

MINUTES

VILLAGE of CHESTER PLANNING BOARD

APRIL 27, 2010

PUBLIC HEARINGS AND REGULAR MEETING

PRESENT: Richard RAMSDELL, Chairman  
Anthony LA SPINA, Member  
John REILLY, Member  
John ORR, Code Enforcement Officer  
Mark EDSALL, Engineer  
Harold PRESSBERG, Attorney

NOT PRESENT: Robert JANKELUNAS, Member  
Gene WINTERS, Member

PUBLIC HEARING

1. 144 Main Street Site Plan

Project #10-03

Owner: Andrew L. Palmer Estate

Applicant: Richard Palmer

Location: 144 Main Street SBL 111-7-22.2 (portion), 111-7-16 Zone: B1

Re: Site Plan -Former dwelling converted to Permitted Use Office/Retail  
Jim Dillin, representing

Chairman Ramsdell read the Public Hearing Notice as it was published in the Times Herald Record:

**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 Tuesday, the twenty-seventh day of April 2010 at 7:00 P.M., or as soon thereafter as the matter can be heard, concerning the application of Richard Palmer for the project known as 144 Main Street Site Plan. The applicant is requesting Site Plan Approval from the Village of Chester Planning Board, to allow the applicant to use the former residential dwelling as a Permitted Use: Office and Retail facility.

The property is located in the Village of Chester, New York at 144 Main Street, and is listed on the Village Tax Map as Section 111, Block 7, Lot 22.2 (portion) and Lot 16 in a B-1 Zone.

All persons interested will be heard by the Village of Chester Planning Board at the aforementioned time and place.

Chairman Ramsdell gave a brief explanation of the proceedings for a Public Hearing, stating that the Public Hearing is not part of what is called the Regular Meeting of the Planning Board. The applicant or representative is asked to make a presentation ~~ex~~ to explain his project. The hearing is then opened up for the public to comment. Chairman Ramsdell asked that anyone wishing to speak please identify themselves and tell where they live.

Mr. Jim Dillin represented the applicant and made a presentation. Mr. Dillin said that this project is on a 3.2 acre parcel and is part of Palmer Trucking. The existing structure is a former dwelling. It is in a B1 Zone, which permits office and retail.

Mr. Dillin stated that the project will have 2 phases. The first phase will be the bottom floor which consists of 1,500 sq. ft. There are 1,100 sq. ft. of office space and 400 sq. ft. of retail space. This requires 4 parking spaces. The plan has a handicapped parking space adjacent and along the sidewalk, which makes it easy to get to the building. There is a possibility of a second phase for occupancy of the second floor. This would require 3 more parking spaces and a planted shrub line. We have applied for permission to have a double-sided sign in front of the building. The only real improvements would be paint lining to show where the parking spaces are.

Chairman Ramsdell thanked Mr. Dillin for his presentation.

Chairman Ramsdell asked if Board members had questions. There were none.

Chairman Ramsdell opened the hearing to public comment. There were no comments from the public.

Chairman Ramsdell said that Orange County Planning has sent a decision that the 144 Main Street Site Plan Approval application is for local determination.

Chairman Ramsdell requested a **Motion** to close the Public Hearing. A **Motion** was made by Member Reilly, seconded by Member La Spina. All in favor, none opposed. **Motion** carries.

### PUBLIC HEARING

#### 2. Site Plan & Special Use Permit - Contorino Project # 10-02

Owner/Applicant: Mario & Lisa Contorino

Location: Garden Street SBL 101-1-9 Zone: RA

Re: Special Permitted Use, Item #5

Woodworking and fabrication shop - including workshop, warehouse, and office

Jim Dillin, representing Mario and Lisa Contorino

Mario Contorino attending

Chairman Ramsdell read the Public Hearing Notice as it was published in the Times Herald Record:

**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 Tuesday, the twenty-seventh day of April 2010 at 7:15 P.M., or as soon thereafter as the matter can be heard, concerning the application of Mario and Lisa Contorino for the project known as Site Plan and Special Use Permit for Contorino. The applicant is requesting to secure Site Plan Approval and a Special Use Permit Item #5 from the Schedule of District Regulations pursuant to the Village of Chester Code, to allow the applicant to use the structure as a woodworking and fabrication shop, consisting of a workshop, warehouse, and office.

The property is located in the Village of Chester, New York on Garden Street and Contorino Way, and is listed on the Village Tax Map as Section 101, Block 1, Lot 9 in an RA Zone.

All persons interested will be heard by the Village of Chester Planning Board at the aforementioned time and place.

Chairman Ramsdell again briefly explained the Public Hearing procedure since new people had arrived to attend this Public Hearing. Chairman Ramsdell asked the public to please address the Board and not the applicant.

Chairman Ramsdell introduced Mr. Jim Dillin, a surveyor who is representing the applicant. Mr. Dillin submitted the applicant's proof of mailing to Planning Board Secretary Susan Marino. The proof of mailings was received and put in the applicant's file.

Mr. Dillin stated that this property is located on Garden Street. It is in an RA Zone and was originally constructed to be a farming operations building. The applicant is before the Board tonight for a Special Permitted Use, Item #5 in the Village Code. This would allow us to have the woodworking shop that we are proposing. We are proposing a new handicapped space which we have to blacktop, put signs on, and paint. We have shown 8 required parking spaces from the parking formula. The exterior lights shown are existing. We need a double dumpster to facilitate the use of the building. The dumpster will be enclosed. There's really not anything more to the application.

Member Reilly asked if there will be any retail on the site.

Mr. Dillin replied that there will be no retail.

Chairman Ramsdell asked how long the current use has been going on in the building.

Mr. Mario Contorino, owner, replied that it has been going on for about 2 or 3 years.

Chairman Ramsdell opened the Public Hearing for public comment.

Rosalie Jonas of 7 Garden Street stated that her family's quality of life has been affected since the woodworking started. There are heavy fumes and paint smells due to the spraying. I am concerned about what these fumes will do to my children developmentally as it makes my house smell of paint. Even being outside for a short time, we get immediate headaches.

Chairman Ramsdell stated that Mrs. Jonas wrote a letter regarding this matter at 3 Contorino Way. Chairman Ramsdell asked Mrs. Jonas if he could read her letter and make it part of the record. She agreed.

Chairman Ramsdell asked Mrs. Jonas to point out her house on the map. She did so, stating that her house is less than 100 ft. away from the fan that blows paint fumes onto her property.

Chairman Ramsdell read the letter written by Mrs. Jonas. The letter is attached at the end of the Minutes and is entered as part of the record.

Chairman Ramsdell asked Mrs. Jonas if she had any further comment.

Mrs. Jonas said that this is still continuing.

Chairman Ramsdell asked if anyone else had any comments.

Mary Altobelli of 4 Garden Street stated that she has been writing letters to the Village since April 2009. Her original letter, also written to John Orr, asked when did the Village change the zoning laws in our neighborhood. There are trucks, noises, and smells that affect us. Since when is this kind of thing allowed in a residential neighborhood? It is unfair that I, as a taxpayer, have to put up with this. There is total disregard by the property owner for the neighborhood. The property owners have even lied to the DEC. When they applied for a permit for a spray booth, the DEC was told by the applicant that this is a Light Industrial Commercial Zone. We are NOT zoned as Light Industrial Commercial. It appalls me that I'm still paying taxes and my property value is going down. We are treated as second-class citizens living in an Industrial Park. I have very little faith in the property owner to do the right thing for the neighborhood. They have been lying to the neighbors and probably to you (Planning Board), too. I appeal to you to do the right thing for all of us. It's nerve-wracking.

Attorney Harold Pressberg said that the issue is for you to tell the Planning Board what is occurring on that property so that the Board can make a decision. You are telling us the conditions of the property and how it's affecting other surrounding properties. What is going on?

Ms. Altobelli said that the doors are opened, and huge fans blow fumes and make noise. There are huge trucks going up and down the street. Two years ago, in 2008, Mr. Contorino was doing snow removal. He pushed snow onto my property and knocked down my fence. The operation goes on every day, including Saturdays and Sundays. There are smells and noise until 10 P.M. This is totally unmanaged in terms of a residential neighborhood. Some of the things are real eyesores. I have photos that I'll leave with the Board if you like.

Chairman Ramsdell thanked Ms. Altobelli for her comments. He said that the process that is being discussed is not a zone change, but is a Site Plan approval process.

Edna Schultz of 6 Garden Street said that she has lived in this area for over 30 years because it was agricultural and residential. I don't get smells that often, but I do get them. I don't think its right that somebody opens a business without the proper permits. I'm very nervous, I'm sorry.

Mrs. Schultz said that the neighbors and I are getting tired of this. It's been going on for a long time. It should be an Agricultural/Residential area without any businesses and that's all I have to say.

Chairman Ramsdell thanked Mrs. Schultz.

Daniel Jonas of 7 Garden Street said that he has a photo showing that his house is about 75 ft. away from the fans. The smells and odors started about a year ago last March. I spoke with Mr. Spas and he assured me that the proper filtration was being done for the smells. He said that I could come over to look at it. I believed him at that point. The spraying continued through March, April, and May. On June (8<sup>th</sup> or 23<sup>rd</sup>?) 2009, the spray and fumes were very thick. I turned on my attic fan and the entire second floor smelled like a paint booth. I got my family out of the house to try to get some fresh air, and then we moved down the road. We called 911 and the Fire and Police departments came because the spray and fumes were so intense. Mario (Contorino) told me that everything was okay and legal, and that the permits were cleared.

Chairman Ramsdell asked if there was a police report.

Mr. Jonas said that there were 2 different occasions when the police came - on June 8<sup>th</sup> and June 23<sup>rd</sup>.

Chairman Ramsdell said that we may get back in touch with you about those dates.

Mr. Jonas said that he spoke with Fire Chief Patrick Bell and he met the Building Inspector. They did smell odors. The police went inside the Contorino building. A worker let them in. There was an open container of explosive material with fumes of unknown nature. My wife was pregnant at the time.

Mr. Jonas said that he called Officer Gordon of the Environmental Police, and that Officer Gordon said that he could not believe that there was not a filtration system.

Chairman Ramsdell asked when the Department of Environmental Conservation Officer visited the site.

Mr. Jonas said that Officer Gordon from Regional 3 in New Paltz visited 2 different times. He did inspections and found different violations. He asked what level do we have to go to? Local, state, federal, environmental?

Mr. Jonas said that he already has breathing problems and that he is under a pulmonologist's care. This is due to the 9-11 attack in New York City. He asked if he needs to wear a gas mask to put his children in the car.

Mr. Jonas said that Mario Contorino trimmed the trees that provided the screening. There were 25 ft. pine trees from the 1980's, about 10 ft. from the Jonas property. The trees have now been trimmed down to about one-fourth their size. There's no screen anymore. There are 4 or 5 major problems with this business. Mr. Jonas presented photos to the Planning Board.

Chairman Ramsdell asked if the Planning Board could have and hold onto the photos.

Mr. Jonas replied yes.

Ms. Altobelli said that she also had photos and 2 police reports from when her fence was plowed down by Mr. Contorino during the snow. There are lights on the building that stay on all night long.

Chairman Ramsdell asked if the Board could borrow these items and make copies.

Ms. Altobelli replied yes.

Mr. Mario Contorino said that the trees were put up when the building was put up. The reason that the trees were trimmed is that the farmer adjacent to Mr. Contorino's property, Mr. Zangrillo, asked Mr. Contorino to trim the trees so that he could see the traffic coming down Garden Street.

Mr. Contorino said that you don't even need a permit for whatever is sprayed there. There's a possibility that we can go through the roof and bring the stack up high for ventilation.

Mr. Contorino said that he doesn't recall ever plowing down anyone's fence.

Mr. Contorino then discussed his property taxes, and being unable to rent out his building or run a business there.

Mr. Contorino discussed the neighbors and some of the property conditions in the area.

Mr. Contorino stated that he had to quit farming for a reason - he had to quit due to hardship. He didn't want to. He said that he has to rent out the building in order to cover taxes and maintain the building. The lights are night-time lights, and they go on at night. There are thieves in the neighborhood.

Mr. Contorino said that he is doing the best that he can. I try to keep the place clean and maintained. Anyone is invited to come to the property anytime. He said that there is less traffic activity on Garden Street now than there's ever been. I try to keep it as quiet as I can.

Mr. Contorino said that he doesn't know what's going to happen. Whatever we've got to do, we've got to do. I'll rectify whatever we've got to do as long as I can do it financially.

Mr. Contorino referred to police reports filed by Ms. Altobelli, and he then addressed Mr. Jonas.

Chairman Ramsdell asked the speaker to hold on a second, and explained that the Village Zoning law had been changed some years ago so that agricultural buildings in an agricultural zone could be used for other purposes. I think that the changed law addressed this issue more than 10 years ago. Procedures were set up for it regarding uses, modifications, and parking. I don't want you to feel like you're being stranded here.

Mr. Contorino said no, not at all.

Chairman Ramsdell said that the Board is planning on visiting the property.

Mr. Contorino said fine, no problem. I'll have to take off from work.

Engineer Mark Edsall suggested meeting on a Saturday.

Mr. Pressberg said that he thinks that Mr. Contorino has made his point. He assumes that Mr. Contorino will be there. The Planning Board will investigate that the property doesn't produce noxious fumes or excessive noise. We are here to discuss the property. The visit is to investigate the use of the property and the effect on the community.

Nancy Hom George stated that her family has been in the area since 1842. She said that the new use of Mr. Contorino's building is an imposition on the neighborhood as it produces noxious fumes. My mother is 82 years old and cannot be here tonight. I am representing my family. My father is Bernie Hom, former Chairman of the Planning Board. I don't think that anyone in the neighborhood bargained to live in an industrial park.

Chairman Ramsdell thanked Ms. Hom. He asked if anyone else had comments. There were none.

Chairman Ramsdell said that at the last Planning Board meeting, we discussed that the Board would likely make a site visit. We will keep the Public Hearing open until our next meeting on May 25, 2010. If there is anything new, please get back in touch with the Planning Board or come to our next meeting.

Mr. Dillin asked if there will be discussion after this Public Hearing.

Chairman Ramsdell said that this matter will be discussed after the Public Hearing is adjourned, at the Regular Meeting.

Mr. Dillin said that some information - Police Reports - has just been submitted. Can we have them read? I'd like to have you (Chairman Ramsdell) read them, just for the record.

Chairman Ramsdell read the Police Report dated March 28, 2010. The Police Report was entered on record and is attached at the end of the Minutes.

Mr. Dillin requested a copy of the Police Report.

Mr. Dillin said that, for the record, I believe I submitted a DEC permit. The operator of the installation had the DEC come to the factory and the proper permits were filled out. I believe that the permits are in place. According to the DEC, the operation is approved. Everyone says that we didn't do permits, but we did - over a year ago. The DEC apparently was there. I'm not saying there isn't a smell. There are no violations unless I'm wrong. I went there personally myself and invited the Board. The exception was the door being opened. We put on the Site Plan that the door would be closed and we would use a vacuum. The public is here right now. If complaints about noise violations were filed, let's hear it.

Ms. Altobelli asked if these kinds of operations are allowed to continue, does this mean that our taxes change?

Chairman Ramsdell said that is not a Planning Board matter. It is a matter for the Village Board.

Mr. Pressberg said that every year in March, you can file a tax grievance to protest your taxes before the Village Board. The Planning Board is here to enforce or approve the Site Plan and Special Permitted Use. You are here to tell the Board what conditions are affecting your property so that the Planning Board can determine if a Site Plan and a Special Permitted Use should be granted. The Planning Board is not considering and is not authorized to make a zone change.

Mr. Pressberg said that the District Regulations were amended in 2000 for Special Permitted Uses like the one we're discussing now which allow certain uses as long as there are no noxious fumes or other detrimental conditions. The Board needs to determine whether those conditions are present. There is a lot of concern within the neighborhood.

Mr. Jonas said so if the next hearing is in 8 months, we have to put up with the fumes for 8 months.

Chairman Ramsdell said that the next hearing will be next month.

Mr. Jonas asked if the Planning Board can get the photos and reports from June 23<sup>rd</sup>. This was when the Village of Chester Police went in the factory

and smelled intense fumes and found buckets of explosive materials outside of lockers.

Chairman Ramsdell said that this matter is one of the things on the agenda.

Mr. Jonas said that we're concerned that the whole building may explode.

Chairman Ramsdell asked if there are any other comments.

Mr. John Orr, Code Enforcement Officer, said that the applicant's representative stated that there are 40 complaints about noise, but none are on the record. There are no violations on record because the Village has no noise ordinance. There are 2 things to look at - noise and noxious fumes. Since the Village doesn't have a noise ordinance, neither the police nor I can cite this as a violation.

Mr. Dillin, in response to Mr. Orr's comments, said that we are not ashamed of the noise that's there. Why do complaints keep coming in if there's no noise?

Chairman Ramsdell said we don't know. Obviously there are a lot of questions.

Mr. Pressberg said that the Board can informally schedule an on-site visit. This will require a press release to the newspaper.

Chairman Ramsdell said that the 3 Board members who will attend the on-site visit will not be conducting business.

Chairman Ramsdell said that the Board would like to be there while the building is in normal use, with spraying and vacuuming.

Mr. Contorino said that the building will be in full operation on Saturday morning.

Chairman Ramsdell said that we will informally schedule the site visit for May 15<sup>th</sup>. One of the reasons that we decided to have the site visit after this Public Hearing is so that we could get more information from the people in the neighborhood. It would be nice to have a list of things to observe.

Mr. Contorino asked who will be there.

Chairman Ramsdell said at least the 3 of us.

Mrs. Jonas said that there are different kinds of paint. She said that one if more water-based, more green. When you're there, they could use this kind of paint. How do you know which paint they'll be spraying while you're there?

Chairman Ramsdell said that the visit is now scheduled for May 15<sup>th</sup>. This will give us time to collect information for the DEC. I appreciate the situation you're describing. I suspect that you will be around on that day.

Chairman Ramsdell said that if there is nothing else, I will ask for a **Motion** to adjourn this Public Hearing, and to keep this Public Hearing open until May 25, 2010 at 7:00 P.M. A **Motion** was made by Member Reilly, seconded by Member La Spina. All in favor, none opposed. **Motion** carries.

#### REGULAR MEETING

Chairman Ramsdell opened the Regular Meeting at 8:22 P.M.

##### 1. MINUTES

Chairman Ramsdell requested a **Motion** to accept the draft of the March 2010 Planning Board Meeting Minutes as amended. A **Motion** was made by Member Reilly, seconded by Member La Spina. All in favor, none opposed. **Motion** carries.

##### 2. CORRESPONDENCE

Letter from: Larry Torro, Engineer for Chester Shopping Plaza  
Subdivision - Project #08-06

This letter dated 4-19-2010 requests an extension for Chester Shopping Plaza's Conditional Approval for their Subdivision application. This is on the agenda to be discussed later in the meeting.

##### Orange County Municipal Planning Federation Certificates:

Chairman Ramsdell distributed certificates to Board Members Anthony La Spina, John Reilly, and Richard Ramsdell, and to Secretary Susan Marino for attending the Town of Chester Planning and Land Use Course held on March 25, 2010.

3. C.E.O. REPORT - Submitted by John OrrCurrent projects that were inspected during the last month:**Lowe's:**

- 1- "No Truck Parking" signs will be installed in the near future.
- 2- Screen fence in the process of being installed above the current fence facing Hom Street.
- 3- New shields have been installed over the lights in the garden center to shield the light over Hom Street.

**Nexans:**

- 1- General site work continues.

**Palumbo 2 School Street**

- 1- General site work has started.

**Flynn 8 Kerner Dr**

- 1-General site work continues.

**DePaulis**

- 1- Phase II fill operation underway again.

**Sutherland**

- 1- Issued Demolition permit for 8 School St.

**C&S**

- 1- Issued Building Permit for the Truckers Lounge in the Village
- 2- Footings, foundation and Slab have been completed.
- 3- Issued Permit for the 8ft tall fence which the Zoning Board has granted a variance for.

**Essence Nails**

- 1- Issued Building permit for the renovation of storefront in the Chester Shopping Plaza for a new Nail Salon.

Respectively Submitted,  
John S. Orr

Chairman Ramsdell asked if the Board members had any questions. There were none. Chairman Ramsdell thanked Mr. Orr.

4. Chester PBA Carnival Temporary Site Plan Project #10-04

SBL 107-3-3

Dates: June 15-20, 2010

Hours of Operation: Tues.-Fri. 6-11PM; Sat. and Sun. Noon-11PM

Officer Jack Courtenay, representing

Chairman Ramsdell said that in order to let Officer Courtenay get to his job, this application has been moved up on the agenda. This application is very similar to applications over the past several years.

Chairman Ramsdell asked for Engineer Mark Edsall's comments. Mr. Edsall's comments are attached at the end of the Minutes. Mr. Edsall suggested typing this application as Type II under SEQRA.

Chairman Ramsdell thanked Mr. Edsall.

Chairman Ramsdell said that he heard a comment regarding last year's carnival - that there were a lot of overnight carnival people. There was dumping occurring behind the buildings.

Code Enforcement Officer John Orr said that Phil Salerno of MOODNA Basin found that liquid waste from the campers was dumped into the storm drains. Mr. Orr told said that we need to make sure that carnival personnel are shown the proper place to dump the liquid waste.

Officer Courtenay said that he will call carnival management. They require my permission to come back each year.

Officer Courtenay said that, with John Orr's help, the owners of the mall are considering the possibility of opening up a sidewalk sale for businesses at the mall during the time of the carnival. Right now I can't get approval for that. Hopefully, that will change within the next year. John Orr has been a big help with this.

Chairman Ramsdell said that is an interesting idea. He asked for a **Motion** to type this project as Type II action under SEQRA. A **Motion** is made by Member Reilly, seconded by Member La Spina. All in favor, none opposed. **Motion** carries.

Chairman Ramsdell said that as a Type II application no further SEQRA review of the project is required. He asked if Board members had any questions on the Site Plan. There were none.

Chairman Ramsdell asked for a **Motion** for Temporary Site Plan Approval for this application including the comment made about dumping into the storm sewer. A **Motion** was made by Member La Spina, seconded by Member Reilly. All in favor, none opposed. **Motion** carries.

Officer Courtenay thanked the Board.

#### **5. Site Plan & Special Use Permit - Contorino Project # 10-02**

Owner/Applicant: Mario & Lisa Contorino  
 Location: Garden Street SBL 101-1-9 Zone: RA  
 Re: Special Permitted Use, Item #5  
 Woodworking and fabrication shop - including workshop, warehouse,  
 and office  
 Jim Dillin, representing Mario and Lisa Contorino  
 Mario Contorino attending

Chairman Ramsdell moved this project up on the agenda. He asked for Mr. Edsall's comments. Mr. Edsall said that he will hold off on any other comments until the field visit. He offered to accompany the Board members to visit the site. Mr. Edsall's comments are attached at the end of the Minutes.

Mr. Dillin asked for a time for the site visit.

Chairman Ramsdell said at 9:00 A.M. on Saturday, May 15<sup>th</sup>.

Mr. Orr said that the appropriate letters were sent out to possible involved agencies on April 5, 2010. We have not received any responses yet as the deadline is May 5<sup>th</sup>.

Mr. Dillin thanked the Board.

Chairman Ramsdell thanked the audience members for their attendance and comments.

#### **6. 144 Main Street Site Plan                      Project #10-03**

Owner: Andrew L. Palmer Estate  
 Applicant: Richard Palmer  
 Location: 144 Main Street SBL 111-7-22.2 (portion), 111-7-16 Zone: B1  
 Re: Site Plan - Former dwelling converted to Permitted Use Office/Retail  
 Jim Dillin, representing

Chairman Ramsdell said that this application was the subject of the first Public Hearing. He asked for Mark Edsall's comments. Mr. Edsall's comments are attached at the end of the Minutes.

Chairman Ramsdell said that the hours of operation are not a problem. An accountant may be working there during the month of April, until midnight, but he would be working inside. This application is for a Site Plan, not a Special Use Permit.

Chairman Ramsdell said that Member Reilly mentioned that the Board has received a reply from Orange County Planning regarding this application. Orange County Planning has stated that this is for local determination (without comment). It seems that everything is taken care of so far as our discussions and Work Sessions. There were no Public Hearing comments.

Mr. Orr asked about the timeline on Conditional Approval.

Mr. Edsall suggested asking the Village Board to establish the timeline to be the same as that for a subdivision. For simplicity, make the timeline the same as for a subdivision - 180 days with 2 90-day extensions.

Chairman Ramsdell requested a **Motion** for Conditional Site Plan Approval of this application, with the conditions as follows:

- Handicapped parking space striping painted with blue paint
- Payment of all fees
- Finalization of conditions satisfactory to allow signing of the plan within 60 days

A **Motion** is made by Member Reilly, seconded by Member La Spina. All in favor, none opposed. **Motion** carries.

Mr. Dillin thanked the Board.



7. Chester Shopping Plaza, LTD

Project #08-06

Location: 69 Brookside Avenue, NYS Rt. 17M

Owner: Jacob Deutsch

Re: Extension Request of Conditional Approval

Proposal to sub-divide 3.5 +/- acres from previously approved Chester Plaza Hotel pad site. B-2 Zoning

Chairman Ramsdell read the letter received from Engineer Larry Torro requesting a 60-day extension on Conditional Approval. The Conditional Approval was granted by the Planning Board on October 27, 2009. This is for a subdivision. Ninety days is the normal extension period. This is not the first time that we've done this without the presence of the applicant. He's been somewhat active in following up on this.

Chairman Ramsdell requested a **Motion** to approve the extension of Conditional Subdivision Approval for an additional 90 days. A **Motion** was made by Member La Spina, seconded by Member Reilly. All in favor, none opposed. **Motion** carries.

Chairman Ramsdell asked if there was anything else to discuss.

Attorney Harold Pressberg suggested approaching the Mayor regarding obtaining alternates for the Planning Board.

Chairman Ramsdell said that he would have to do that.

Chairman Ramsdell requested a **Motion** to adjourn the meeting. A **Motion** was made by Member Reilly, seconded by Member La Spina. All in favor, none opposed. **Motion** carries. Meeting adjourned at 8:54 P.M.

Respectfully Submitted,



Susan Marino  
Planning Board Secretary



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

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WILLIAM J. HAUSER, P.E. (NY & NJ)  
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JAMES M. FARR, P.E. (NY & PA)

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

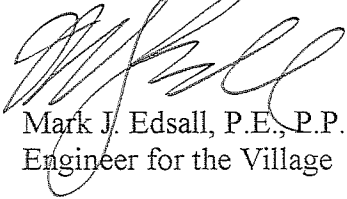
**PROJECT NAME:** CHESTER P.B.A. CARNIVAL (TEMPORARY SITE PLAN)  
(AT CHESTER MALL)  
**PROJECT LOCATION:** CHESTER MALL (NEAR GREENHOUSE)  
**PROJECT NUMBER:** 10-04  
**DATE:** 27 APRIL 2010  
**DESCRIPTION:** THE APPLICATION PROPOSES A TEMPORARY CARNIVAL USE AT  
THE EXISTING CHESTER MALL FACILITY.

1. I have reviewed the plan relative to the current standard list for temporary site plans. This appears to be the same layout as discussed during 2003, 2004, 2005, 2006, 2007 and 2009 (applications 03-08, 04-07, 05-04, 06-01, 07-05 & 09-03). The items and their status are as follows:
  - *Dates of Activity* – Shown on plan
  - *Hours of Operation* – Shown on plan
  - *Off-street Parking* – Area depicted on plans
  - *On-site office or trailer* – previous application information noted that any such trailers would be within the “carnival area” shown on the plan.
  - *Setback of Activity from Property Line or Roadway* – previous application information advised that a sloped grassed area separates the carnival area from the roadway.
  - *Signs* – none proposed
  - *Lighting* – applications indicates that existing parking lot lighting is to be utilized. It also indicates “Carnival will supply lighting”. The board may wish to discuss this aspect further.
  - *Barriers (Vehicle to Pedestrian)* – barrier or fencing is delineated on the plan.
  - *Vendors Permit* – the applicant should be advised that they must obtain the necessary permit.
  
2. The Board should advise the applicant that they must coordinate any temporary utility services with the applicable departments (ie contact Tom Becker re water, etc.).

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3. The Planning Board may wish to classify this application/action as a minor temporary use of land having negligible or no permanent impact on the environment, which would classify it as a Type II action under SEQRA. If so classified, no further action is needed.
4. I am not aware of any reason why the board could not consider this temporary use application for site plan approval.

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:** CONTORINO SITE PLAN  
**PROJECT LOCATION:** GARDEN STREET  
SECTION 101 – BLOCK 1 – LOT 9  
**PROJECT NUMBER:** 10-02  
**DATE:** 27 APRIL 2010  
**DESCRIPTION:** THE APPLICATION PROPOSES A WOODWORKING & FABRICATION SHOP ON THE EXISTING 0.86+ ACRE PARCEL. THE PLAN WAS PREVIOUSLY REVIEWED AT THE 23 MARCH 2010 PLANNING BOARD MEETING. *THE APPLICATION IS BEFORE THE BOARD FOR A PUBLIC HEARING AT THIS MEETING.*

1. I have reviewed the revised plan submitted for this meeting and have the following comments:

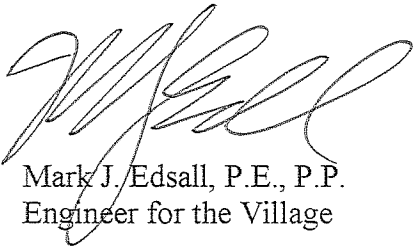
- We note the following additions and revisions on the plan:
  - Parking space #5 has been rotated 90-degrees.
  - A dumpster enclosure is now depicted. Note the construction is chain link fence with slats.
  - Handicapped parking has been relocated
  - Wheelstops have been added to gravel parking area
  - Existing site lighting has been depicted
  - Anticipated completion date has been added
  - Hours of operation and note requiring doors remain closed during certain operations added.
  - Parking Calculation corrected.
- The following items remain “open” or require further review in connection with the public hearing and/or field visit:
  - Adequacy of landscaping row to south of front parking area.
  - Need for landscaping row to north of north access drive.
  - Additional parking row to north, opposite handicapped parking
  - Evaluation of site drainage
  - Evaluation of site lighting
  - Emergency access around building

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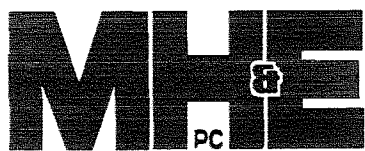
2. We previously forwarded this application to the Orange County Planning Department as per New York State General Municipal Law (GML 239). It has been returned Local Determination with no comments.
3. We will continue our review as the Public Hearing and Field Visit progress, and review such items as deemed appropriate by the Planning Board.

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:** 144 MAIN STREET (PALMER) SITE PLAN  
**PROJECT LOCATION:** 144 MAIN STREET  
SECTION 111 – BLOCK 7 – LOT 22.2 & 16  
**PROJECT NUMBER:** 10-03  
**DATE:** 27 APRIL 2010  
**DESCRIPTION:** THE APPLICATION PROPOSES THE USE OF THE 2 ½ STORY BUILDING AS OFFICE AND RETAIL. THE PLAN WAS PREVIOUSLY REVIEWED AT THE 23 MARCH 2010 PLANNING BOARD MEETING. *THE APPLICATION IS BEFORE THE BOARD FOR A PUBLIC HEARING AT THIS MEETING.*

1. We have reviewed the plan and provide the following comments:

- The following additions and revisions are noted:
  - Existing lighting located as requested.
  - Anticipated completion date added
  - Sign dimension and sq. footage added.
  - Reflectors added to chain gate
  - Standard lighting note has been added
- Handicapped parking detail should be corrected on final plan. As previously noted, ALL striping for the handicapped space should be noted as blue. As well, on the plan detail, signs H-1 and PS-2 now need to be reversed.

Respectfully Submitted,

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

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