

MINUTES

VILLAGE OF CHESTER PLANNING BOARD

SEPTEMBER 26, 2017

REGULAR MEETING

PRESENT: Richard RAMSDELL, Chairman
Robert JANKELUNAS, Member (Arrived at 7:15 PM)
Anthony LASPINA, Member
Vincent RAPPA, Co-Chairman
Gene WINTERS, Member (Arrived at 7:05 PM)
Mark EDSALL, Planning Board Engineer
Harold PRESSBERG, Planning Board Attorney

NOT PRESENT: John ORR, Code Enforcement Officer

****** REGULAR MEETING ******

Chairman Ramsdell opened the Regular Meeting at 7:00 PM.

Minutes

Review Draft August 2017 Planning Board Meeting Minutes. ***MOTION** was made by Member LaSpina, second by Member Rappa, to **ACCEPT THE MINUTES AS DRAFTED**. Motion passed 3–0 (Members Winters and Jankelunas were not present for the vote).

Correspondence

Response from OCDP re: Project # 17-05 – Rushing Duck @ 2 Greycourt Avenue in which the County recommends a local determination was read into the record by Chairman Ramsdell (copy attached). Discussion was held in response to the County's "Stormwater Management" comment raising concern with stormwater runoff when the proposed gravel parking lot becomes impervious. Village Engineer Mark Edsall explained that the applicant proposed maintaining the primary parking surface as turf as it is now, which would not cause the stormwater runoff that the county might be indicating. If and when the applicant decides to put in the gravel or the current area becomes heavily compacted, we can work with the applicant to put in either swales for treatment or a bio-retention. The area where the vehicles are parking used to be used for farm vehicles and other vehicles. Certainly if the applicant installs gravel and it gets compacted, we can look for the applicant to put in this type of treatment between the end of the parking lot and the black dirt. All the way through the discussions, it was a primary concern of the Board to protect the black dirt.

Code Enforcement Officer Report

As John Orr, Code Enforcement Officer, was not present, there was no report.

Projects for Review

1. Project # 02-07	Project Name: Chester Plaza Hotel/Motel Site Plan
Applicant/Owner:	Chester Shopping Plaza, TTD (Herman Leimzider & Jacob Deutsch)
Location:	Brookside Avenue, Chester (SBL: 110-6-1.112 / B-2 Zone)
Re:	Construct hotel/motel
Presented by	Larry Torro, PE, Civil Tec Engineering & Surveying, PC

Larry Torro, PE, explained that in the correspondence he provided to the Board, he was trying to outline some of the issues that may be associated with the SEQRA process and how it was dealt with last time around, specifically the wetlands. There was some wetland mitigation under the original approval and a permit was issued for that. Those measures and changes/modifications were done several years back and the permit closed out, so that portion of the project was taken care of right up front.

Chairman Ramsdell indicated we received a letter from Larry Torro dated September 12th (copy attached), which indicates from a SEQRA viewpoint, there have been no changes in the surrounding area that would have a negative impact as a result of extending the completion date.

Larry Torro, PE, further explained that as far as other issues mentioned when the original approval was granted, like traffic. It was briefly discussed at the Work Session that the interchange for Route 17 has been re-vamped and cleaned up so it's more efficient now both getting on and off Route 17. In addition to that, full sidewalks, crosswalks, etc. have been installed for pedestrian traffic. And, as far as the Village issues with water and sewer, they're both still available and I don't think anything has changed in that regard. Since the time of approval, there's been no modification to the zoning in that area. The applicant isn't looking for any changes or modifications to the plans, just the completion date to be modified. Other than that, those would be the bigger issues associated with SEQRA. I don't think there's really any change or impact from when it was originally approved until now.

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

- Is in agreement with Larry Torro's representation of the site plan and request. He advised the Board to remember that a specific hotel/motel would have specific requirements for their site plan and, therefore, this application may be back before the Planning Board for a site plan amendment;
- Brief discussion was held regarding site access for public and fire apparatus.

***MOTION** was made by Member Rappa, second by Member LaSpina, to **RE-AFFIRM THE NEGATIVE DECLARATION UNDER SEQRA**. Motion passed 4-0 (Member Jankelunas was not present for this vote).

A brief discussion was held regarding the 4 year extension, noting a 3 year extension was previously granted.

***MOTION** was made by Member Winters, second by Member LaSpina, to **APPROVE THE EXTENSION OF THE COMPLETION DATE TO SEPTEMBER 30, 2021**. Motion passed 5-0.

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|---------------------------|--|
| 2. 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: | 1 st Floor taxi business; 2 nd Floor apartment |
| Presented by | Kimberly Schneider, Arden Consulting |

Mark Edsall's comments were reviewed (copy attached).

***MOTION** was made by Member Jankelunas, second by Member Rappa, to **DECLARE THIS A TYPE II ACTION UNDER SEQRA**. Motion passed 5-0.

***MOTION** was made by Member Winters, second by Member Jankelunas, to **GRANT SITE PLAN APPROVAL WITH THE FOLLOWING CONDITIONS:**

1. **Providing sufficient copies of the final plans;**
2. **Payment of all fees.** Motion passed 5-0.

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 5-0. Meeting adjourned at 7:30 PM.

Respectfully Submitted,



Sandra VanRiper
Planning Board Secretary



Orange County Department of Planning

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 **Referral ID #:** CHV 07-17M
Applicant: Rushing Duck Brewing Company **Tax Map #:** 105-1-7
Project Name: Rushing Duck @ 2 Greycourt Avenue Site Plan **Local File #:** PB 17-05
Proposed Action: Site Plan for conversion of existing building onsite to tasting room
Reason for County Review: Within 500 feet of the Town of Chester/Village of Chester boundary
Date of Full Statement: August 18, 2017

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:

Stormwater Management: The proposed action is the conversion of an existing building to a new use, and the installation of a gravel parking lot to serve that use. The project is close to a number of farming operations in the Black Dirt area of the Village. We commend the applicant for their use of gravel as a permeable alternative to asphalt paving; however, over time, gravel can compact and cause runoff and contamination at similar levels to asphalt and concrete. We advise the applicant to install additional measures designed to help stormwater infiltrate on the project site, such as a small bioretention area on the downhill side adjacent to the parking lot, which will allow the Black Dirt area to maintain its hydrology. We will be happy to provide information to the Village upon request.

County Recommendation: Local Determination

Date: August 22, 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 on-line at www.orangecountygov.com/planning.



September 12, 2017

Village of Chester Planning Board
47 Main Street
Chester, NY 10918
Attn: Sandy VanRiper, PB Secretary

Ref: Extension Site Plan Approval
Chester Shopping Plaza Hotel/Motel site
Village of Chester: Section 110- Block 6-Lot 1.112

Dear Planning Board Members,

The referenced Site Plan approval presently has a completion date of September 2017. As you are aware no construction has taken place at the site recently. The economic climate in Orange County has had no real growth since the real estate market crash in 2006. However presently we are seeing much more activity in the real estate market as well as some proposals that would potentially provide benefit to the Chester area for lodging.


From a SEQRA viewpoint there have been no changes in the surrounding area that would have a negative impact as a result of extending the completion date.

- At the time of the original approval, mitigation for the surrounding wetland was completed under a permit issued by the New York State Department of Environmental Conservation (NYSDEC).
- Since the approval the Chester Exit off NY Route 17 has been reconstructed. Making entering and exiting at this location more efficient for traffic in the area. In addition pedestrian sidewalks have been constructed making for safer conditions and easier access to the Plaza.
- Water and sewer in the Village are available to service the project.
- There have been no changes or modifications in the zoning that would contradict the original approval.
- The applicant is not seeking any changes or modifications to the original approval with the exception of the completion date.

We would request on behalf of the applicant that a request for extension of the present approval be placed on your next available agenda for consideration. We would request consideration of a completion date of September 2021. This will hopefully give the applicant sufficient time to pursue potential buyers of the site and then time to complete the construction.

If you require anything additional regarding this request prior to being scheduled on a meeting please do not hesitate to contact our office.

Thank you.
Sincerely,

A handwritten signature in black ink, appearing to read "Lawrence E Torro". The signature is fluid and cursive, with the first name "Lawrence" written in a large, sweeping script, and "E Torro" written in a smaller, more compact script to the right.

Lawrence E Torro, PE

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VILLAGE OF CHESTER
PLANNING BOARD
REVIEW COMMENTS

PROJECT NAME: CHESTER SHOPPING PLAZA SITE PLAN AMENDMENT
(PROPOSED MOTEL)
PROJECT LOCATION: NYS ROUTE 17M
SECTION 111 - BLOCK 6 - LOT 1.11
PROJECT NUMBER: 02-07
DATE: 26 SEPTEMBER 2017
DESCRIPTION: THIS APPLICATION PROPOSES THE ADDITION OF A MOTEL ON THE
NORTH END OF THE EXISTING PLAZA SITE. THE PLAN WAS PREVIOUSLY
REVIEWED AT THE 23 JULY 2002, 27 AUGUST 2002, 17 DECEMBER 2002,
22 APRIL 2003, 26 AUGUST 2003, 23 SEPTEMBER 2003, 28 OCTOBER 2003,
5 FEBRUARY 2004, 23 MARCH 2004, 27 APRIL 2004, 27 JULY 2004,
24 AUGUST 2004, 28 SEPTEMBER 2004, 22 FEBRUARY 2005, 22 MARCH 2005,
26 APRIL 2005, 24 MAY 2005, 28 JUNE 2005, 27 SEPTEMBER 2005,
15 NOVEMBER 2005, 20 DECEMBER 2005, 23 SEPT 2014 AND 25 JULY 2017
PLANNING BOARD MEETINGS.

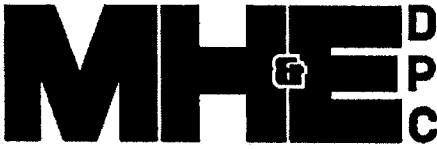
1. On 9/23/2014 the Planning Board re-approved (conditionally) the application. A 3-year extension was granted for completion of the work (thru 9/23/2017). The applicant by letter dated July 12, 2017 from Larry Torro, P.E., is now seeking another extension of the completion date thru September 2021.

In the letter dated September 12, 2017 the applicant's engineer outlines the reason why no conditions have changed from a SEQRA standpoint. This should be discussed on the record before any action is considered.

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: 22 LEHIGH AVENUE SITE PLAN
(USHANGI MIKABERIDZE)
PROJECT LOCATION: 22 LEHIGH AVENUE
SECTION 115 – BLOCK 1 – LOT 3.1
PROJECT NUMBER: 17-01
DATE: 26 SEPTEMBER 2017
CONSULTANT: ARDEN CONSULTING ENGINEERS PLLC
PLAN DATE: Rev. 2 dated 8/1/17
DESCRIPTION: THE APPLICATION PROPOSES THE USE OF THE EXISTING 2-STORY SFR DWELLING AS A TAXI BUSINESS ON THE FIRST FLOOR AND SECOND FLOOR AS AN APARTMENT. THE PLAN WAS PREVIOUSLY REVIEWED AT THE 25 JULY 2017 AND 22 AUGUST 2017 PLANNING BOARD MEETINGS.

1. The property is located in the M-2 zoning district of the Village. The business office use not a permitted use in the M-2 zone; however, the applicant has obtained a use variance for such use. The caretaker apartment is a listed accessory use, but also received a variance as accessory to the principal use. The application also required some area type variances from the ZBA. The plan bulk table provides the data regarding variances granted by the ZBA on 5/15/17. A record of the ZBA decision should be on file with the Planning Board.
2. All previous comments from our office have been addressed on the resubmitted plans.
3. Based on the notes from the prior meeting and the September worksession, the plan has been revised to include a note limiting vehicles to passenger type vehicles and mini-vans (note #7), the dumpster has been moved to the northeast paved corner, and the fence is now shown as 6 ft. height. We believe these were the only open issues.

Respectfully Submitted,

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

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