NYS DOT approved the digital billboard proposed by The Castle under project 16-01 and is considering the current application before the Town for the proposed digital billboard. It's confusing that they approve the billboards, but are concerned that the zip line will be a distraction;
- Hours of operation were discussed as Brian Leentjes advised the music was to stop at 10 PM, but he doesn't believe the hours of operation were until 10 PM. Leslie Smith advised that on August 8, 2011, the hours of operation were approved at 9 AM to 10 PM and all amplified music was to be off at 10 PM. It was discussed that prior site plans will be reviewed regarding approved hours of operation.

There being no more questions or comments a **\*MOTION** was made by Member LaSpina, second by Member Winters, to **CLOSE THE PUBLIC HEARING**. Motion passed 4-0.

## **REGULAR MEETING**

Chairman Ramsdell opened the Regular Meeting at 7:58 PM

### **1. Minutes**

Review Draft March 2017 Planning Board Meeting Minutes. **\*MOTION** was made by Member Winters, second by Member Jankelunas, to **ACCEPT THE MINUTES AS DRAFTED**. Motion passed 4-0.

### **2. Correspondence**

CORE Program Invite

OCDP Response to Project # 16-08 The Castle SPA (Zip Line & Addition)

NYS DOT response to Project # 16-08 The Castle SPA (Zip Line & Addition)

NYS DEC response to Project # 16-08 The Castle SPA (Zip Line & Addition)

All Castle related correspondence was read into the record and discussed during the public hearing.

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

Presented by John Orr (copy attached). Discussion was held regarding drainage, the flag pole and the sidewalk at Meadow Hill. CEO John Orr advised they had a meeting and discussed what site plan details still need to be addressed. Mr. Fini requested confirmation the Board is still requiring construction of the side walk to connect to the Village of Chester side walk as shown on the approved site plan. **\*MOTION** was made by Member Winters, second by Member Jankelunas **TO CONFIRM THE PLANNING BOARD STILL REQUIRES THE SIDE WALK**. Motion passed 4-0.

**4. Projects for Review****Project # 16-08 Project Name: The Castle SPA (Zip Line & Addition)**

Applicant/Owner: Brian &amp; Alison Leentjes / XLLC &amp; 717, LLC

Location: 107-109 Brookside Avenue (107-2-14.2 &amp; 15 / B2 Zone)

Re: Construct 12' X 40' Platform for a Zip Line and 10,000 square foot addition

Presented James Dillin, PLS

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

- The applicant will provide a written response to the public hearing comments;
- The Town of Chester Planning Board attorney advised they are doing an uncoordinated review for the proposed workshop, an uncoordinated review for the proposed billboard and a coordinated review on the proposed zip line. Planning Board Engineer Mark Edsall requested the Town of Chester Planning Board attorney submit a letter to confirm their intentions;
- Planning Board Engineer Mark Edsall & Jim Dillin to contact NYS DOT to discuss the zip line;
- Planning Board Attorney requested specifics regarding light pollution with regard to the zip line.

Discussion was held regarding:

- Lighting and how far it's visible;
- Should the applicant be required to come before the Village for changes to the parking in the Town of Chester or approvals are null and void. Planning Board Engineer Mark Edsall and Jim Dillin to resolve;
- Town of Chester Planning Board Chairman Don Serotta attended the meeting and advised they are aware of the parking impacts on the Village.

Applicant will come to the May 4, 2017 Planning Board Work Session.

**Project # 17-02 Project Name: Jones Site Plan**

Applicant/Owner: Linda Jones

Location: 153 Main Street (111-2-30.2 / B1 Zone)

Re: Change of Use for existing building to Office and Retail

Presented James Dillin, PLS

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

- Existing single family residence in a B-1 zone, which has not previously been used commercially;
- Applicant purchases storage lockers and sells the contents at 153 Main Street;
- They are proposing 100 sq ft of storage and office space on the 2<sup>nd</sup> floor for additional businesses;
- No additional employees;
- Hours of operation are Monday – Friday 10:00 AM to 6:00 PM, but might change in winter months;
- Parking – there are 3 spaces in front of the residence and a paved driveway.

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

- Handicap access requirements;
- Referrals to Orange County Planning for both the Planning Board and Zoning Board of Appeals.

Planning Board Attorney Harold Pressberg advised the applicant needs to submit an application to the Zoning Board of Appeals to resolve the parking issue and then return to the Planning Board for site plan approval.

Chairman Ramsdell asked if anyone had anything else to discuss and as there were no other comments, **\*MOTION** was made by Member Jankelunas, second by Member Winters, to **ADJOURN THE MEETING**. Motion passed 4-0. Meeting adjourned at 8:48 PM.

Respectfully Submitted,



**Sandra VanRiper**  
**Planning Board Secretary**

My concern about the Zip Line is concentrated on the Town of Chester parcel. Town code allows outdoor recreation but prohibits amusement parks. Which kind of ride is the Zip line? If it turns out that the Zip Line is approved, it may open the door to more such mechanical rides on the town parcel. No determination has yet been made by the town planning board.

The Town of Chester code at (§98-17,B) states: Prohibited uses in all districts: Amusement parks and circuses and related activities, except for a temporary period on special license from the Town Board. and §98-6, C. states: Any use not permitted by this chapter shall be deemed to be prohibited. Any list of prohibited uses contained in any section of this chapter shall not be deemed to be an exhaustive list but has been included for the purposes of clarity and emphasis and to illustrate, by example, some of the uses frequently proposed that are deemed undesirable and incompatible and are thus prohibited.

At the very least, the Zip line ride which begins and ends at the Castle amusement park in the village, is a related activity and should be considered as such.

The schedule of district regulations for the town's LB zone, however, allows in column 4 #13 outdoor recreation. But again, as with the amusement park term, outdoor recreation is not defined in their code and there is no advice as to what usages outdoor recreation allows.

The Castle property is a gateway location into the Village of Chester from the north. It is well within view from much of the 60+ acre, residentially zoned BT Holdings property with the potential for 120 single family homes. And, of course, it will be very visible from my apartment windows. There are 690 residences to the west in Whispering Hills. and the Talmadge and Davis homes just to the northeast on Rt. 17M. The Zip -Line at night with its 130' high lighted pole will be visible to many of these existing and future homes and will probably distract drivers on Rt 17 as will the digital billboard.

The visual impacts of this proposal should be seriously considered. A member of the Town ZBA requested a balloon study , but nothing was done.

Leslie Smith  
117 Brookside Avenue, Chester NY 10918  
April 25, 2017



**NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION**

Division of Environmental Permits, Region 3  
21 South Putt Corners Road, New Paltz, NY 12561-1620  
P: (845) 256-3054 | F: (845) 255-4659  
www.dec.ny.gov



**Department of  
Environmental  
Conservation**

April 20, 2017

Village of Chester Planning Board  
Attn: Mark Edsall  
47 Main Street  
Chester, NY 10918

**RE: "The Castle Fun Center" Expansion  
SEQR Review  
Town of Chester, Orange County  
CH#: 6956**

Dear Mr. Edsall:

The New York State Department of Environmental Conservation (DEC or Department) has received the Notice of Intent to Serve as SEQR Lead Agency from the Village of Chester Planning Board for the above referenced project. Brian and Alison Leentjes are proposing an expansion to the existing building and parking, as well as the construction of a zip-line at the Castle Fun Center on Route 17M in the Village and Town of Chester, Orange County. The proposed upgrades to the existing facility include an expansion of 10,000 square feet to the existing building (two stories), the construction of a 22 foot by 50 foot zip-line platform and a 130 foot zip-line pole with anchors, expansion of the existing parking area, and modifications to the ride area (including upgrades, relocation, or removal of attractions). Water and sewage utilities are proposed to connect to the existing Village of Chester systems. Please be aware that this letter contains information congruent to the response letter dated April 12, 2017 where the *Town* of Chester Planning Board has been corrected to the *Village* of Chester Planning Board on page 3.

Based upon our review of your inquiry received on March 13, 2017, we offer the following comments:

**PROTECTION OF WATERS**

The following waterbodies are located within or near the site you indicated: Otter Kill, DEC Water Index ID No. H-89-20, Class C, and considered "non-protected," and an unnamed pond, DEC Water Index ID no H-89-20-P308, Class C, and considered "non-protected."

A Protection of Waters permit is required to physically disturb the bed or banks (up to 50 feet from stream) of any streams identified above as "protected." A permit is not required to disturb the bed or banks of "non-protected" streams. Since neither waterbody is considered "protected," a Protection of Waters Permit is not required.



-OVER PLEASE -

If a permit is not required, please note, however, you are still responsible for ensuring that work shall not pollute any stream or waterbody. Care shall be taken to stabilize any disturbed areas promptly after construction, and all necessary precautions shall be taken to prevent contamination of the stream or waterbody by silt, sediment, fuels, solvents, lubricants, or any other pollutant associated with the project.

### **FRESHWATER WETLANDS**

The identified project site is not within a New York State protected Freshwater Wetland. However, please contact the town officials and the United States Army Corps of Engineers in New York City, telephone (917) 790-8511 (Westchester/Rockland Counties), or (917) 790-8411 (other counties), for any permitting they might require.

### **STATE-LISTED SPECIES**

DEC has reviewed the State's Natural Heritage records. We have determined that the site is located within or near known occurrences of the following state-listed species: Northern long-eared bat, *Myotis septentrionalis* (threatened).

According to the provided information, the proposal is to expand the existing building and parking, as well as install a zip-line. Please note that **all** tree removal must occur within the appropriate time of year, **November 1 through March 31** in order to avoid direct adverse impacts to the Northern long-eared bat. If the aforementioned time of year cannot be adhered to, additional information and further review may be required. Please see the following link for additional information regarding the Northern long-eared bat and associated regulations: <http://www.dec.ny.gov/animals/106090.html>.

For questions regarding the above information, please contact this office.

The absence of data does not necessarily mean that rare or other state-listed species, natural communities or other significant habitats do not exist on or adjacent to the proposed site. Rather, our files currently do not contain information which indicates their presence. For most sites, comprehensive field surveys have not been conducted. We cannot provide a definitive statement on the presence or absence of all rare or state-listed species or significant natural communities. Depending on the nature of the project and the conditions at the project site, further information from on-site surveys or other sources may be required to fully assess impacts on biological resources.

### **WATER QUALITY CERTIFICATION**

Please be aware that the ACOE may require a permit for work completed in or impacting a federal wetland. If a permit from the ACOE is required, a Section 401 Water Quality Certification may be required from the Department. Please contact the ACOE for a determination.

### **CULTURAL RESOURCES**

We have reviewed the statewide inventory of archaeological resources maintained by the New York State Museum and the New York State Office of Parks, Recreation, and Historic

RE: "The Castle Fun Center" Expansion  
SEQR Review  
Town of Chester, Orange County  
CH#: 6956

Date: April 20, 2017

Preservation. These records indicate that the project is located within an area considered to be sensitive with regard to archaeological resources. For more information, please visit the New York State Office of Historic Preservation website at <http://www.nysparks.com/shpo/>.

### **FEMA FLOODPLAINS/FLOODWAYS**

The project site indicated is located within a Federal Emergency Management Agency (FEMA) Floodplain/Floodway. The project sponsor should contact the local municipality to determine if any additional jurisdictions are applicable to the proposal.

### **OTHER**


Please note that this letter only addresses the requirements for the following permits from the Department: Protection of Waters, State-listed Species, and Freshwater Wetlands. Other permits from this Department or other agencies may be required for projects conducted on this property now or in the future. Also, regulations applicable to the location subject to this determination occasionally are revised and you should, therefore, verify the need for permits if your project is delayed or postponed. This determination regarding the need for permits will remain effective for a maximum of one year unless you are otherwise notified. Applications may be downloaded from our website at [www.dec.ny.gov](http://www.dec.ny.gov) under "Programs" then "Division of Environmental Permits."

In addition to transmitting the above comments, this letter also serves to confirm that we have no objection to The Village of Chester Planning Board assuming lead agency status for this project.

By copy of this letter we are advising Brian and Alison Leentjes of the above referenced resources, concerns and potential DEC permits. It is possible that the DEC permit requirements may change based upon additional information received or as project modifications occur.

Please contact this office if you have questions regarding the above information. Thank you.

Sincerely,

  
\_\_\_\_\_  
Katherine Coffin  
Division of Environmental Permits  
Region 3, Telephone No. (845) 256-3158

Cc: Lisa Masi, R3 DEC  
Elaina Burns, R3 DEC

Brian and Alison Leentjes  
366 Bellvale Road  
Chester, NY 10918

**NOTE: Regarding erosion/sedimentation control requirements:**

Stormwater discharges require a State Pollutant Discharge Elimination System (SPDES) Stormwater permit from this Department if they either:

- occur at industrial facilities and contain either toxic contaminants or priority pollutants OR
- result from construction projects involving the disturbance of 5000 square feet or more of land within the NYC Department of Environmental Protection East of Hudson Watershed or for proposed disturbance of 1 acre or more of land outside the NYC DEP Watershed

Your project may be covered by one of two Statewide General Permits or may require an individual permit. For information on stormwater and the general permits, see the DEC website at <http://www.dec.ny.gov/chemical/8468.html>.

For construction permits, if this site is within an MS4 area (Municipal Separate Storm Sewer System), the stormwater plan must be reviewed and accepted by the municipality and the MS-4 Acceptance Form must be submitted to the Department. If the site is not within an MS4 area and other DEC permits are required, please contact the regional Division of Environmental Permits.





**Department of  
Transportation**

**ANDREW M. CUOMO**  
Governor

**MATTHEW J. DRISCOLL**  
Commissioner

**TODD WESTHUIS, P.E.**  
Regional Director

March 31, 2017

Mark J. Edsall, P.E., P.P.  
Engineer for the Planning Board  
Village of Chester  
47 Main Street  
Chester, NY 10918

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

Dear Mr. Edsall:

The New York State Department of Transportation is in receipt of a Lead Agency Designation letter dated March 10, 2017. We consent to the Village of Chester Planning Board acting as Lead Agency with regard to the SEQR process for review of the above referenced proposal.

However, we remain concerned about driver safety as a result of visual distraction to drivers along Route 17 due to the proximity of the proposed zip line.

Thank you for your interest in highway safety.

Very truly yours,

Mary McCullough  
SEQRA – HWP Unit

cc: Permit Field Engineer, Residency 8-4  
Orange County Planning





## Orange County Department of Planning

### County Reply – Mandatory Review of Local Planning Action as per NYS General Municipal Law §239-1, m, &n

**Local Referring Board:** Village of Chester Planning Board

**Applicant:** Brian and Allison Leentjes

**Project Name:** The Castle Fun Center Site Plan and SUP

**Proposed Action:** Site Plan and Special Use Permit for amendments to the flex ride area, construction of a 10,000 square foot addition to the recreation center building, and construction of a 22' by 50' raised platform for zipline; construction of 130' pole for zipline with anchors, and construction of overflow parking (Town of Chester)

**Reason for County Review:** Within 500 feet of NYS Routes 17M and 17; within 500 feet of the Town of Chester/Village of Chester boundary; within 500 feet of active farmland located in Orange County Agricultural District No. 1

**Date of Full Statement:** March 13, 2017

**Referral ID #:** CHV 01-17M

**Tax Map #:** 107-2-14.2 and 15

**Local File #:** 16-08

#### **Comments:**

The Department has received the above referenced site plan and special use permit 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:

Coordinated Review: The Castle Fun Center is located in the Village and the Town of Chester, and the applicants have proposed a number of site improvements in both municipalities over the last few months. We advise both the Town and the Village to look at the cumulative impacts of these proposed and pending improvements through this coordinated SEQR review.

Traffic: The applicant states that the proposed improvements to the site will not significantly increase traffic. We concur that this set of improvements is not likely to significantly increase traffic on its own; however, multiple improvements to the site over the last few years, potential future site improvements, and other developments in the area do have the potential to increase traffic noticeably around the site. We advise the Town and the Village to work with the applicant, the Chester Mall, other large landowners in the immediate vicinity of the project site, and NYSDOT on a traffic plan for this stretch of Route 17M. This may include a realignment of the secondary entrance/exit to the Chester Mall so that it is directly across from the most southeasterly entrance to the Castle, or installation of a traffic light that coordinates those two developments, or other improvements.

Impacts to Black Meadow Creek: The proposed expansion within the Village will increase the impervious surface area onsite, sending more untreated stormwater runoff directly into Black Meadow Creek. We advise the Village to require Green Infrastructure and Runoff Reduction techniques that can be incorporated into the site design without disruption, given the relatively small site. This could include a green roof for the addition and/or any other flat-roofed buildings on the project site, storage and reuse of stormwater and other water used onsite through a graywater recycling system, permeable pavement in the parking lot expansion, the installation of multiple small bioretention areas onsite, or any combination of these or other measures.

See reverse side

**County Recommendation: Local Determination**

**Date:** March 27, 2017

**Prepared by:** Megan Tennermann, AICP, Planner



**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](http://www.orangecountygov.com/planning).



Village of Chester  
Building and Codes Department  
Monthly Report to the Planning Board

April 25, 2017

**Current projects that were inspected during the last month:**

Meadow Hill Apartments.

- 1- Building #1 interior work continues.
- 2- Building #3 interior work continues.

Steris – 2 Nucifora Blvd.

- 1- Interior work continues.
- 2- Site work continues.

Curtain – 1 Railroad Ave

- 1- Work complete.

Mott – 45 Meadow Ave

- 1- Work complete.

McDonald's – 73 Brookside Ave

- 1- Exterior renovations continue.

Demack/Belmay – 45 Leone Lane

- 1- Floor alteration now complete.

15 Grand View

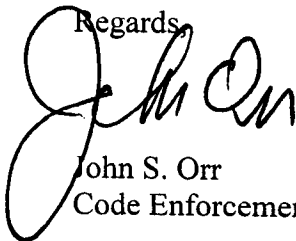
- 1- Issued permit for the renovation and removal of finished basement.

Buckley – 157 Main Street (Tuthill)

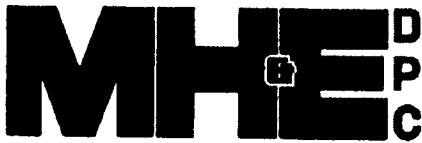
- 1- Issued permit for the renovation of house.

Spring is here as we have issued the first pool permit for the year.

Regards,



John S. Orr  
Code Enforcement Officer



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)  
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**VILLAGE OF CHESTER**  
**PLANNING BOARD**  
**REVIEW COMMENTS**

**PROJECT NAME:** CASTLE SITE PLAN AMENDMENT (v.17) AND SPECIAL PERMIT  
(Proposed Building Addition & Zip Line Platform and Tower)  
**PROJECT LOCATION:** NYS ROUTE 17M  
SECTION 107 – BLOCK 2 – LOTS 14.2 & 15  
**PROJECT NUMBER:** 16-08  
**DATE:** 25 APRIL 2017  
**CONSULTANT:** JAMES A. DILLIN, PLS  
**PLAN DATE:** Plan Revised 04-13-17  
**DESCRIPTION:** THE APPLICATION PROPOSES AN ADDITION TO THE RECREATION  
CENTER BUILDING ADDITION AND A ZIP LINE USE. THE PLAN WAS  
PREVIOUSLY REVIEWED AT THE 13 DEC 2017, 28 FEB 2017 AND  
28 MARCH 2017 PLANNING BOARD MEETINGS.

1. The applicant has submitted an updated site plan, as well as a parking explanation and manufacturer's information regarding the zip line.
2. As previously noted, some procedural circulations (all dated 3/10/2017) were made. My understanding of the status of each is as follows:
  - NYSDOT Referral – response dated 3/31/17 – DOT notes they “remain concerned about driver safety as a result of visual distraction to drivers along Route 17”. Follow-up with DOT is needed.
  - Orange County Planning Referral – response dated 3/27/17 – “Local Determination” with advisory comments regarding coordinated review with Town, Traffic and the Black Meadow Creek.
  - SEQRA Lead Agency Coordination Letter – not aware of any objection to Village Planning Board assuming Lead Agency for the coordinated review regarding the Zip Line. (It is noted that the Town is processing applications for a workshop building and billboard fully in the Town, and is NOT performing a coordinated review for those applications).
  - Town of Chester Referral – Referral made in accordance with GML 239. Not aware of any response.

3. I have reviewed the latest plan submitted and note the following comments:

- The plan was to include a specific listing of what changes are proposed for this amendment. Such a list is not included on the plan. We recommend the list be “boxed” and include the following note:

“Only the referenced changes are proposed as part of this amendment application. The site remains subject to all prior conditions of approval from prior application approvals.”

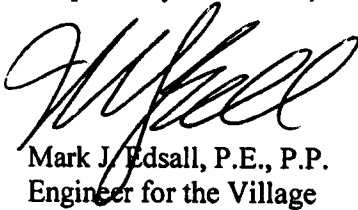
- The plan was to clearly indicate the square footage for each floor and total floor area for the fun center additions. It would appear that the areas indicated represent total both floors. This should be made 100% clear.
- The Board requested an Application Narrative to address:
  - Parking
  - Lighting
  - Seasonal Use / Weather limitations
  - Emergency / Safety Provisions

We have received a narrative commenting on parking, but, to my knowledge no other submittal regarding the other items. With regard to the parking narrative, the Board should review the information submitted to determine if the same is adequate. Since this site plan is dependent on the parking provisions in the town, it may be advisable to impose a condition that any reduction in parking (or increase in parking demand) on the town side would void this site plan approval unless further review and approval is obtained from the Village Planning Board.

- The applicant’s representatives have made presentations regarding the safety provisions of the proposed zip line. In addition, they have submitted manufacturer’s information regarding the unit. Other than possible coordination of this aspect in the narrative, I believe we have received sufficient information.
  - In reviewing the plan, I note a significant “constriction” in the stream channel between the northerly bridge and the fun center building. This is immediately adjacent to the “Ride Flex Area”. Is any construction being performed on the west side of the channel are both sides of the stream to be undisturbed ?
  - The Board’s attention is again directed to Note #7 on the plan which establishes a maximum capacity and dimension for the flex area (presumably the westerly flex area). Maximum seating 150 and ride height of 70 ft. The Board should decide if this is acceptable. Also, it is recommended that the two “flex areas” be numbered and limitations for each be established on the plan.
4. It is essential that we received further response from the NYSDOT with regard to their indicated concerns.

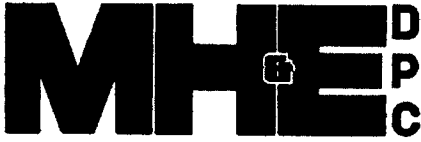
5. The applicant is reminded that any proposed activity adjacent to / near the Black Meadow Creek, which is a Class C stream, may require a permit from the NYS DEC.
6. As previously discussed, the applicant also has concurrent applications to the Town Planning Board for the “other end” of the zip line, as well as a proposed 4800 sf workshop and additional parking to serve to overall project. I discussed the various applications with the Town Planning Board Attorney and requested that they clarify which applications they intend to review as an “uncoordinated SEQRA review”. It is our understanding they intend to perform a coordinated SEQRA review for the zip line.

Respectfully Submitted,



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

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Ches16-08-25Apr2017.doc



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**VILLAGE OF CHESTER**  
**PLANNING BOARD**  
**REVIEW COMMENTS**

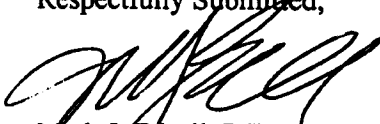
**PROJECT NAME:** JONES SITE PLAN  
**PROJECT LOCATION:** 153 MAIN STREET  
SECTION 111 – BLOCK 2 – LOT 30.2  
**PROJECT NUMBER:** 17-02  
**DATE:** 25 APRIL 2017  
**CONSULTANT:** JAMES DILLIN, PLS  
**PLAN DATE:** APRIL 12, 2017  
**DESCRIPTION:** THE APPLICATION PROPOSES CONVERSION OF THE EXISTING  
RESIDENTIAL STRUCTURE TO AN OFFICE AND RETAIL BUILDING.  
THE PLAN WAS REVIEWED ON A CONCEPT BASIS ONLY.

1. The property is located in the B-1 zoning district of the Village. Retail establishments are Principal Permitted Use #2, and Offices are Use #4. Both uses have the same bulk values, which are correctly referenced as the "Required" values in the bulk table.
2. The Board may wish to confirm that the office is related to the retail use, and these are not two separate uses within the building. As well, the second story storage should serve the retail use.
3. We have reviewed the plan and note the following comments:
  - The proposed use description is confusing. The description should match the uses referenced in the parking calculation. Please clarify.
  - The use identification on the plan itself also does not acknowledge that the second floor also includes storage. Please correct.
  - The parking calculation appears correct based on the information indicated. It is noted that over half the second floor is noted as storage. A total of four parking "off-street" parking spaces are required by code, with only two spaces provided on site. The applicant does note that two spaces are provided off-site (ie street parking); however, the code does not count these spaces for zoning compliance. A variance from the Zoning Board of Appeals is needed. **The Board should discuss the procedural aspects regarding timing of approval with the Attorney for the Planning Board, based on the above.**



- In addition to the parking variance needed, a review of the plan will indicate that one of the two parking spaces on site obstructs ingress/egress of the second space. This is usually not permitted.
  - The Code Enforcement Officer should comment with regard to the need for handicapped access and/or handicapped parking.
  - Section 98-20 (E)(3) requires that the layout of off-street parking lots be such that vehicles entering the public street from the lot do so in a forward direction. The proposed site does not provide an actual parking lot, it is rather the residential driveway, the layout of which would require back-out (or back-in) from the public street. **I believe such layout would require further relief from the Zoning Board of Appeals.**
  - Given the minor intensity of the proposed use, we anticipate that residential style waste cans will be used and no dumpster enclosure will be needed.
  - We presume that residential style lighting will be adequate for the use as proposed. We note no lighting plan is provided nor any information indicated.
  - The approval box should include the project number (Chester PB App. No. 17-02).
4. The Board should discuss the SEQRA process with the Attorney for the Planning Board, especially given the need for action by the ZBA.
  5. This project would appear to be within a 500-foot distance from the State Highway and, as such, must be referred to the Orange County Planning Department as per New York State General Municipal Law (GML 239).

Respectfully Submitted,



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

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