

MINUTES

VILLAGE OF CHESTER PLANNING BOARD

AUGUST 23, 2011

REGULAR MEETING

PRESENT: Richard RAMSDELL, Chairman
John REILLY, Member
Gene WINTERS, Member
John ORR, Code Enforcement Officer
Mark EDSALL, Engineer
Harold PRESSBERG, Attorney

REGULAR MEETING

Chairman Ramsdell opened the Regular Meeting at 7:30 P.M.

1. **MINUTES**

Member Gene Winters recused himself from approving the minutes for the July meeting since he did not attend that meeting. Approval of the July meeting minutes was tabled until the September meeting.

2. **CORRESPONDENCE**

"How to Supervise People"

3. **CODE ENFORCEMENT OFFICER REPORT**

Presented by CEO John Orr and dated August 23, 2011. Report attached.

4. **PROJECTS FOR REVIEW**

a. Project #	Project Name: Racheal's Daily Discounts
Applicant/Owner:	Racheal Freemyer / Kent Leung
Location:	106 Main Street (SBL 111-7-4/B-1 Zone)
Re:	Site Plan Approval
Presented By:	Jim Dillin

Site plan discussion was held on the 2 adjacent properties – 28 Academy Avenue (Project # 08-04) and 106 Main Street (Project # 11-06).

Representative Jim Dillin described the phasing of 28 Academy Avenue project. It was noted that the properties were in 2 districts – B1 and RS.

106 Main Street:

No exterior renovations

There was a discussion regarding parking and that parking would be shared between the two parcels. Using 3200 square feet of selling area, 8 spaces are required; proposed to use 3 parking spaces on the street and 5 shared on 28 Academy.

Hours of operation: 9 AM to 8 PM Monday thru Saturday; 10 AM to 3 PM Sunday and 8 AM – 8 PM on the day after Thanksgiving.

Discussion was held regarding enlarging the delivery truck space to accommodate a 16 Foot Box Truck by shifting the extent to the South.

Applicant advised he would add a dumpster in the expanded delivery truck space.

Applicant will also provide the Planning Board with the time restrictions.

Mark Edsall's comments were reviewed and general discussion held. He advised it should be 2 separate site plans; comment 6 should be revised for the timing of parking availability. Chairman Ramsdell read Mark Edsall's comments into the record – a copy of the comments is attached.

***MOTION** was made by Member Reilly, second by Member Winters to declare this is a Type II action. Motion passed 3-0.

***MOTION** was made by Member Reilly, second by Member Winters to set the Public Hearing for Tuesday, September 27, 2010 at 7:15 PM. Motion passed 3-0.

Chairman Ramsdell asked if anyone had anything else to say, and there were no other comments.

***MOTION** was made by Member Reilly and second by Member Winters to adjourn the meeting. Motion passed 3-0. Meeting adjourned at 8:45 PM.

Respectfully Submitted,



**Sandra VanRiper
Planning Board Secretary**

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

August 23, 2011

Current projects that were inspected during the last month:

Satin Fine Foods

1- Floor drains being placed.

Steris- 23 Elizabeth Dr.

1- Work well underway.

VonThaden – 15 Kerner Dr.

1- Exterior work just about complete

2- Interior work underway.

Humbert – 8 Highland Ave

1- No work has started.

Jean – 9 Vista Dr.

1- No work has started.

Ryan – 3 Marion St.

11 Issued building permit for a detached garage.

After meeting with Brian from the Castle I have approved the “Haunted Castle” event for 2011. I have found that the “Haunt” will occupy space currently being used for other activities and that those activities would not be in use during this time. Thus the “Haunt” will not be a additional activity but a replacement activity.

I have reviewed a change of use request from Dance678 Inc. who wishes to occupy half the second floor above Bonkers at 69 Brookside Ave. After reviewing the last approved use (child entertainment center) and reviewing parking calculations provided by the applicant, I determined that the change of use was minor, with no exterior changes or need for any additional parking, I granted approval for a Dance Studio to occupy the space.

Regards,

John S. Orr
Code Enforcement Officer



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

RICHARD D. MCGOEY, P.E. (NY & PA)
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VILLAGE OF CHESTER
PLANNING BOARD
REVIEW COMMENTS

PROJECT NAME: RACHEAL DAILY DISCOUNTS SITE PLAN
(FLYX REALTY PROPERTY)
PROJECT LOCATION: 106 MAIN STREET
SECTION 111 – BLOCK 7 – LOT 4
PROJECT NUMBER: 11-06
DATE: 23 AUGUST 2011
DESCRIPTION: THE APPLICATION PROPOSES A RETAIL USE AT THE
APPLICATION PROPERTY. THE PLAN WAS REVIEWED ON A
CONCEPT BASIS.

1. The application property is located in the B-1 zoning district of the Village. The retail use is permitted in the zone. The lot as it currently exists has several pre-existing non-conforming setbacks relative to the zoning.
2. Parking is the most significant issue for this site plan, especially since the use is retail. The entirety of the property is utilized for the structure and absolutely no off-street parking exists or is possible on the lot. To address this shortcoming, the lot will be served via a parking easement with the adjoining lot also owned by Flyx Realty (tax lot 111-7-3), located at 28 Academy Avenue (immediately to the west in the RS zone).

As the Board may recall, 28 Academy has proposed two floors of offices with a total parking demand of 10 spaces. A lot with a 16 spaces is proposed. This application has a parking demand of 8 spaces, with the applicant proposing shared use of the 28 Academy lot and a “credit” for an existing deficiency. The plan as submitted requests a credit for 3 street spaces and, presumably, use of 5 or 6 “extra” spaces at 28 Academy. An easement document is also required.

All this would seem to make sense, and I would suggest some signage be required to direct customers to the 28 Academy lot.

REGIONAL OFFICES

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• 540 BROADWAY • MONTICELLO, NEW YORK 12701 • 845-794-3399 •

3. We have reviewed the plan / application and have the following additional comments.

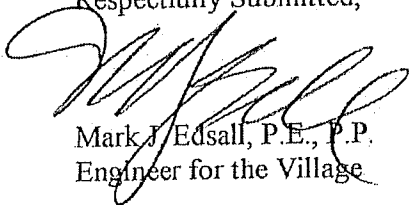
- The approval box should be shifted to the right to be completely within the fold. The project number in the box should be 11-6.
- Note 6 should be revised to clarify what is to be completed by the date indicated. Are all the improvements for the 28 Academy parking lot to be complete prior to a request for Certificate of Occupancy or 12/11/11 (whichever comes first) ?
- The combined parking calculation should refer to the other application by project no. 08-04.
- I am confused why the second sheet provides details for construction on 28 Academy. Details for that construction should be on the drawings for application 08-04. The Board should require that application 08-04 be approved and stamped before considering approval of this application.
- Plans for App. No. 08-04 should be revised to reflect the parking easement granted to this application.
- The Attorney for the Village should review and approve the easement document prior to stamp of approval of either application.

4. The Planning Board should discuss, with the Attorney for the Planning Board, the appropriate steps to initiate SEQRA review of the application.

5. The Planning Board should determine, for the record, if a Public Hearing will be required for this Site Plan, per its discretionary judgment under Section 98-28 (B) of the Village Code.

6. This project adjoins NYS Route 94 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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