

MINUTES**VILLAGE OF CHESTER PLANNING BOARD****OCTOBER 28, 12014****REGULAR MEETING**

PRESENT: Richard RAMSDELL, Chairman
 Gene WINTERS, Member
 Anthony LASPINA, Member
 Robert JANKELUNAS, Member
 Vincent RAPPA, Member
 Harold PRESSBERG, Attorney
 John SZAROWSKI, Engineer
 John ORR, Code Enforcement Officer

PUBLIC HEARING 7:00PM

Project # 14-01 **Project Name: 2 Apts. Vadala Rd.**
Applicant/Owner: **Matt Houston**
Location: **2 Vadala Rd. (SBL 108-2-6)**
Re: **Construction of 2 – 2 Family Duplexes**
Presented By: **Matt Houston**

Chairman Ramsdell opened the Public Hearing at 7:00PM.

Chairman Ramsdell read the notice of Public Hearing as it was published in the October 12, 2014 edition of the Times Herald Record. (Copy attached).

Matt Houston then presented the project which is the construction of 2 – 2 Family Duplexes. He advised that he is not requesting any zoning exceptions; only what is allowed.

Anthony Quinn of 77 Main St., Chester, NY, questioned where the driveway is on the site plan; he does not feel that it is clearly indicated. Matt Houston advised that he doesn't plan on changing the location of the driveway. Mr. Quinn advised that the driveway must be indicated on the site plan and went on to say that his attorney advised him that the site plan is very unclear in numerous areas and he would like (1) color for where the driveway is presently located and (1) color for where the driveway will be when the project is complete.

Chairman Ramsdell advised that the differences between Mr. Houston and Mr. Quinn, concerning this project, needs to get resolved and that he was under the assumption that there had been discussion between them. Mr. Quinn advised that he hasn't spoken to Mr. Houston. He stated that if Mr. Houston was building a 2 family, the issue would be resolved.

Discussion then ensued between Mr. Quinn and Alan Lipman, Mr. Houston's attorney, concerning the driveway, right of way and parking concerns.

Chairman Ramsdell asked Mr. Quinn what his other concerns and issues are, for the record, because he stated that we are not going to be able to solve them at this meeting. Mr. Quinn stated that the following are his concerns and issues:

- Relocation of the driveways.
- Where will his "Right of Way" be relocated to.
- Installation of buffer strips
- Snow removal; where will the snow be put.
- Lineation of the routes for driving.
- The issue of having to deal with a "blind corner" which leads to sight distance concerns.
- The necessity of "No Parking" signs.
- Inadequate number of parking spaces (10) for 2-2 family dwellings.
- The appearance of the new building will not fit the motif of the other buildings and residences in the village.

Harold Pressberg advised that the applicant applied to the Zoning Board of Appeals to move the building site away from Main St. so that the driveway would be further away from Main St. Mr. Quinn opposed that application. Mr. Quinn advised that he, publicly, opposed the project. Mr. Pressberg, council for the ZBA, advised that Mr. Quinn is being inconsistent with his remarks and stance at the ZBA opposing the area variance and his position at the Planning Board. Mr. Quinn advised that he was not concerned with the inconsistencies as his goal was to kill the project.

Frank Garofalo of 118 Main St. asked if the building will have a historic appearance similar to the rest of the buildings around it or will it be vinyl?

A ***MOTION** was made by Member Anthony LaSpina, seconded by Member Vincent Rappa to close the Public Hearing. ***MOTION** was passed 5-0.

REGULAR MEETING – 7:16PM

Chairman Ramsdell opened the Regular Meeting at 7:16PM.

1. MINUTES

Review draft of June 24, 2014 Planning Board Meeting Minutes.

***MOTION** was made by Member Anthony LaSpina, seconded by Member Gene Winters, to ACCEPT THE JUNE 2014 MEETING MINUTES AS DRAFTED. ***MOTION** passed 5-0.

2. Correspondence

- Prestige Auto Body Amended Site Plan #14-04 – County Reply from OCDP
- 2 Apts. Vadala Rd. # 14-01: County Reply from OCDP
 - Letter from Tom Becker – Water Dept.
 - Letter from Scott Green – Sewer Dept.
 - Letter from Charlie Bono

Chairman Ramsdell advised that all of the correspondence is related to a project on the agenda and it will be discussed when we discuss the project.

Chairman Ramsdell advised that **Project #13-04 DePaulius 94 Phase V** has requested an extension on their completion date to June of 2015. **(Below please find the email that John Orr sent out to Chairman Ramsdell, Mark Edsall and Harold Pressberg and Missy Sosler at 9:37am on 10/28/14, the morning of the day of the meeting regarding the DePaulius project.)**

I was greeted this morning by a gentleman from a blasting company waiting outside village hall. He had checks in hand and wanted a blasting permit for the DePaulis site. The only knowledge of the project and its approvals was that Mr. DePaulis said he was approved for him just to get a permit. After pulling the files to refresh my memory on the approval. The project (#10-05) was given approval and signed on February 3, 2011 with a completion date of 12/2011. Within minutes of the blasting company representative leaving I received a call from Dave Zigler. Dave understands the process and where the approval stands at this time. I did offer Dave the curtesy of saying that we have a meeting tonight and if we had a letter asking for an extension to the prior approval that the planning board “might” look at it. Either way he will be at the work session next week. John

Member Winters expressed concern about being able to guarantee stabilization of the power lines and bridge near the explosion site. Chairman Ramsdell recalled that there was a lot of conversation about those issues and it is a matter of public record. John Orr advised that there are 13 items of notes on how this will happen.

***MOTION** by Member Gene Winters, seconded by Member Anthony LaSpina to change the completion date for project #10-05. ***MOTION** passed 5-0. +

3. Code Enforcement Officer Report

Presented by John Orr. (Copy attached)

4. Projects for Review

Project #14-01	Project Name: 2 Apts. Vadala Rd.
Applicant/Owner:	Matt Houston
Location:	2 Vadala Rd. (SBL 108-2-6)
Re:	Construction of 2 – 2 Family Duplexes
Presented By:	Matt Houston

Chairman Ramsdell advised that this project was the subject of the Public Hearing tonight. He advised that we received a reply from the OCDP. The County Reply from OCDP recommendations were for Local Determination and they also cited Stormwater Management. He also advised that we have letters from Tom Becker, Water Dept., Charles Bono, Street Dept. and Scott Green, Sewer Dept. (These letters were reviewed.)

Chairman Ramsdell advised that there had been a lot of conversation earlier in the evening so we would move on to our Engineer’s comments.

Mark Edsall’s comments on the project were reviewed (copy attached) by John Szarowski and discussion was held.

- A Bulk Table was recommended.

- More fence detail is needed.
- Catch Basin clarification is needed.
- The water service needs to be revised to ¾" service.
- The pavement must be installed in 2 courses.
- The lighting levels are minimal and need improvement.

Matt Houston addressed some of Mark's comments. He advised that the lighting is minimal because it is a residential area and he didn't want bright light's to shine in a residential area. Chairman Ramsdell advised that the lighting level is less than the standard for a person's safety.

Matt advised that the catch basin; he advised that Charles Bono stated that he can hook up to the pipe from Main St. and that Charles sees nothing wrong with the way it is indicated on the plans.

Matt advised that there will be a 4 to 5 foot chain link fence in front of the stone wall. Chairman Ramsdell asked what the drop off is and Matt advised that it is 10 to 12 feet.

Chairman Ramsdell asked Matt if he plans on pouring a cap on the top of the wall due to the possibility that it will not do well being exposed to the weather and water getting in and freezing will cause damage.

Chairman Ramsdell suggested that Matt attend the next Work Session on 11/6/14. Matt advised that he really needs to break ground.

Member Winter's advised that he wants to see indicated, on the plans, where the right of way is now, depicted by a color, and where the new right of way will be, depicted by another color. He advised that he can't move on with consideration of the plans without that on the plans.

Chairman Ramsdell asked Harold Pressberg if we are in a position to make a Conditional Approval. Harold advised that it is up to the Planning Board. Chairman Ramsdell advised that we must have a plan that indicated all of the changes. **He said "that we will not "argue" this every year.** There are lines on the drawing but are they telling the story we want to be told? It doesn't tell the full story that it needs to tell."

Chairman Ramsdell advised that a sufficient area accommodating snow removal still needs to be worked out. John Orr advised that he would like to see what 6" of snow would look like and where would it be put.

Chairman Ramsdell advised that they are attempting to work out the conditions of approval as follows:

- Right of Way
- Snow Removal Area
- Planter Buffers
- No Parking Signs
- Lighting

Chairman then asked how the Board members feel. Member LaSpina advised that he needs to see more on the plans. Chairman then advised that there are not enough votes for Conditional Approval.

Project #14-05 **Project Name: Steris Isomedix Services**
Applicant/Owner: Chester Industrial Park Assos., L.P.
Location: Leone Lane and Nucifora Blvd. (SBL 117-2-4&5)
Re: Design and development of a warehouse storage facility of approximately 74,825 sq. ft.
Presented By: Kip Kramer and Jim Sweeney

Jim Sweeney, attorney, introduced the following people who are involved with the project: Brad Cleaverly, Engineer, Phil Greeley, Traffic Expert and Ray Paulius, Design Architect and Mark Thomas, Operations Mgr. for Steris.

Mr. Sweeney advised that the applicant is proposing to develop a 10 acre site which lies on Nucifora and Elizabeth Drive. The property will be developed with a building of 61,138 sq. ft. and will be used in addition to the existing building. The older building will operate with the older process and the new building with a newer process.

Mr. Sweeney advised that they want to accomplish the following as soon as possible:

- Typing for SEQRA
- Referral to OCDP
- Establish a date for a Public Hearing

Brad Cleaverly pointed out the following areas on the plans:

- The location of the building.
- The general truck circulation.
- The location on Nucifora Rd. for truck traffic only.
- Where the employee parking lot and trailer parking will be.

Chairman Ramsdell asked if this is a 2 phase project and Mr. Sweeney advised that they are only applying for the building on the plan.

Brad Cleverly advised that there will be landscaping lights along the building and along Elizabeth drive and Nucifora Blvd. There will be maple and spruce trees around the parking areas. All of the utilities will come from Elizabeth Drive. There will be a number of catch basins located around the building for stormwater and the water will ultimately run into a pond on Elizabeth Drive. (He indicated on plans how the water will move into the storm drain and or into the underground infiltration system.) John Orr asked if the stormwater is designed to handle both routes and Brad advised that it is.

Jim Sweeney advised that the plan shows a chain link fence which is very similar to the fence on their current building.

Mark Thomas then advised that the original construction was in 1992 with 2 expansions in 2000 and 2012. He explained that the proposed project is the next expansion in their growing business. We want to buy a 10.7 acre site so we can expand now and in the future. We will come back if we want further approval.

Mark Thomas explained that the existing facility is a contract sterilization service which provides sterilization services with gamma radiation and ethylene oxide gas. For the new building an electronic beam sterilization dramatically changes the type of facility in that we do not have to handle and possess radioactive matter to perform our job. We can use a large, electronically generated device which does not require licensing.

Mark Thomas continued to explain the process. We receive finished goods, single use products such as bandaids, pipettes etc. and put them through a sterilization process. Presently we have a large storage pool which receives an annual delivery of radioactive material. Of course, because of the use of radioactive material, there is a Homeland Security concern which will not be present with the new process. The technology is not new and has been around for approximately 40 years. We employ up to 110 employees and anticipate a growth rate, in 15 to 20 years, to be very similar. Initially we will need an additional 15 to 20 employees; 25 maximum. We will open with 1, 8 hour shift and grow into 2 to 3 shifts.

Phil Greeley from Maser Consulting addressed the board regarding the traffic situation. He advised that he prepared a traffic study for evaluation of the existing conditions at the interchanges as follows; Nucifora Blvd., Elizabeth Drive, Rt. 94 and 17, and Lowes from 17M, Academy, Rt. 94 interchange and the park and ride. The traffic flow regarding passenger cars and trucks was studied. In addition, the turn, moving counts also had ATR; automatic traffic recorders for hour and day of the week. With all of this, we were able to obtain a very good picture of what is going on.

We compared today's morning rush hour, commuter peak and shift change peak to what it previously was and analyzed how the proposed project would impact all of this. The end result was that there are existing problems there today. We are recommending the following:

- Work with the Village of Chester to improve coordination of existing traffic signals.
- On Nucifora Blvd., 1 lane each way should be split into 25% making a left and 75% making right hand turn.
- Identify the ability to improve in terms of the entire system.
- Widening of Nucifora Blvd. which would create additional width and end up in 2 lanes.
- Identify improvements that are conceptual at this time.
- Another advisement would be that left turns coming into Nucifora Blvd. and right turns coming out, be accomplished at some time.

We recorded that, after 3:00pm, there were 390 vehicles per hour making right turns. The applicant is willing to work with the Village of Chester to make the improvements.

Member Rappa asked if we can anticipate any truck traffic from the backway. Phil Greeley advised that they can't force the trucks to go that way. Mark Thomas then advised that the proposed project will add, approximately, 1 truck per hour which will total 8 additional trucks per an 8 hour shift. He feels that their contribution to the traffic burden will be minor.

Chairman Ramsdell advised that this issue had come up at the work session or during a conversation afterwards. He wondered if this would be considered channelized movement. Phil Greeley advised that trying to keep within the existing boundaries in doing something like this would require an acquisition of right of way or dedication.

Jim Sweeney then advised that we have come full circle with the present plans, materials and explanations and we are now back to the original 3 objectives; typing for SEQRA, referral to OCDP and establishing a date for a Public Hearing.

Member Winters wanted to know more about the general operations and workings of the facility.

Mark Thomas advised that Steris's main power service is electricity. The new facility is still a radiation process but it will not be radioactive material; it will be similar to an x-ray. You can turn the switch off at the end of the day and can't change things to be radioactive. (Mark then referred to pictures and gave a descriptive process.) The new facility will look very similar to our existing operations. The registration process will be with the DOH and not a licensing process. We will employ the same type of safety system.

Jim Sweeney advised that we need to talk about what the building will look like outside and Ray Paulius, Chief Architect with V. Paulius and Associates, will do that for us.

Ray Paulius advised that the building will be compatible with what has been built throughout the Industrial Park. The building will be classified as storage occupancy with some ancillary offices, utility room and battery charging areas and the rear of the structure will be the processing area. There will be a loading dock, drive in ramp, with overhead door for forklift access to get to the truck apron, and a handicapped ramp.

Member Winters asked about the height of the building and Ray advised that it is approximately 30 ft. Member Winters also asked about sidewalks and Ray advised that there are none.

***MOTION** to type as UNLISTED was made by Member Vincent Rappa, seconded by Member Anthony LaSpina to type as UNLISTED. ***MOTION** passed unanimously.

***MOTION** by Member Vincent Rappa, seconded by Member Gene Winters, for the Village of Chester, Planning Board, to circulate a letter and document for the Planning Board to become Lead Agency for SEQRA. ***MOTION** passed unanimously.

Mark Edsall's comments (read by John Szarowski) on the project were reviewed (copy attached) and general discussion was held.

- Need to verify the need for the increased number of parking spaces.
- Discussion needed regarding labeling truck movements on the plan.
- Concern about the trees along the property line which could, possibly, cause a site line problem.
- No dumpster enclosure noted.
- Need information regarding the retaining wall.
- SWIPP

Chairman Ramsdell advised that we typically try to hold off on sending the plans to OCDP until they are significant development. Mark Edsall is usually the final answer on that question. Brad Cleverly stated that these plans are very close to what the project will be.

Chairman Ramsdell advised that they need to attend the next work session on 11/6/14 at 2:30PM. He advised that we will look towards holding a Public Hearing at the 12/23/14 Planning Board Meeting.

Project #14-04	Project Name: Prestige Auto Body Site Plan Amendment
Applicant/Owner:	Paul DiLorenzo
Location:	30 Lehigh Ave. (SBL 115-1-4.1)
Re:	Add special uses to existing auto body shop for used car sales and U-Haul Center.

Chairman Ramsdell began by advising that Conditional Approval for the initial application has been given but the applicant is back to add special uses. Jim Dillin advised that they want to add a used car sales and a U-Haul Center.

Mark Edsall's comments (read by John Szarowski) on the project were reviewed and general Discussion held.

- Chairman Ramsdell reviewed the reply from the OCDP and Stormwater Management was mentioned.

Chairman Ramsdell asked if the board members had any questions. Member Winters asked if the used car and U-Haul spaces are being kept gravel and Chairman Ramsdell advised that they were.

***MOTION** by Member Gene Winters, seconded by Member LaSpina, for a Special Use Permit and Amended Site Plan approval with the condition that a note will be added to the plan to indicate that the parking areas will be gravel. ***MOTION** passed unanimously.

5. General Discussion

Chairman Ramsdell advised that the Village Board has requested that the Planning Board provide a report on the matter of the ratio of the 1 bedroom to 2 bedroom units in a housing plan. He advised that there was, brief, discussion at the last meeting and Mark Edsall advised that he would obtain some background information for us. Mark sent the email, in which, he advised that he believes that a 1 or 2 bedroom units should not be restricted; it is 3 or larger that should have a maximum percentage.

Chairman advised that Mark Edsall has provided us with information regarding this from the following municipalities:

- Town of Cornwall
- Town of Monroe
- Village of Monroe
- Town of Chester
- Town of Crawford

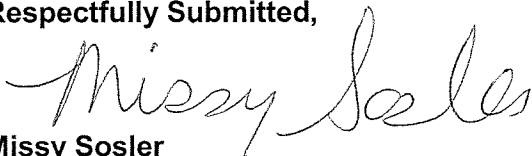
He advised that Bob Jankelunas sent him a note advising that he feels that the current ratio should not be changed.

Chairman reviewed Mark Edsall's email regarding what each town and or village allows. He advised that the Village Board has asked us to comment on whether there is a need for ratios **on bedroom to multiple**. (A lot of conversation ensued about townhouses, apartments and condos and what makes them different.)

Chairman Ramsdell then advised that it is his understanding that the authority of the Planning Board is that we can't distinguish between different forms of ownership; co-op, condos and or rentals. Chairman made a decision to table the discussion.

Chairman Ramsdell asked if anyone had anything else to discuss and, as there were no other comments, ***MOTION** was made by Member Gene Winters, second by Member Anthony LaSpina, to ADJOURN THE MEETING. Motion passed 5-0. Meeting adjourned at 10:05PM.

Respectfully Submitted,



Missy Sosler
Planning Board Secretary