

MINUTES

VILLAGE OF CHESTER PLANNING BOARD

JULY 26, 2011

REGULAR MEETING

PRESENT: Richard RAMSDELL, Chairman
Anthony LA SPINA, Member
John REILLY, Member
Robert JANKE LUNAS, Member
Gene WINTERS, Member (did not attend the entire meeting)
John ORR, Code Enforcement Officer

REGULAR MEETING

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

Before addressing the formal agenda, Chairman Ramsdell introduced and welcomed Sandra VanRiper as the Planning Board's new Secretary.

1. **MINUTES**

Chairman Ramsdell stated that the April and May minutes were approved at the June PB meeting, but due to technical difficulties, the June minutes would not be available until the August meeting.

2. **CORRESPONDENCE**

From: Orange County Department of Planning

Date: April 13, 2011

Re: County Reply for Project #11-05 Pine Hill Farm Temp Site Plan – Local Determination

Chairman Ramsdell indicated he would discuss the correspondence when the application is discussed.

3. **CODE ENFORCEMENT OFFICER REPORT**

Presented by CEO John Orr and dated July 26, 2011.

Current projects that were inspected during the last month:

Satin Fine Foods: Work has started.

Briggs – 24 Walnut St: Project complete.

Trout – 6 Carpenter Rd: No work has started.

Academy Ave Apartments: Project complete.

Steris – 23 Elizabeth Dr: Work well underway.

VonThaden – 15 Kerner Dr: Work well underway.

Humbert – 8 Highland Ave: No work has started.

Jean – 9 Vista Dr: No work has started.

Found out that Larry LePere & Steve Sexton are no longer with Lowe's now working with Lindsay McGrady the Director of Engineering and Construction.

Regards,
John S. Orr
Code Enforcement Officer

Discussion was held about the Lowe's project as the new contact, Lindsay McGrady, requested a copy of the CO and CEO John Orr advised there wasn't one because of some outstanding issues and requested a meeting to further discuss. Existing issues briefly identified: lights, night lights, the condition of the waterway, DEC open issues and DOT open issues. Also inquired about were the number of complaints still being made – CEO John Orr advised not many complaints have come in.

4. PROJECTS FOR REVIEW

- a. **Project #11-05** **Project Name: Pine Hill Farm Temporary Site Plan**
Applicant/Owner: **Pine Hill Farm - Sue Conklin / George Ketchum**
Location: **33 Brookside Avenue (SBL 114-1-10.1/M-2 Zone)**
Re: **Temporary Farm Stand**
Presented By: **Sue Conklin**

Chairman Ramsdell read the 07-22-2011 response from the County Department of Planning. The County recommendation for Project #11-05 is that of a Local Determination.

Chairman Ramsdell reviewed the short EAF form submitted by the applicant and filled out page 2 until it was noted by Member Reilly that Mark Edsall's comments indicated this is a Type II action and there was no need to fill out that section of the EAF.

Chairman Ramsdell read Mark Edsall's comments into the record:

VILLAGE OF CHESTER
 PLANNING BOARD
 REVIEW COMMENTS

PROJECT NAME: PINE HILL FARM TEMPORARY STAND SITE PLAN
 PROJECT LOCATION: NYS ROUTE 17M
 SECTION 114 – BLOCK 1 – LOT 10.1
 PROJECT NUMBER: 11-05
 DATE: 26 JULY 2011

- 1. The application is presented as a temporary use of a portion of the property. The Board has established general guidelines for content on sketches in support of such uses. In general terms, these include:
 - Name of applicant & property owner
 - Dates of activity & Hours of operation
 - Depict off-street parking and location of curb cuts (access)
 - Depict trailer and/or office and setbacks from property lines
 - Depict location and size of any signs
 - Depict trash containers, lighting, barriers (vehicle vs. pedestrian)
 - Address temporary water and sanitary services

The plan / application submitted appears to adequately address each of these items.

- 2. I have suggested one minor title block revision to the applicant which the applicant may include on the final plan.
- 3. I would recommend that the Board determine this a minor temporary use of land having negligible or no permanent impact on the environment, a Type II action, which would conclude SEQRA.
- 4. We are aware of no reason why the Board could not consider approval of this temporary use.

New plans were submitted by the applicant and, after review, discussion was held regarding:

- Note # 4 "Hours of Operation: 12 – 7 pm daily." At the request of the applicant, the hours of operation be revised to allow flexibility in the winter months as well as for preparation time before the stand opens in the morning. After the discussion, it was noted that there weren't residential neighbors and decided that the hours would be changed to 7 AM – 7 PM daily.
- Note # 11 "Location & type of lighting: One overhead fluorescent light was noted to be inside temporary stand." It was clarified that this would be adequate lighting for the temporary stand.
- Note # 13 "Location & method for temporary water & sanitary services. No permanent water is to be installed. No additional sanitary services are to be provided." Sue Conklin advised that they have permission from George Ketchum to use the sanitary services in the Rowley Lumber building and they will be bringing water in their truck in a fiberglass tank

with an extra waste tank. The produce will be rinsed at the farm and they will bring water bottles for drinking water.

***MOTION** was made by Member Reilly, second by Member Jankelunas to determine this is a Type II action and would conclude SEQRA (as recommended by Mark Edsall's note # 3). Motion passed 4-0.

Chairman Ramsdell asked if any other changes were needed – no comments/changes noted.

Applicant Sue Conklin noted the walk-in shed wouldn't be ready for about 10-15 days and asked if she could start right away (possibly Thursday, July 28th) with a canvas type tent. She indicated the tent and produce would be brought there each morning and taken away each night. It was noted that if there was plan approval made at this meeting in the presence of CEO John Orr, arrangements might be satisfied.

CEO John Orr generally noted his only issue may come when a tenant moves into the Rowley building. He advised the applicant that she will have to come back to the Planning Board to address changes if/when a tenant moves in. She said she's aware she has to come back to the Planning Board if/when a tenant moves in as she would have to re-locate her stand.

***MOTION** was made by Member LaSpina, second by Member Reilly to grant conditional approval of the Pine Hill Farm Temporary Site Plan pending the payment of fees. Motion passed 4-0.

Chairman Ramsdell asked about their identity sign and it was agreed that the applicant would contact CEO John Orr to discuss that further.

CEO John Orr requested confirmation that the Temporary Site Plan would be renewable yearly and Chairman Ramsdell advised it was at the request of the applicant.

- b. **Project # 08-04 Project Name: FLYX Realty, LLC Site Plan – Special Use Permit**
Applicant/Owner: FLYX Realty, LLC / Kent Leung
Location: 28 Academy Avenue (SBL 111-7-3 / RS Zone)
Re: Site Plan / Special Use Permit
Presented By: Jim Dillon, the son of Jim Dillon, the record L.S.

Plans dated 07-14-2011 were reviewed by the Planning Board and the Mark Edsall's comments were read into the record by Chairman Ramsdell.

It was noted that the project was reviewed and given conditional approval in 2008.

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 REVIEW COMMENTS

PROJECT NAME: FLYX REALTY (LEUNG) SITE PLAN
 PROJECT LOCATION: 24 ACADEMY AVENUE (NYS RT. 94)
 SECTION 111- BLOCK 7 - LOT 3
 PROJECT NUMBER: 08-04
 DATE: 26 JULY 2011
 DESCRIPTION: PROPOSED 2-STORY PROFESSIONAL OFFICE

THE APPLICATION PROPOSES A TWO-STORY OFFICE BUILDING. THE PLAN WAS PREVIOUSLY REVIEWED AT THE 27 MAY 2008, 22 JULY 2008 AND 26 AUGUST 2008 PLANNING BOARD MEETINGS.

1. The project proposes the conversion of an existing dwelling into a two-story professional office building. As part of the development the applicant proposes construction of a 16-space parking lot, associated lighting and miscellaneous improvements.

The applicant has returned to the Planning Board requesting a phased approval of the plan. Phase 1 involves use of the first floor as an office, with the second floor being residential. Phase 2 is the full build-out with both floors as office (per original site plan approved on 8-26-08).

We have reviewed the new phased plan and have the following comments:

- Revise Note 6 to indicate Anticipated Completion Date separately for Phase 1&Phase 2.
- Above note 7 change title to "Notes - Continued".
- Fix Date on note 7 (year should be 2011).
- Under note 7 change "Improve Spaces....." to read "Phase 1 work to include access ramp, sidewalk, entrance drive and improvements plus construction of parking spaces 1,2,3,4,13,14,15 & 16 and work associated with such spaces."

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

Applicant's representative agreed to move all notes to the area on the drawing of Note # 7 and enlarge the Planning Board's approval box. Applicant's representative also agreed to make all updates requested by Mark Edsall. CEO John Orr confirmed the completion dates for Phase 1 and Phase 2 would be noted on the plans.

Chairman Ramsdell requested clarification on the July 14, 2011 date noted on the site plan and was advised it was just the date of the application.

Discussion was held on whether this is an amendment or a revision – it was decided this will be a revision. Member Reilly requested that the existing approval conditions still stand. It was discussed and decided that they would.

*For the record, these are the conditions of approval from 08-26-2008: After discussion, Chairman Ramsdell asked for a **Motion** for a Conditional Special Use Permit and Site Plan Approval – conditions being that the comments specified in the Engineer's Review are met. These conditions include striping for the handicapped parking spaces; a note regarding lighting; change on the site identification sign to what is allowed; removal of property line fence on the East side in favor of the installation of landscaping. New York State Department of Transportation permit for access, truck needs to be added.*

Member Jankelunas questioned whether an office on the second floor would be appropriate with a residence next door. It was noted that the original review and conditional approval from 2008 did not take issue with it.

Discussion was held regarding time limits on Conditional Final Approvals.

***MOTION** was made by Member Reilly, second by Member LaSpina to grant Revised Conditional Final Approval of the Site Plan and Special Use Permit – conditions being payment of all fees, the comments specified in the Engineer's Review are met as well as the previous conditions are met. Motion passed 4-0.

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

*MOTION was made by Member Jankelunas and second by Member LaSpina to adjourn the meeting. Motion passed 4-0. Meeting adjourned at 8:30 PM.

Respectfully Submitted,



Sandra VanRiper
Planning Board Secretary