

## MINUTES

### VILLAGE OF CHESTER PLANNING BOARD

DECEMBER 13, 2011

#### REGULAR MEETING

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

#### **REGULAR MEETING – 7:30 PM**

Chairman Ramsdell opened the Regular Meeting at 7:35 PM.

##### **1. Minutes**

Review Draft of October 2011 Planning Board Meeting Minutes.

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

##### **2. Correspondence**

- Review Village of Chester Planning Board 2012 Schedule: Discussion was held on the meeting dates and it was decided the September meeting would be scheduled for September 25, 2012 and the November meeting would be scheduled for November 27, 2012 with the submittal dates changed accordingly. \***MOTION** was made by Member Reilly to ACCEPT THE VILLAGE OF CHESTER PLANNING BOARD 2012 SCHEDULE WITH THE ABOVE CHANGES. Second by Member LaSpina. Motion passed 5-0.
- Letter from Clifton Patrick regarding The Castle: The letter was discussed and it was decided that John Orr would speak with Mr. Leentjes to try and resolve the matter.

##### **3. Code Enforcement Officer Report**

Presented by John Orr (copy attached).

- Rachael's Daily Discounts: Discussion was held regarding a possible turning restriction. It was decided that the Planning Board will write to the NYS Department of Transportation asking them to look at this issue specifically.
- Hambletonian Auto Spa: They sent a letter indicating they would like to start offering New York State Inspections, but to be eligible to offer the inspections they have to be a New York State approved repair shop. They are required to have the municipality fill out a proof of zoning form. CEO John Orr asked if there were any restrictions or limitation put on the site at the time of approval. It was decided that the permitted uses would be researched, the site plan would be pulled for review and the project would be placed on the January 5, 2012 work session agenda.

##### **4. Projects for Review**

- a. **Project # 11-07**                      **Project Name: Bruedan Residential Subdivision**  
Applicant/Owner:                      Bruedan Corporation  
Location:                                      One Sanford Avenue (SBL 106-1-11, 12, 13, 14, 57 / RMH Zone)  
Re:    Residential Subdivision  
Represented By:                              David Higgins, Lanc & Tully Engineering/Surveying PC; Jake Kriney, Owner

Overview presented by David Higgins:

- Lot line modifications for 5 lots for single family residences.
- ZBA passed a resolution approving the variances.

Mark Edsall's comments were read into the record, reviewed and general discussion held. A copy of the comments is attached.

**\*MOTION** was made by Member LaSpina to SCHEDULE A PUBLIC HEARING FOR JANUARY 24, 2012 AT 7:15 PM. Second by Member Jankelunas. Motion passed 5-0.

Chairman Ramsdell asked if anyone had any other questions and there were no other comments.

- b. **Project # 11-08**      **Project Name: Rushing Duck Brewing**  
Applicant/Owner:      Leslie Hitchcock, Rushing Duck Brewing / Barry Adelman  
Location:                6 Howland Street (SBL 104-6-12 / B1 Zone)  
Re:                         Rushing Duck Brewing Company – Brewery Set Up  
Presented By:          Dan Hitchcock, Rushing Duck Brewing Brew Master

Overview presented by Dan Hitchcock:

- Operating a micro-brewery – no other locations.
- Only off-site consumption. (See Tasting Room below.)
- No food served.
- Distribution would be done by Dan Hitchcock – he will load the product onto a brewery owned truck and drive to the customer.
- Tasting room open Saturdays from 12 – 5 PM for samples, kegs, bottles and jugs for off-site consumption.
- Discussion was held regarding water supply.
- Discussion was held regarding the parking and traffic ingress/egress. Applicant was asked to remove the spaces not related to this project and not located on the property.
- Micro-brewery hours not confirmed, but would be approximately 7 AM to 7 PM Monday thru Friday and 12 – 5 PM Saturday.
- Brewing process takes approximately 8 to 10 hours; bottling takes approximately 8 to 10 hours. Tentative schedule is brewing on Monday and Tuesday; packaging and cleaning on Wednesday, Thursday; and sales and distribution on Friday.
- There will be no vent stack or exterior termination – the steam will be condensed into water.

CEO John Orr requested the applicant provide specifications for the brew house. Dan Hitchcock agreed to provide a diagram and specifications for the equipment.

Chairman Ramsdell read into the record the Orange County Department of Planning review response, which was "Local Determination". A copy of the response is attached.

Mark Edsall's comments were read into the record, reviewed and general discussion held. A copy of the comments is attached.

A site plan was presented at the meeting and review held with the Board members. A copy of the site plan was referred to Mark Edsall via John Szarowski for review and comments.

Applicant was referred to the next Planning Board Work Session scheduled for January 5, 2012 at 1:30 PM.

As there were no other comments, **\*MOTION** was made by Member Winters to ADJOURN THE MEETING. Second by Member Reilly. Motion passed 5-0. Meeting adjourned at 8:30 PM.

**Respectfully Submitted,**

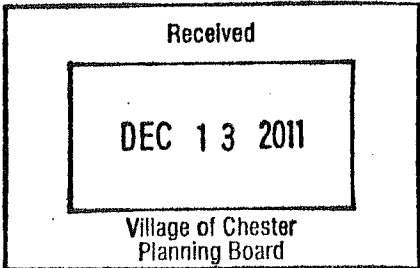


**Sandra VanRiper**  
**Planning Board Secretary**



**Clifton Patrick**  
**Property & Casualty Insurance**  
119 Brookside Ave.  
Chester, NY 10918

voice/fax: 845-469-7645 email: [clifpatrick@optimum.net](mailto:clifpatrick@optimum.net)



Monday, December 12, 2011

Brian Leentjes  
The Castle Family Fun Center  
P.O. Box 132 Route 17M  
Chester, NY 10918

Dear Mr. Leentjes:

For the last several weeks, I've noticed the beat from the music at the Castle has again become objectionably strong.

Friday night, about 7 pm, while I was meeting with a client here at my office, the beat was so strong that it felt like I was having heart palpitations! After we concluded our business, I stepped outside and was shocked at how loud the music was. I think this was loudest I've ever heard it! A full range of tones were clearly audible in addition to the underlying beats.

You need to return the outside noise to the acceptable levels that were obtained after you adjusted your operating parameters and remounted your speakers during the recent planning board process. This abusively strong beat and excessively loud music must cease escaping your premises!

Sincerely,

- cc: Steve Nuehaus, Town of Chester Supervisor & Board Members
- Joseph J. Mlcoch, Town of Chester Code Enforcement Officer
- Philip Valastro, Village of Chester Mayor & Board Members
- John Orr, Village of Chester Code Enforcement Officer
- Donald Serotta, Town of Chester Planning Board Chairman & Board Members
- Richard A. Ramsdell, Village of Chester Planning Board Chairman & Board Members
- Daniel Doellinger, Chief, Town of Chester Police Department
- Peter J. Graziano, Jr., Chief, Village of Chester Police Department

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

October 25, 2011

Current projects that were inspected during the last month:

Satin Fine Foods

1- Work continues.

Steris- 23 Elizabeth Dr.

1- Work continues.

Humbert – 8 Highland Ave

1- Work continues.

Castle.

1- Work on closing in the first floor is well underway.

Maynard 13 Meadow Ave

1- Issued permit for deck.

Davey 17 Hambletonian Ave

1- Issued permit for basement renovation.

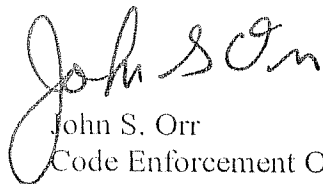
Magoya 43 Brookside Ave

1- Issued permit for small addition for utilities

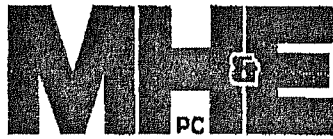
Rachel's Daily Discounts, Question on right turn only out of parking lot.

The Hambletonian Auto Spa would like to start offering NY state inspections. In order to become a state inspections station they have to first become a NY approved repair shop. In order to do all of this they are asking for the Village to submit proof of zoning. Do we have any issue with the current plan with them now offering inspections?

Regards,



John S. Orr  
Code Enforcement Officer



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

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WILLIAM J. HAUSER, P.E. (NY & NJ)  
MARK J. EDSALL, P.E. (NY, NJ & PA)  
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VILLAGE OF CHESTER  
PLANNING BOARD  
REVIEW COMMENTS

**PROJECT NAME:** BRUEDAN CORP. LOT LINE CHANGE  
**PROJECT LOCATION:** SANFORD AVENUE (NEAR LEHIGH AVE.)  
SECTION 106 – BLOCK 2 – LOTS 11, 12, 13, 14 & 57  
**PROJECT NUMBER:** 11-07  
**DATE:** 13 DECEMBER 2011  
**CONSULTANT:** LANC & TULLY ENGINEERS' & SURVEYORS  
**DESCRIPTION:** THE APPLICATION PROPOSES A LOT LINE REVISION BETWEEN FIVE EXISTING LOTS ON SANFORD AVENUE. THE PLAN WAS REVIEWED ON A CONCEPT BASIS ONLY. THE APPLICATION WAS PREVIOUSLY REVIEWED AT THE 25 OCTOBER 2011 PLANNING BOARD MEETING.

1. The property is located in the RMH zone, which allows single-family residential via a reference to the RS zone uses. The required bulk information shown on drawing 3 appears correct based on the zoning bulk tables. The provided values have been corrected and the needed variances are clearly depicted. In addition (as requested) they have indicated if any pre-existing non-conforming conditions are being improved as part of the application. It is our understanding the applicant has a pending application before the Village Zoning Board of Appeals.
2. The applicant has submitted revised plans in response to our previous comments and input from the Planning Board.
3. For future submittals, the applicant is reminded that subdivision plans must be signed by a licensed land surveyor. These should include any sheets with area or zoning compliance information to be considered by the board.
4. The Planning Board should consider scheduling the public hearing for the application. I believe the plans are adequate for such purpose.

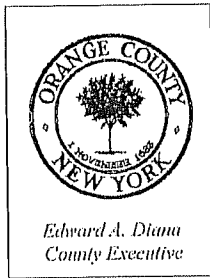
Respectfully Submitted,

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

MJE/st/Ches11-07-13Dec11.doc

REGIONAL OFFICES

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## ORANGE COUNTY DEPARTMENT OF PLANNING

DAVID CHURCH, AICP  
COMMISSIONER

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### **County Reply – Mandatory Review of Local Planning Action as per NYS General Municipal Law §239-l, m, &n**

**Local Referring Board:** Village of Chester Planning Board

**Applicant:** Leslie Hitchcock

**Project Name:** Rushing Duck Brewery

**Proposed Action:** Site Plan for redevelopment of existing industrial building as microbrewery

**Reason for County Review:** Within 500 feet of property owned by Orange County and used for recreational purposes (Heritage Trail)

**Date of Full Statement:** November 3, 2011

**Referral ID #:** CHV 12-11M

**Tax Map #:** 104-6-12

**Local File #:** 11-08

#### **Comments:**


The Department has received the above referenced site plan and has found no evidence that significant intermunicipal or countywide impacts would result from its approval. We would like to include the following as advisory comments:

Water Supply: The property at this time uses only the Village of Chester public water system, and microbrewery operations could potentially require an additional water supply. We advise the Village to evaluate the water supply needed for this use and determine what, if any, additional measures might be required to meet the applicant's need.

**County Recommendation:** Local Determination

**Date:** November 28, 2011

**Prepared by:** Megan Tennermann, Planner

  
David Church, AICP  
Commissioner of Planning

As per NYS General Municipal Law 239-m & n, within 30 days of municipal final action on the above referred project, the referring board must file a report of the final action taken with the County Planning Department. For such filing, please use the final action report form attached to this review or available on-line at [www.orangecountygov.com/planning](http://www.orangecountygov.com/planning).



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

**PROJECT NAME:** HITCHCOCK "RUSHING DUCK BREWING CO." SITE PLAN  
**PROJECT LOCATION:** 6 HOWLAND STREET (ADELMAN BUILDING)  
SECTION 104 – BLOCK 6 – LOT 12  
**PROJECT NUMBER:** 11-08  
**DATE:** 13 DECEMBER 2011  
**CONSULTANT:** (NO SITE PLAN SUBMITTED TO DATE)  
**DESCRIPTION:** THE APPLICATION INDICATES PROPOSED USE OF SOME PORTION  
OF THE FACTORY BUILDING FOR A BREWERY. THE APPLICATION  
WAS PREVIOUSLY DISCUSSED AT THE 25 OCTOBER 2011  
PLANNING BOARD MEETING.

1. For the October meeting, I commented that "the information submitted is very limited". We have not received any more detailed information since that time and, as such, are unable to provide any review comments or recommendations at this time. We still believe a basic site plan and a supporting narrative are appropriate for this application, as a starting point.
2. Once information is received, we will proceed with our review and advise the Board of any technical / engineering comments.

Respectfully Submitted,

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

MJE/st  
Ches11-08-13Dec.doc

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