

MINUTES
VILLAGE OF CHESTER PLANNING BOARD
JUNE 27, 2017
REGULAR MEETING

PRESENT: Vincent RAPPA, Co-Chairman
 Robert JANKELUNAS, Member (Joined the meeting at 7:10 PM)
 Anthony LASPINA, Member
 Gene WINTERS, Member
 Mark EDSALL, Planning Board Engineer
 Harold PRESSBERG, Planning Board Attorney

NOT PRESENT: Richard RAMSDELL, Chairman
 John ORR, Code Enforcement Officer

REGULAR MEETING

Co-Chairman Rappa opened the Regular Meeting at 7:05 PM

1. Minutes

Review Draft May 2017 Planning Board Meeting Minutes. ***MOTION** was made by Member Winters, second by Member LaSpina, to **ACCEPT THE MINUTES AS DRAFTED**. Motion passed 3–0.

2. Correspondence

None

3. Code Enforcement Officer Report

CEO John Orr was not present at the meeting, so report read into the record by Co-Chairman Vinny Rappa (copy attached).

4. Projects for Review

Project # 17-03 Project Name: Advanced Auto Site Plan

Applicant/Owner: John Joseph, Southern Realty / JJB, LLC; 95 Brookside, LLC; 93 Brookside, LLC

Location: Brookside Avenue (107-2-8.21, 107-2-9.1 & 107-2-9.2 / B2 Zone)

Re: Construct a 6,890 sq ft auto parts retail store

Presented by Mark Siemers, PE, Pietrzak & Pfau

Mark Siemers, PE, provided an overview of the project:

- 2 plans were submitted – one with a 16' front yard setback and one with a 30' front yard setback;
- Per the engineer, both front yard setbacks are allowed by right;
- Clarified the interior of the building is 35% selling area and 65% storage area;
- Parking revised to 30 spaces as the Code requires 17 spaces, but Advanced Auto's studies show 35 spaces are usually needed for the business;
- Façade pictures submitted per Advanced Auto specifications;
- Re-stated that the current building has a 16' front yard setback;
- Applicant wants to maintain the current tree line in the rear of the property.

Discussion held regarding:

- Code Enforcement Officer John Orr suggested a historic placard be constructed with the assistance of the Historical Society;
- Member Winters suggested/commented that the applicant provide an alternative for the façade. He would like to see a different roof line or something to soften the look of the building as it's between the Orange County Trust building and the Greenwald Law Offices;
 - John Joseph, applicant, commented that he suggested adding windows to the side of the building that faces the road, but he would check with Advanced Auto and advise the Board;
 - Co-Chairman Rappa suggested a fake façade like Lowe's;

- John Joseph, applicant, said he would look at the Lowe's building. He asked if the Board could make a decision on the 16' or 30' front yard setback so he can focus on the building aesthetics;
- Discussion regarding customers doing repairs in the parking lot and leaving behind trash. It was suggested that the plans reflect that service/repairs be performed in a specific area, but the wording has to be reflective of what happens and not suggest the business is a repair shop.
- The lot line change application would be submitted concurrently.

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

- Mark Edsall indicated he reviewed the plans for the 30' front yard setback;
- It was suggested that the applicant re-submit the 30' front yard setback plans for SEQRA Lead Agency and referrals circulation.

***MOTION** was made by Member Winters, second by Member Jankelunas, to **AUTHORIZE CIRCULATION TO DECLARE INTENT TO BE LEAD AGENCY ONCE UPDATED PLANS ARE SUBMITTED WITH THE NOTE THAT WE BELIEVE IT IS AN UNLISTED ACTION UNDER SEQRA.** Motion passed 4-0.

Project # 17-04 Project Name: BYK SPA (Addition)

Applicant/Owner: BYK USA, Inc.

Location: 48 Leone Lane (113-1-8 / M-1 Zone)

Re: Construct 700 sq ft addition, extension of previously approved addition

Presented by Larry Torro, PE

Larry Torro, PE, provided an overview of the project:

- Proposed addition is in the rear of the building;
- Requesting an extension of the previously approved addition;
- As of October 1st, all outdoor storage will be put inside except the 2 containment areas which are currently there. The containment areas are;
 - Large, non-permanent structures;
 - Hold approximately 8 pallets each;
 - They're approximately 6' wide and 4' across with a 2nd elevation approximately 8-10' high;
 - They hold liquid, combustible materials in 55 gallon drums;
 - The containers are made to contain any spills and meet OSHA and EPA standards;
 - There are steel rods and a steel channel in the asphalt with approximately an inch between the asphalt and the container;
 - No protective bollards currently in place, but could install them;
 - Design and specifications for the containment areas will be submitted;
 - Which way the trucks travel to get to the loading dock to be indicated;
 - Amendment of the DEC permit could be a condition of approval.

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

- If referrals need to be sent to the Town of Chester and/or the Orange County Planning Department;
- The Planning Board secretary was asked to review the previous projects to see if referrals were sent for those projects – Projects # 14-03 and 15-02;

***MOTION** was made by Member Winters, second by Member LaSpina, to **CONDUCT A PUBLIC HEARING.** Motion passed 4-0.

***MOTION** was made by Member LaSpina, second by Member Jankelunas, to **AUTHORIZE REFERRAL TO THE TOWN OF CHESTER AND ORANGE COUNTY PLANNING DEPT.** Motion passed 4-0.

Amending the Zoning Code § 98- 20 (E)

Referral by the Village Board of the proposed Local Law #4 of 2017, Amending the Zoning Code §98-20(E) Off-Street Parking and Loading, Computation of Spaces in a B-1 Zone

As the Planning Board has 60 days to respond, the referral was tabled to the July meeting.

Project # 17-01 Project Name: Mikaberidze Site Plan
Applicant/Owner: Ushangi Mikaberidze
Location: 22 Lehigh Avenue, Chester (SBL: 115-1-3.1 / M-2 Zone)
Re: Proposed 1st Floor Taxi business, 2nd Floor apartment
Presented by Mike Morgante, PE

Mike Morgante, PE, provided an overview of the project:

- Applicant previously attended a work session;
- Past use was a dentist on the 1st floor and apartment on the 2nd floor;
- Current owner wants to open a taxi business on the 1st floor and keep the apartment on the 2nd floor;
- There is an auto body business, a U-Haul business and a tire business in the neighborhood, so this would fit into the neighborhood;
- Applicant obtained use and area variances for the taxi business, apartment and other pre-existing, non-conforming uses of the property;
- Proposed additional parking for the apartment and fencing for screening of the taxi business;
- NYS DOT currently has an easement on the property;
- Renovations on the 1st floor to change the business and general updating of the 2nd floor apartment;
- Taxis would be parked behind the privacy fence which is proposed to be 6 or 7 feet tall;
- The number of taxis on the property will be limited to the amount of parking spaces;
- Hours of operation are 24 hours a day/7 days a week and will be noted on the plans.

Discussion held regarding:

- Plantings to soften the look of the privacy fence;
- Parking spaces should be 10 ft X 20 ft;
- It should be noted on the plans the number of taxis;
- Snow removed would be in the back by the curb;
- It was requested that the site improvements on the plans be darkened;
- Per Planning Board Attorney Harold Pressberg, this appears to be a Type II action under SEQRA with possible referrals to the Town of Chester and Orange County Planning Department.

Leslie Smith commented the property for the proposed Advanced Auto business. It was noted that the property has a lot of history and that a comprehensive plan committee has been initiated. She also commented on the need for the Village to have an Architectural Review Authority. She was advised the Village Board can give the Planning Board architectural review authority or create an Architectural Review Board.

David Stevenson asked if there is no Architectural Review Authority, doesn't the Planning Board automatically have Architectural Review Authority? Per Planning Board Attorney Harold Pressberg, the Planning Board does not automatically have Architectural Review Authority, but the Village Board could grant the Planning Board that authority.

Co-Chairman Rappa asked if anyone had anything else to discuss and as there were no other comments, ***MOTION** was made by Member LaSpina, second by Member Winters, to **ADJOURN THE MEETING**. Motion passed 4-0. Meeting adjourned at 8:15 PM.

Respectfully Submitted,



Sandra VanRiper
Planning Board Secretary

Village of Chester
Building and Codes Department
Monthly Report to the Planning Board
June 26, 2017

Current projects that were inspected during the last month:

Meadow Hill Apartments.

- 1- Building #3 final inspection conducted and passed.
- 2- A Temporary CO has been issued. The temp CO will remain in place until all site items have been finished.

Steris – 2 Nucifora Blvd.

- 1- CO will be issued during the month.

McDonald's – 73 Brookside Ave

- 1- Project now complete.

15 Grand View

- 1- Work continues.

Buckley – 157 Main Street (Tuthill)

- 1- Work continues.

T-Mobile – 69 Brookside Ave

- 1- Store open.

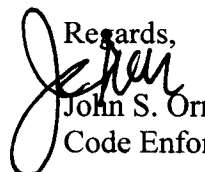
Garzone – 42 Maple Ave.

- 1- Work continues.

Following comments for tonight's projects:

Advanced Auto- The applicant is proposing to totally remove the existing structure that is 16 feet from the road, as they are not proposing to use any part of that structure, it is my opinion that the that the new structure should be set back 30ft with no parking in the front yard per code. I would also suggest that the first two parking spaced from the entrance be removed and relocated to the back section. Also, would like to suggest the applicant work with the Chester Historical Society to develop a history board for the property outlining the history of Lawrence property. This tribute board could be placed in the open lawn area between the new structure and the old house.

BYK- While reviewing the proposal and the company's current operation, I have found that BYK is using a large area for outside storage of material. This outside storage is permitted as a "Special Permitted Use" under code. This should be memorialized on the plans.

Regards,

John S. Orr
Code Enforcement Officer



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

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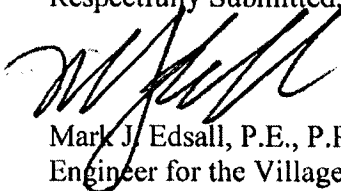
WILLIAM J. HAUSER, P.E.

VILLAGE OF CHESTER
PLANNING BOARD
REVIEW COMMENTS

PROJECT NAME: ADVANCED AUTO SITE PLAN
PROJECT LOCATION: 95 BROOKSIDE AVENUE
SECTION 107 – BLOCK 2 – LOTS 8.21, 9.1 & 9.2
PROJECT NUMBER: 17-03
DATE: 27 JUNE 2017
CONSULTANT: PIETRZAK & PFAU ENGINEERING
PLAN DATE: Revised 6-15-17
DESCRIPTION: THE APPLICATION PROPOSES A 6890 SF RETAIL (AUTO PARTS) STORE ON THE OVERALL 1.6+ ACRE SITE. THE PLAN WAS PREVIOUSLY REVIEWED AT THE 23 MAY 2017 PLANNING BOARD MEETING.

1. The property is located in the B-2 zoning district of the Village. The “required” bulk information shown on the plan appears correct for the zone and use. The applicant has submitted two versions of the site plan, one with a 16 ft front yard setback, and one with 30 ft front yard setback. It is my understanding, based on a discussion with the Code Enforcement Officer, that the former alternative is not viable, as such, my review is based on a review of the 30 ft front yard alternative.
2. The applicant has revised the parking calculation to reflect a 35% / 65% sales / storage ratio, as per information provided by Advance Auto. Since the parking in the code is based on “selling space” this approach is acceptable; however, the applicant must understand they are limited to the 35% customer area.
3. The plans are still concept in nature. In our May comments, we provided some initial comments, which should be addressed as when more complete plans are prepared.
4. The Board will need to determine when it is appropriate to begin the SEQRA process (circulate for Lead Agency) and make referrals to NYSDOT and Orange County Planning.

Respectfully Submitted,



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



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**VILLAGE OF CHESTER
PLANNING BOARD
REVIEW COMMENTS**

PROJECT NAME: BYK USA INC SITE PLAN AMENDMENT
PROJECT LOCATION: 48 LEONE LANE (CHESTER INDUSTRIAL PARK)
SECTION 113 – BLOCK 1 – LOT 8
PROJECT NUMBER: 17-04
DATE: 27 JUNE 2017
CONSULTANT: CIVIL TEC ENGINEERING (LARRY TORRO, PE)
PLAN DATE: 06/15/2017
DESCRIPTION: THE APPLICATION PROPOSES A 700 SF ADDITION AT THE REAR
(NORTH) SIDE OF THE EXISTING BUILDING. THE PLAN WAS
REVIEWED ON A CONCEPT BASIS ONLY.

1. The application appears very minor in nature since the addition proposed is (approximately) a 7 ft. addition off the back of the building, 100 ft wide. (dimensions of the addition are not provided, but should be added). The addition causes no decreased rear setback, since the prior addition (prior amendments with Applications 14-03 and 15-02) is much closer to the rear property line. As such, we are aware of no zoning concerns from this application.
2. In discussing this application with CEO John Orr, he notes the applicant has a large amount of outdoor storage at the site. Such outside storage constitutes a Special Permit Use in the M-1 zone. Some enhancements to the screening may be required per the code.
3. The Board should discuss the SEQRA status and any necessary referrals.

Respectfully Submitted,

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

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