

MINUTES

VILLAGE OF CHESTER PLANNING BOARD

JANUARY 24, 2012

REGULAR MEETING

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

NOT PRESENT: Robert JANKELUNAS, Member

PUBLIC HEARING 7:00 PM

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: **Neal Frishberg, Attorney**

Chairman Ramsdell opened the Public Hearing at 7:05 PM and provided a brief overview of the public hearing process.

Chairman Ramsdell read the Public Hearing Notice as it was published in the January 18, 2012 edition of the Times Herald Record (copy attached).

Project overview provided by Neal Frishberg, Attorney:

- Noted that Les Hitchcock, Applicant; Dan Hitchcock, Applicant, and Barry Adelman, Owner of the Warehouse Outlet building, were also present;
- It was noted that the ZBA confirmed the interpretation that this proposed use conforms to the B1 use at their December 8, 2011 meeting;
- Since they submitted their last site plan, the applicant has retained Jim Dillin, PLLS, who is working on the plans and expects to have an update for the February work session;
- Parking discussion held;
 - Mr. Frishberg noted that, per the Code of the Village of Chester, if only 3 parking spaces are required, the applicant only has to pave the handicap parking space.
- Mr. Frishberg asked if the Planning Board can grant conditional final approval if they postpone the construction of the tasting room.

After Mr. Frishberg made his presentation, Chairman Ramsdell asked the Board Members if they had any questions or comments. As they had no questions or comments, the hearing was opened to the public:

- Barry Adelman, Owner of the Warehouse Outlet Building, asked that approval be granted tonight as he has a viable tenant and, in light of the current economic times, he would like to have the tenant in as soon as possible. Mr. Adelman also provided a letter from the United States Post Office confirming that 6 Howland Street and 1 Battiato Lane are two good and distinct addresses for the subject building in Chester (copy attached).

As there were no other comments, ***MOTION** was made to CLOSE THE PUBLIC HEARING by Member LaSpina, second by Member Reilly. Motion passed 4-0. Public Hearing closed at 7:15 PM.

PUBLIC HEARING 7:15 PM

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: **John Queenan, Lanc & Tully Engineering and Surveying PC**

Chairman Ramsdell opened the Public Hearing at 7:15 PM.

Chairman Ramsdell read the Public Hearing Notice as it was published in the January 18, 2012 edition of the Times Herald Record (copy attached).

Project overview provided by John Queenan, Lanc & Tully Engineering and Surveying PC:

- Lot line modifications for 5 lots for single family residences;
- ZBA passed a resolution approving the variances at their December 8, 2011 meeting;
- Lots will be restored – building removed, grass planted, etc;
- Lots will be serviced with municipal water, sewer, etc.;
- This application is not considered a major subdivision.

After John Queenan made his presentation, Chairman Ramsdell asked the Board Members if they had any questions or comments. As they had no questions or comments, the hearing was opened to the public:

- Tom Becker, 11 Sanford Avenue: Asked if the applicant had an idea of when the project would start.
 - Per Applicant Jake Kriney, the timeline has not been determined yet, but he's hoping to have the building removed in the spring and move forward from there.
- Stacy Henry, 230 Lehigh Avenue: Asked how many acres each property is.
 - John Queenan provided the square feet of each lot and noted they matched the other lots in the area.
- Cindy Becker, 11 Sanford Avenue: Asked what type of house would be put on each lot.
 - John Queenan advised it would be market driven, but they would generally be 3-4 bedrooms, approximately 1500 square feet and be similar to the houses across the street.
- Stacy Henry, 230 Lehigh Avenue: Indicated she was concerned with tractor trailer traffic.

As there were no other comments, ***MOTION** was made to CLOSE THE PUBLIC HEARING by Member Winters, second by Member LaSpina. Motion passed 4-0. Public Hearing closed at 7:25 PM.

REGULAR MEETING – 7:30 PM

Chairman Ramsdell opened the Regular Meeting at 7:30 PM.

1. Minutes

Review Draft of December 2011 Planning Board Meeting Minutes.

***MOTION** was made by Member Winters to ACCEPT THE DECEMBER 2011 MEETING MINUTES with Chairman Ramsdell's updates, second by Member LaSpina. Motion passed 4-0.

2. Correspondence

NYS DOT Letter dated January 17, 2012 regarding DePaulis property (copy attached).

- Chairman Ramsdell read the letter into the record and advised that a copy would be placed in the file.

3. Code Enforcement Officer Report

Presented by John Orr (copy attached).

Board comments/questions:

- Member Winters asked if the DePaulis project followed through with the blasting.
 - CEO John Orr advised they stopped after the approval because they're working on the entrance.
 - Chairman Ramsdell indicated they are trying to purchase the drainage pond from New York State.
- Member LaSpina asked about the status of Lowe's.
 - CEO John Orr advised he has spoken to the Lowe's management and is scheduling a meeting.
- Member Winters asked if Lowe's is using their parking lot as a commuter parking lot.

- CEO John Orr advised there's no agreement in place with New York State to use Lowe's parking lot as a commuter lot, but Lowe's is nice enough to allow them to park there.

4. Projects for Review

- a. **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: **Neal Frishberg, Attorney**

Mr. Frishberg advised he had nothing to add to the overview presented at the Public Hearing.

Mark Edsall's comments were reviewed and general discussion held (copy attached). Mr. Frishberg advised that all items would be addressed by Jim Dillin, PLS.

Discussions were held regarding:

- Dumpster enclosure;
 - Currently a 2 yard dumpster is on the property
 - Owner Barry Adelman indicated there are already 2 dumpsters on the property without enclosures and there are no issues;
 - Applicant Les Hitchcock asked if the Code mandates the enclosure;
 - Chairman Ramsdell advised the Planning Board is requiring dumpsters be enclosed.
- Accuracy of the building's square feet on the plans with the mezzanine space;
- CEO John Orr requested a completion date be added to the plans;
 - Applicant Les Hitchcock advised the work could be done in 2-4 months, but the licenses will take 3-6 months to obtain.
- Chairman Ramsdell confirmed the owner's authorization is in place;
- Parking and paving;
 - CEO John Orr suggested they leave the parking unpaved and mark the parking spaces with bumpers;
- An additional exterior light will be building mounted on the back of the building in the parking area;
- Tasting room
 - Confirmed it would only be open Saturday's from 12-5;
 - Parking increased to 8 (eight) spaces before the tasting room is operating.

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

***MOTION** was made by Member Reilly to DECLARE THIS AN UNLISTED ACTION UNDER SEQR. Second by Member LaSpina. Motion passed 4-0.

***MOTION** was made by Member Winters and second by Member Reilly to issue a Negative Declaration under SEQRA declaring that there are no potentially significant environmental impacts. Motion passed 4-0.

***MOTION** was made in favor of CONDITIONAL SITE PLAN APPROVAL by Member Reilly, seconded by Member Winters, authorizing stamping and signing of the site plan by the Chairman after review by the Engineer and the satisfaction of the following Conditions: payment of all fees; plans to be revised to satisfy the Engineer's comments; site plan to include the tasting room with a note that it will be constructed within 12 months of approval; additional parking, as shown on the plan, will be provided before the tasting room is utilized; paving of travel way and parking spaces as recommended by the Engineer are not required, only paving for handicap parking space and handicap access lane is required; plan will show a dumpster enclosure. Motion passed 4-0.

- b. **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: John Queenan, Lanc & Tully Engineering and Surveying PC

Overview provided by John Queenan:

- No additional information than what was presented at the Public Hearing;
- Requesting Conditional Final Approval.

Mark Edsall's comments were reviewed and general discussion held (copy attached).

- John Queenan advised that they sent a request and he has placed several follow up phone calls to the Moodna Basin regarding the sewer, but has not received a response.
- Discussion was held regarding the fencing on the property – both existing and construction fencing.
- John Queenan will have the surveyor clarify Oxford Road on the plans.

Member LaSpina asked Harold Pressberg if a weight limit could be imposed on the rail road access road between the two sites.

- Harold Pressberg advised he would look into it.

Chairman Ramsdell indicated he wants to review the Moodna Basin response.

John Queenan and Applicant Jake Kriney decided the demolition of the existing building would be done by the end of the summer – on or before September 1, 2012.

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

***MOTION** was made by Member Reilly to DECLARE THIS AN UNLISTED ACTION UNDER SEQR. Second by Member LaSpina. Motion passed 4-0.

***MOTION** was made by Member Winters and second by Member Reilly to issue a Negative Declaration under SEQRA declaring that there are no potentially significant environmental impacts. Motion passed 4-0.

Discussion was held regarding the Right of Way and easements shown on the site plan. A neighbor came to the Work Session with a survey showing a 16.5 foot ROW on the far northwest. Mr. Queenan said they knew about it and have shown a new fence delineating the ROW on the plan.

***MOTION** was made in favor of CONDITIONAL SUBDIVISION PLAN APPROVAL by Member Reilly, second by Member Winters. Conditions: Receipt of response satisfactory to our engineer from Moodna Basin regarding sewer; revision to plans satisfactory to our engineer in response to his other comments; a note being placed on the drawings that the existing building will be removed by 09-01-2012 and the payment of all fees associated with the application. Motion passed 4-0.

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

***MOTION** was made by Member Winters to ADJOURN THE MEETING. Second by Member Reilly. Motion passed 4-0. Meeting adjourned at 8:40 PM.

Respectfully Submitted,



Sandra VanRiper
Planning Board Secretary

PLANNING BOARD
VILLAGE OF CHESTER, NEW YORK
PUBLIC HEARING
JANUARY 24, 2012 – 7:00 P.M.

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 Thursday, January 24, 2012 at 7:00 P.M., or as soon thereafter as the matter can be heard, concerning the application of Rushing Duck Brewing for site plan approval. The applicant proposes, among other things, to set-up a micro-brewery with a tasting room.

The property is located in the Village of Chester, New York, at 6 Howland Street at the rear of the building and is listed on the Village Tax Map as Section 104, Block 6, Lot 12 in a B1 Zone.

The Planning Board of the Village of Chester, New York will hear all persons interested at the aforementioned time and place.

BY: ORDER OF THE PLANNING BOARD
VILLAGE OF CHESTER, NEW YORK

RICHARD RAMSDELL, CHAIRMAN

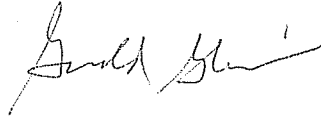
TO WHOM IT MAY CONCERN:

THIS LETTER IS TO CONFIRM THAT 6 HOWLAND ST. AND 1 BATTIATO LANE ARE TWO GOOD AND DISTINCT ADDRESSES IN CHESTER AND THAT THEY ARE ESSENTIALLY WHERE THERE ARE TWO ENTRANCES TO THE SAME STRUCTURE – ONE LOCATED ON HOWLAND ST. AND THE OTHER ON THE OTHER SIDE OF THE BUILDING ON BATTIATO LANE.

IF I CAN BE OF FURTHER ASSISTANCE I CAN BE REACHED AT 469-2106.

SNCERELY,

GERALD GLICKMAN

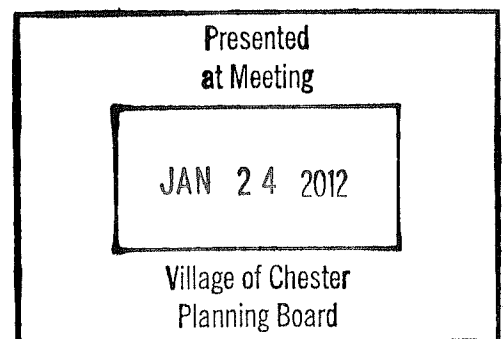


OFFICER-IN-CHARGE

CHESTER POST OFFICE

CHESTER, NY 10918-9998.

JAN 24 2012



PLANNING BOARD
VILLAGE OF CHESTER, NEW YORK
PUBLIC HEARING
JANUARY 24, 2012 – 7:15 P.M.

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 Thursday, January 24, 2012 at 7:15 P.M., or as soon thereafter as the matter can be heard, concerning the application of Bruedan Corp for site plan approval. The applicant proposes, among other things, to change 3 lot lines to develop 5 existing lots into 5 single family lots.

The properties are located in the Village of Chester, New York, at One Sanford Avenue and are listed on the Village Tax Map as Section 106, Block 2, Lots 11, 12, 13, 14 and 57 in a RMH Zone.

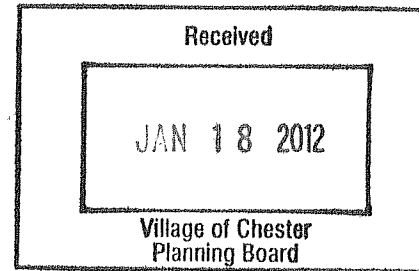
The Planning Board of the Village of Chester, New York will hear all persons interested at the aforementioned time and place.

BY: ORDER OF THE PLANNING BOARD
VILLAGE OF CHESTER, NEW YORK

RICHARD RAMSDELL, CHAIRMAN



STATE OF NEW YORK
DEPARTMENT OF TRANSPORTATION
REGION 8
4 BURNETT BOULEVARD
POUGHKEEPSIE, NEW YORK 12603
www.dot.ny.gov



WILLIAM J. GORTON, P.E.
ACTING REGIONAL DIRECTOR

JOAN McDONALD
COMMISSIONER

January 17, 2012

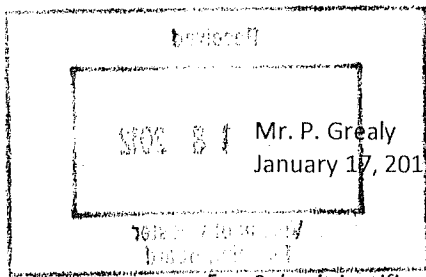
Mr. Philip J. Grealy, Phd, PE
John Collins Engineers
11 Bradhurst Ave.
Hawthorne, NY 10532

Re: Depaulis Property
NYS Route 94, Town of Chester
PIN # AW080870L

Dear Mr. Grealy:

Before a conceptual approval can be offered, at a minimum, the items noted below in **bold type** must be revised or detailed. The remaining comments are included as guidance for future submissions.

1. Please forward future submissions as follows:
 - a. One set of paper documents and one set of PDF documents (on disc) to:
M. Sassi, NYSDOT – TS&M Group, 4 Burnett Blvd. Poughkeepsie, NY 12603
 - b. One set of paper documents to:
K. Henken, NYSDOT Residency 8-5, 3233 Route 6, Middletown, NY 10940
2. The site plans shall clearly show the following features on and adjacent to the NYSDOT Right-of-Way:
 - a. Existing sign location, size and text
 - b. Guiderail
 - c. Drainage including size, grade elevation and invert elevation
 - d. Striping
 - e. Right of way monuments
 - f. **Include existing Traffic signal equipment including location of signal detector loops.**
 - g. Cross slope of grading adjacent to state right of way.
 - h. State Reference markers
 - i. State Highway Number(s)
 - j. **Detail Fee taking and Fee without access points along the ROW.**
3. Properly detail property boundaries particularly with respect to NYSDOT owned land (land is desired for title change). Shade or otherwise call out this area. Advise as to status.
4. The proposed traffic signal is very close to the existing signal at Nucifora Blvd. The high volume of trucks exiting the Industrial park combined with the uphill grade of Route 94 approaching the proposed signal may be problematic. More storage should be provided at the Exit.



5. Submit justification for the proposed signal. Show existing signals on plans. Include synchronization with adjacent signals. Alternate: Consider a permitted left with no signal which may function because the other signals will provide gaps.
6. Verify local planning agency input and/or initiate SEQRA process.
7. Pavement replaced within the signal maintenance easement shall be full depth asphalt, (1 ½ inch top course, 2 ½ inch binder and 8 inches of base course
8. Ingress movement must be free-flowing. Provide internal Stop Bars/Signs.
9. Any existing utilities in the area of the widening should be physically located (via test pits after markouts) before excavating for the widening. Those companies should be contacted by the permittee prior to excavating to determine if their facilities need to be protected or relocated as a result of the change in grade.
10. Utility companies with overhead facilities in the vicinity of any new signals should be contacted by the permittee prior to the signal construction so that they have the opportunity to relocate and achieve required clearances.
11. Work Zone Traffic Control plans are required
12. Signing and Striping plans are required.

As the project plans progress, additional review will precipitate more comments.

Very truly yours,

Michael Sassi, P.E.
Regional Permit Coordinator

cc: Village of Chester Planning Board
Orange County Planning Board
K. Henken, Permit Engineer, Residency 8-5

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

January 24, 2012

Current projects that were inspected during the last month:

Satin Fine Foods

1- Work almost complete.

Steris- 23 Elizabeth Dr.

1- Work continues.

Humbert – 8 Highland Ave

1- Work almost complete.

Maynard 13 Meadow Ave

1- Work underway.

Davey 17 Hambletonian Ave

1- Work almost complete.

Magoya 43 Brookside Ave

1- Work almost complete.

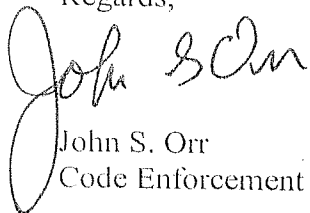
All Pets Veterinary - Renovation

Issued Building permit for the renovation of a store in the Chester Mall for use as a Veterinary Clinic.

C&S - Renovation

1- Issued Building Permit for the renovation of 9740 square foot of warehouse

Regards,



John S. Orr
Code Enforcement Officer



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

RICHARD D. MCGOEY, P.E. (NY & PA)
WILLIAM J. HAUSER, P.E. (NY & NJ)
MARK J. EDSALL, P.E. (NY, NJ & PA)
JAMES M. FARR, P.E. (NY & PA)

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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: 24 JANUARY 2012
CONSULTANT: UN-NAMED (see below)
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 AND 13 DECEMBER 2011 PLANNING BOARD MEETINGS.

1. The applicant has submitted a plan in response to the discussion at the recent worksession. We have the following comments on the plan:

- No professional or company is named as the preparer of the plan.
- The area of the building is approximately 3772 sf per floor (based on 92' x 41'). The areas in the parking table reflect significantly less areas per floor. See next numbered comment.
- A detail was discussed which would define the dimension / placement of the wheelstop from the building face so as to insure the 3 ft. pedestrian access would not be compromised. This detail (or a dimension) is not on the plan.
- A dumpster enclosure was discussed. None is proposed. The Board should verify this is acceptable.
- No handicapped detail is provided to define the pavement markings. One was discussed at the worksession. This should be provided.
- The pavement detail would appear unacceptable. I suggest the "6"- ¾" Crushed Stone" be replaced with a leveling course of NYSDOT Item #4, and the 2" top course of asphalt be modified to a minimum of 3 ½ " compacted dense binder course. A seal coat can always be added in the future.
- The note regarding the front parking should include "Front parking is subject to other Village approvals".

REGIONAL OFFICES

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

2. The gross square footage (based on three floors at the dimensions indicated) is 11,316 sf. Only approximately 20% of this total square footage is reflected in the parking calculation. Although the storage and production/manufacturing areas do not have a referenced parking requirement in the B-1 zone, clearly there will be some demand for these areas. The Board should caution the owner (in the record) that any change in use, or addition of new uses, require board approval, as they impact the parking compliance. In addition, the issue of the front parking needs to be resolved.
3. We will continue our review if a new final plan is submitted.

Respectfully Submitted,



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

MJE/st
Ches11-08-24Jan2012.doc



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

RICHARD D. MCGOEY, P.E. (NY & PA)
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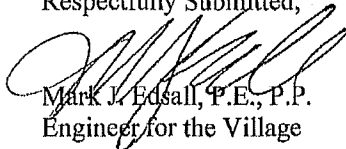
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E-MAIL: MHENY@MHEPC.COM
WRITERS EMAIL: MJE@MHEPC.COM

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: 24 JANUARY 2012
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 AND 13 DECEMBER 2011 PLANNING BOARD MEETINGS.

1. The property is located in the RMH zone, which allows single-family residential via a reference to the RS zone uses. The proposed subdivision required bulk relief from the Zoning Board of Appeals; it is my understanding the applicant has received all needed variances.
2. We have reviewed the latest plans submitted and have the following comments:
 - The subdivision plat is still not signed and sealed by a licensed land surveyor. **
 - A response from Moodna Basin regarding sewer has not yet been received.
 - A construction fence has been added to the rear property line of proposed lots 3,4 and 5. It is unclear if this is adequate to address the code enforcement officer's concerns. (see next comment).
 - It is noted that a chain link fence detail is provided but I don't note any such fence on the plan.
 - The plan notes that only some existing fences (which appear to mislead parties on the property line location) are to be removed. This should be discussed.
 - Ownership / disposition of Oxford Road (and full ROW boundary) should be clarified on the plans.
 - A pavement replacement detail should be provided for all trench cuts into the village road.
3. If there are any concerns noted at the public hearing, I will be pleased to review the same, as deemed necessary by the Board.

Respectfully Submitted,



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

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