

MINUTES

VILLAGE OF CHESTER PLANNING BOARD

JUNE 28, 2011

REGULAR MEETING

PRESENT: Richard RAMSDELL, Chairman
Anthony LA SPINA, Member
John REILLY, Member
Robert JANKELUNAS, Member
Gene WINTERS, Member
John ORR, Code Enforcement Officer

PUBLIC HEARING

Chairman Ramsdell opened the Public Hearing at 7:18 PM

Project # 11-04 **Project Name: The Castle Site Plan Amendment**
Applicant/Owner: Brian & Alison Leentjes
Location: 107-109 Brookside Avenue (SBL 107-2-14.2; 15 / B2 Zone)
Re: New Go-Kart Track
Presented By: Brian Leentjes

Chairman Ramsdell read the Public Hearing Notice into the record (copy attached) and provided a brief explanation of the proceedings for a Public Hearing.

Jim Dillin provided an overview of the project:
Move track – enclose first floor
Traffic reconfiguration for Town project
Traffic – enter Village, exit Town
Sound studies – Town recreation area; slick track
Follow up study

Member LaSpina: How high track?
Applicant Brian Leentjes: About 24 feet

Leslie Smith: Go-Karts not all sound. Base from speakers. They have changed with some improvement. They had done good job improving. Good job on sound study in Village. Ask condition in Village about disp levels – disp levels not the entire problem.

Ted Talmadge: Zoning history; mufflers silence was part of previous approval; park overlay; busses in poor locations.

Chairman Ramsdell requested a motion to close the Public Hearing. ***MOTION** was made by Member LaSpina, second by Member Reilly. All in favor and none opposed. Motion carries. Public Hearing adjourned at 7:30 PM.

REGULAR MEETING

Chairman Ramsdell opened the Regular Meeting at 7:33 PM

2. **MINUTES**

***MOTION** was made by Member LaSpina to ACCEPT THE APRIL 2011 MEETING MINUTES AS DRAFTED.
Second by Member Reilly. Motion passed 5-0.

***MOTION** was made by Member Winters to ACCEPT THE MAY 2011 MEETING MINUTES AS DRAFTED.
Second by Member Reilly. Motion passed 5-0.

3. CORRESPONDENCE

4. CODE ENFORCEMENT OFFICER REPORT

Presented by CEO John Orr and dated June 28, 2011 (copy attached).

5. PROJECTS FOR REVIEW

- a. **Project # 11-04** **Project Name: The Castle Site Plan Amendment**
Applicant/Owner: **Brian & Alison Leentjes**
Location: **107-109 Brookside Avenue (SBL 107-2-14.2; 15 / B2 Zone)**
Re: **New Go-Kart Track**
Presented By: **Jim Dillin / Brian Leentjes**

Chairman Ramsdell read Mark Edsall's comments into the record (copy attached).

Special Permit will be reviewed in 2 years.

***MOTION** was made by Member Reilly, second by Member Winters, to GRANT CONDITIONAL FINAL SITE PLAN APPROVAL. Conditions of approval are: speed limit 5 MPH; 16 foot clearance under track; clearance sign on tunnel; completion date 07-12-2012; bulk table; handicap detail (blue/white strip); term special permit 2 years after CO; ME note # 7, 1 & 3 bullet; easement to Attorney; payment of fees. Motion passed 5-0.

- b. **Project # 10-02** **Project Name: Contorino Site Plan & Special Use Permit**
Applicant/Owner: **Mario & Lisa Contorino**
Location: **3 Contorino Way (SBL 101-1-9 / RA Zone)**
Re: **Site Plan Special Use Permit – Woodworking & Fabrication Shop**
Presented By: **Jim Dillin**

Chairman Ramsdell read Mark Edsall's comments into the record (copy attached).

***MOTION** was made by Member Winters and second by Member LaSpina to ISSUE A NEGATIVE DECLARATION UNDER SEQR declaring that there are no potentially significant environmental impacts. Motion passed 5-0.

***MOTION** was made by Member Winters, second by Member LaSpina, to GRANT CONDITIONAL FINAL SITE PLAN APPROVAL. Conditions of approval are: note added to the site plan that the doors will remain closed anytime machinery is in use; the window on the front facing of the building will be closed in; Special Use Permit 2 year review; fence location; MSDS updated; completion date December 1, 2011; payment of fees; change in coating note. 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 LaSpina, second by Member Winters, to ADJOURN THE MEETING. Motion passed 5-0. Meeting adjourned at 9:05 PM.

Respectfully Submitted,



Sandra VanRiper
Planning Board Secretary

PLANNING BOARD OF THE VILLAGE OF CHESTER, NEW YORK, NOTICE OF PUBLIC HEARING

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, June 28, 2011, at 7:15 P.M., or as soon thereafter as the matter can be heard, concerning the application of Brian and Allison Leentjes for amended site plan approval for the project known as New Go-Kart Track, The Castle Fun Center. The applicants propose, among other things, to construct a new elevated go-kart track and change the traffic pattern for traffic utilizing site to enter adjacent property.

The property is located in the Village of Chester, New York, at 109 Brookside Avenue and is listed on the Village Tax Map as Section 107, Block 2, Lots 14.5 and 15 in a B-2 Zone.

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

BY ORDER OF THE VILLAGE OF CHESTER PLANNING BOARD

BY: RICHARD RAMSDELL, CHAIRMAN

Dated: June 16, 2011

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

June 28, 2011

Current projects that were inspected during the last month:

Sutherland

1- No Change

C&M Mechanical – 49 Lehigh Ave

1- Work underway.

Satin Fine Foods

1- Work has started.

Briggs – 24 Walnut St.

1- Project almost complete.

Trout – 6 Carpenter Rd.

1- Issued permit for a Garage.

Academy Ave Apartments.

1- Work continues.

Steris- 23 Elizabeth Dr.

1- Work has started.

VonThaden – 15 Kerner Dr.

1- Issued building permit for addition.

2- Work has started.

Humbert – 8 Highland Ave

1- Issued building permit for a garage.

Jean – 9 Vista Dr.

1- Issued building permit to finish basement.

Regards,

John S. Orr
Code Enforcement Officer



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

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JAMES M. FARR, P.E. (NY & PA)

MAIN OFFICE
33 AIRPORT CENTER DRIVE
SUITE 202
NEW WINDSOR, NEW YORK 12553
(845) 567-3100
FAX: (845) 567-3232
E-MAIL: MHENY@MHEPC.COM
WRITERS EMAIL: MJE@MHEPC.COM

VILLAGE OF CHESTER
PLANNING BOARD
REVIEW COMMENTS

PROJECT NAME: THE CASTLE SITE PLAN AMENDMENT
(EXPANDED USES RECREATION CENTER BUILDING AND
NEW OUTSIDE GO-KART TRACK)
PROJECT LOCATION: NYS ROUTE 17M
SECTION 107 – BLOCK 2 – LOTS 14.2 and 15
PROJECT NUMBER: 11-4
DATE: 28 JUNE 2011
DESCRIPTION: THE APPLICATION PROPOSES EXPANDED INSIDE USES WITHIN
THE RECREATION CENTER BUILDING AND A NEW EXTERIOR
ELEVATED GO-KART TRACK ON THE SITE. THE APPLICATION
WAS PREVIOUSLY REVIEWED AT THE 26 APRIL 2011 AND
24 MAY 2011** PLANNING BOARD MEETINGS.

** no engineering comments for prepared for this appearance.

*THE APPLICATION IS BEFORE THE BOARD FOR A PUBLIC HEARING
AT THIS MEETING.*

1. The plan proposes expanded uses within the recreation center building and the relocation of the existing interior track by way of construction of a second outside go-kart track (elevated). Concurrent with this application to the Village Planning Board, the applicant (as BAZS, LLC) also has an application before the Town Planning Board for the adjacent property to the north.
2. There has been much coordination between the Town Planning Board and this Board regarding the project. The “open” issues from a Village standpoint are:
 - Noise Issue
 - Vehicle Movements thru Site (particularly busses and fire vehicles)
 - Vertical Clearance needed to elevated kart track
 - Shared Parking (evaluation and acceptance)
 - General Plan Cleanup issues

I have provided below a status of each to the best of my current understanding.

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• 111 WHEATFIELD DRIVE • SUITE 1 • MILFORD, PENNSYLVANIA 18337 • 570-296-2765 •
• 540 BROADWAY • MONTICELLO, NEW YORK 12701 • 845-794-3399 •

3. **Noise Issue** – the applicant has had two noise analysis reports prepared. One is by Mike Baier Designs (Warwick, NY) and is focused on the outdoor pavilion on the Town Site Plan. The second report is from Lewis S. Goodfriend & Associates, Consulting Engineers (Whippany, NJ) and deals with noise issues on the Village Site Plan.

Initially we reviewed this report in early June and requested some clarifications from the applicant's acoustical engineer. A memorandum dated 6/16/11 addressed my questions. A copy of the initial report and response memo are attached hereto.

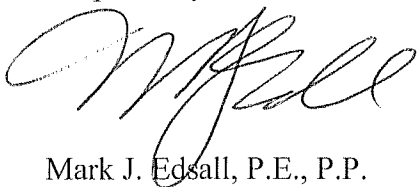
It is my opinion that the questions are substantially addressed and have no objection to the consultant's indication that the noises at the project will be somewhat mitigated by the actions being taken by the Applicant.

4. **Vehicle Movements thru Site** – the applicant's surveyor prepared a plan depicting traffic movements thru the site. We requested a larger scale drawing such that a full analysis could be made. Additional drawings were submitted both as paper and electronically. The analysis performed included both a review for a "Bus-40" and the specific data for the Pierce Aerial fire truck owned by the Chester Fire District. Subsequent to my analysis, I forwarded the data to Phil Grealy of John Collins Engineers (traffic consultants) for verification and re-check, given the critical nature of this item. Phil's memo is attached. Although the movements thru the site include numerous turns and "switchbacks", the site is negotiable by both the bus and the fire truck. In an attempt to limit vehicle speed thru this "slalom" the Board may wish to consider requirement for speed limit signs.
5. **Vertical Clearance needed to elevated kart track** – the Pierce data does not include a height. Based on Phil's knowledge of the vehicles involved, he has recommended a 15 ft. minimum vertical clearance. Currently note # 7 indicates only 14 ft. If there is the possibility for increased clearance (based on Mr. Leentjes intent for kart track construction), it may be beneficial. Perhaps we can inquire if 16 ft. is possible. A note should be added to the plans which requires the agreed to minimum clearance.
6. **Shared Parking** – the applicant has provided a brief narrative regarding the uses on the Town and Village sites, and the seasonal aspects. If the Planning Board accepts the shared parking proposal, it would seem necessary that (as I have previously suggested) the two lots (Town and Village) be "linked" in some manner. Perhaps a deed "restrictive covenant" and cross-easements are appropriate. The Board may wish to discuss options with the Attorney for the Planning Board (as noted in comment #9 below).

7. **General Plan “Cleanup” Issues:**

- Plan note #8 should match village standard. Reference to “(Sheppard hook)” should be deleted.
 - Revision to note #8 and new note regarding vertical clearance required (both as noted above).
 - Note should be added to plan as follows:
“This application is an amendment to prior approvals granted by the Village of Chester Planning Board for this site plan. All previous requirements and conditions of approval for prior applications remain in full force and effect unless specifically modified by the Planning Board as part of this application.”
 - As per Section 98-30.2 of the Village Zoning Code, the Applicant should indicate a reasonable anticipated completion date for the project on the plan.
 - Bulk table should be added to final plans.
 - Regarding handicapped detail, when a standard space adjoins a handicapped space, a double line should be installed, one blue, one white. Please modify standard detail.
8. **SEORA** - It is my understanding that the Town of Chester Planning Board (as Lead Agency) has adopted a Negative Declaration. The Board should verify with the Attorney for the Planning Board if their affirmation of this Neg Dec is appropriate.
9. **Special Permit Considerations** – the Board should discuss with the Attorney for the Planning Board the needed determinations and conclusions which may be required before granting the amendment to the Special Permit for this use / site plan. Further, if the Board has any concern with regard to the noise, parking, etc., they may wish to consider their possible option to grant the Special Permit with a term limit, such that they have the opportunity to “re-visit” the specific issues in a year or two (following opening and operation) to determine if any adjustments are needed.

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: 28 JUNE 2011
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, 27 APRIL 2010, 25 MAY 2010 AND 22 JUNE 2010 PLANNING BOARD MEETINGS.

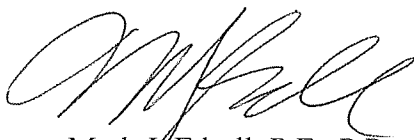
1. I have received no new information nor any proposed site plan for this application. As such, we provide the information below as a reminder of the status as of the June 2010 meeting.
2. In our June 2010 comments we indicated the following outstanding (open) items, based on the field review and ongoing evaluations:
 - As previously indicated, the plan notes that “dock doors and overhead doors” will be closed during equipment operation. We continue to suggest that the board require that all doors on the west side of the building remain closed during operation. Open doors on the west side were field confirmed to significantly increase noise levels to the neighborhood.
 - It is unclear from the plan if the applicant has agreed to closing off the window on the west face of the building, as was previously discussed.
 - The plans now indicate that the spray booth discharge will be “vertical” and only water based coatings will be used. Although this may be heading toward an appropriate solution to the ongoing problems at the site, we recommend that the Village request the MSDS sheets for the various products to make an evaluation of the content of the same.

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3. At the request of the Planning Board Chairman, I contacted the NYS Department of Environmental Conservation regarding this application, its use in the RA zone and the complaints and input received from the Board regarding the air discharge issues. Based on my discussion with the DEC representative, they have indicated that handling the concerns of hours of operation, impact on adjoining residences, odors, etc. are local issues for the Village to deal with. As such, it is my understanding the Board has full jurisdiction under the Special Permit provisions.
4. Prior to considering any action, the Board will need to make the necessary evaluations and determinations regarding the use / operation with regard to the Special Permit, and consider a determination of significance under SEQRA. It is my recommendation that no such determinations be made until such time that the product information requested has been received and evaluated and the methodology to restrict use of other products is defined.

Respectfully Submitted,



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