

MINUTES

VILLAGE OF CHESTER PLANNING BOARD

MARCH 27, 2012

REGULAR MEETING

PRESENT: Richard RAMSDELL, Chairman
Gene WINTERS, Member
Anthony LASPINA, Member
John REILLY, Member
John ORR, Code Enforcement Officer
Mark EDSALL, Engineer
Ian SCHLANGER, Attorney

NOT PRESENT: Robert JANKELUNAS, Member

REGULAR MEETING – 7:30 PM

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

1. Minutes

Review Draft of January 2012 Planning Board Meeting Minutes

***MOTION** was made to ACCEPT THE JANUARY 2012 MEETING MINUTES as drafted by Member Winters, second by Member Reilly. Motion passed 4-0.

2. Correspondence

Cooling tower update letter from Al Blezy of Nexans to Alan Dromeshauser (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 for clarification of the Juice Bar to be located at 55 Main Street.
- Member Reilly asked if John Orr knew anything about the red dump trucks on Hudson Street.
 - CEO John Orr advised he was not aware of the dump trucks, but he will look into the issue.
- CEO John Orr advised he spoken with the management at Lowe's regarding the lighting and he noticed they have an electrician working on the lighting. If late enough for the lights after the meeting, he will check the progress.
 - Member LaSpina asked if there were any complaints about Lowe's recently.
 - CEO John Orr advised he has not received any complaints.

4. Projects for Review

- a. **Project # 12-01** **Project Name: Chester Mall Revised Site Plan**
Applicant/Owner: **Chester Mall Partners, LLC (Joshua Goldstein)**
Location: **78 Brookside Avenue (SBL 107-3-3 / B1 Zone)**
Re: **Approval for 3900 sq ft fast-food restaurant.**
Presented By: **John Loch, PLS & PE, AFR Engineering and Land Surveying, P.C.**

Overview provided by John Loch:

- Potential tenants have inquired about a restaurant pad in the past;
 - No specific tenant at this time, but want to go through the Planning Board process to make it easier for any potential future tenants.
- Parking spaces not currently utilized;

- Landscaping will be slightly expanded;
 - None of the existing hardscapes will be altered.
 - Some landscaping will be removed and some existing will be expanded.
 - Member Winters requested the plantings be shown on the site plan.
- Angled parking in proposed site will help direct traffic;
 - There are 21 parking spaces proposed around the restaurant pad;
 - 88 parking spaces will be lost with the construction of the restaurant pad.

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

The Orange County Department of Planning response was read into the record by Chairman Ramsdell (copy attached). County Recommendation is Local Determination.

The Site Plan was reviewed and discussions were held regarding:

- Parking;
- Clarification of the pad site on the original site plan;
- Entrance/Exit by Monro Muffler being approved by NYS DOT
 - Any consideration about doing it with this application.
- Traffic flow;
- Dumpster location;
- Grease Trap;
- Concrete / plantings;
- Pedestrian walkway – cross hatched;
- Truck deliveries;
 - Where the truck would park to unload?
 - Representative advised most deliveries are usually done before/after hours to avoid any interruption in business or blocking the traffic.
- Parking requirements;
 - A parking narrative was requested.

It was noted that the updates to the site plan would probably not be completed in time for the April 5, 2012 Work Session.

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

***MOTION** was made by Member Reilly to DECLARE THIS A TYPE II ACTION UNDER SEQR and, therefore requires no further action under SEQR. Second by Member LaSpina. Motion passed 4-0.

- b. **Project # 12-03** **Project Name: Chester PBA Carnival**
Applicant/Owner: **Village of Chester PBA / Chester Mall Partners (Joshua Goldstein)**
Location: **78 Brookside Avenue (SBL 107-3-3 / B1 Zone)**
Re: **Chester PBA Carnival**
Presented By: **Jason Jackle, PBA Vice President**

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

***MOTION** was made by Member Reilly to DECLARE THIS A TYPE II ACTION UNDER SEQR and, therefore requires no further action under SEQR. Second by Member LaSpina. Motion passed 4-0.

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

***MOTION** was made in favor of **CONDITIONAL SITE PLAN APPROVAL** by Member Winters, second by Member LaSpina. Conditions: dates of activity and hours of operation are to be added to the site plan. Motion passed 4-0.

- c. **Project # 12-02** **Project Name: Smith - Mobile Home Park**
Applicant/Owner: **Gary Smith**
Location: **65 Greycourt Avenue (SBL 106-2-10 / RMH Zone)**
Re: **Install 3 Mobile Homes on pads.**
Presented By: **Gary Smith**

Overview provided by Gary Smith:

- Proposing 3 Mobile Homes on the property;
 - Might make the 3rd home a smaller unit to fit better on the property.
- It was confirmed that the Right of Way doesn't correspond to the gravel road;
- The parking proposed on the site plan was reviewed
 - The Board recommended the applicant install parking further onto the lot to provide for easier vehicle access.

Mark Edsall's comments were reviewed and general discussion held (copy attached). He questioned whether a review by the Department of Health was necessary.

The Orange County Department of Planning response was read into the record by Chairman Ramsdell (copy attached). They provided comments about the utilities and mobile home location. The County Recommendation is Local Determination.

***MOTION** was made by Member Reilly to DECLARE THIS A TYPE II ACTION UNDER SEQR and, therefore requires no further action under SEQR. Second by Member LaSpina. Motion passed 4-0.

Discussions were held regarding:

- Public Hearing;
 - The Planning Board members felt a Public Hearing is not necessary.
- The site plan needs added elements;
 - Planning Board approval box;
 - Changes noted in Mark Edsall's Technical Review Comments;
 - Confirmation that the property is 15,000 square feet. If the property is less than 15,000 square feet, the applicant will need to seek relief from the Zoning Board of Appeals for a variance.
 - Confirmation of who owns the easement/Right of Way.

The applicant was advised to make the necessary updates to the site plan and come back before the Board at either the April 5, 2012 Work Session or the April 24, 2012 meeting. Chairman Ramsdell asked if anyone had any other questions and there were no other comments.

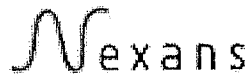
Chairman Ramsdell asked if anyone had anything else to discuss and as there were no other comments, ***MOTION** was made by Member Winters to ADJOURN THE MEETING. Second by Member LaSpina. Motion passed 4-0. Meeting adjourned at 8:45 PM.

Chairman Ramsdell advised that he had a discussion with Mr. Sorrentino regarding the Meadow Hill Senior Housing and was advised they're close to an agreement with a developer to build the entire project.

Respectfully Submitted,



Sandra VanRiper
Planning Board Secretary



To : Alan Dromeshauser

Date: 23 Mar 2012

From: Al Blezy

cc: Steve Hall, Chester Village, Frank Onofrio

Subject: Update - Nexans Chester Cooling Tower

On February 17, 2012, Nexans installed a replacement fan unit onto the cooling tower on the north side of the Nexans facility. This retrofit was installed to reduce the noise emitting from the cooling tower unit.

On March 12, 2012, the fan unit failed. The equipment supplier provided warranty replacement which was installed on March 17, 2012. This equipment failed on March 18 after running for 24 hours. The equipment supplier will analyze the failed components before supplying a replacement unit.

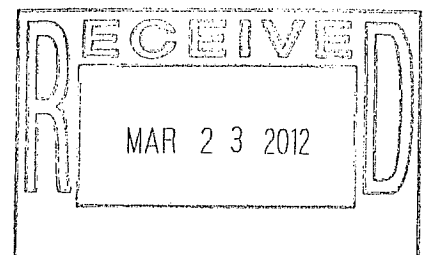
We have re-installed the old unit which is limited to slow speed. This will be replaced as soon as possible.

Do not hesitate to call me if you have any questions.

Regards,

A handwritten signature in black ink, appearing to read 'Al Blezy'.

Alain Blezy
Plant Manager (469-1428)
Nexans Energy USA Inc.
Chester NY 10918



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

March 27, 2012

Current projects that were inspected during the last month:

Satin Fine Foods

1- Work almost complete.

Steris- 23 Elizabeth Dr.

1- Work continues.

All Pets Veterinary - Renovation

1 –Work almost complete.

C&S - Renovation

1- Work underway.

Farrow -55 Main Street

1- Issued Building Permit for renovation and creation of Juice Bar.

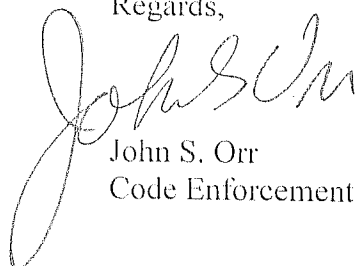
Tartaglione – 69 Brookside Ave.

1- Issued Building Permit for the renovation and creation of Sports Bar in Q-Plaza replacing billiard hall.

Rushing Duck – 1 Battiato Ln.

1- Issued Building Permit for the renovation and creation of Micro Brew.

Regards,



John S. Orr
Code Enforcement Officer



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

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VILLAGE OF CHESTER
PLANNING BOARD
REVIEW COMMENTS

PROJECT NAME: CHESTER MALL PARTNERS SITE PLAN AMENDMENT
(FAST-FOOD RESTAURANT PAD)
PROJECT LOCATION: NYS ROUTE 17M
SECTION 107 – BLOCK 3 – LOT 3
PROJECT NUMBER: 12-01
DATE: 27 MARCH 2012
CONSULTANT: AFR ENGINEERING (JOHN LOCH, P.E.)
PLANS DATED FEBRUARY 14, 2012 (3 SHEETS)
DESCRIPTION: THE PLANS PROPOSE A 3900 SF RESTAURANT ON THE EXISTING
SITE. THE PLANS WERE REVIEWED ON A CONCEPT BASIS ONLY.

1. The applicant provided a three sheet set as follows:
 - Sheet 1 – Overall Site Plan
 - Sheet 2 – Partial site plan for Restaurant area
 - Sheet 3 – Detail Sheet
2. We have made a cursory review of the plans for content and have the following comments (in order of the sheet numbers):

Sheet 1 – Overall Site Plan

- The drawing provides an overall plan for the site but fails to depict the proposed building and improvements on the overall site. The drawings should be modified to provide an overall existing conditions plan and an overall proposed site plan.
- The existing condition plan should be as a result of an actual field survey and verification of accuracy for current conditions, with such certification by the surveyor or engineer on the plan.

REGIONAL OFFICES

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- The proposed traffic patterns for the revised partial site should be defined relative to the surrounding traffic patterns, and parking layout, on the site. The partial plan (sheet 2) is not adequate for this purpose.
- The Overall Proposed site plan should have occupancies defined on the plan (by number) and the parking calculations table should be cross – referenced on this plan with the occupancy number, business name, business classification (based on zoning), and parking calculation. (table should not be on a separate plan).
- The parking calculation should define the total number of spaces required, provided, shortage and amount of variance required (if any).
- The limits of the partial site plan should be depicted on the Overall Proposed Site Plan.

Sheet 2 – Revised Site Plan

- This is a partial site plan, which should be keyed to the Overall Site Plan.
- Handicapped spaces do not appear to meet State Requirements. (note that size of plan view does not match size as dimensioned on detail sheet 3).
- All aisle widths and lane widths should be dimensioned. For angled parking, actual proposed angle shall be depicted.
- Adequacy of turning radii for vehicle movements for drive thru lane should be verified.
- Additional information regarding sidewalks, ramps, landscaping, lighting, etc. is required.
- Diameter of existing sewer main and water main (proposed connections are being made to) should be called out.
- Sewer lateral should include a grease trap system as required by local code.
- Plan should in all cases verify existing vs. proposed.
- The plan does not identify a waste dumpster, which will presumably be required for this restaurant.

Sheet 3 – Detail Sheet

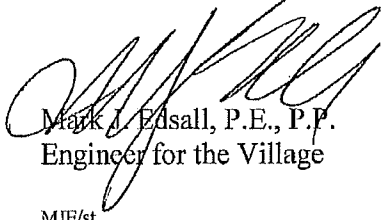
- Trench Drain Detail provided; unable to locate on site plan.
- Parking Delineation detail dimensions do not match code requirement.

3. The plans should include an approval box, with the Village Project Number (noted above) included

in the box. The box should be in the bottom right hand fold of the plans, on each sheet.

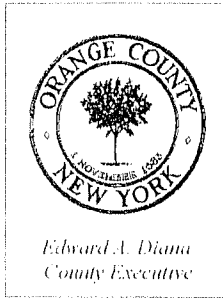
4. Further detailed reviews will be made as the plans progress.
5. The Planning Board should discuss, with the Attorney for the Planning Board, the appropriate steps to initiate SEQRA review of the application.
6. The project is adjacent to NYS Route 17M and, as such, must be referred to the Orange County Planning Department as per New York State General Municipal Law (GML 239).

Respectfully Submitted,



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

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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

Referral ID #: CHV 02-12M

Applicant: Chester Mall Partners LLC

Tax Map #: 107-3-3

Project Name: Chester Mall Revised Site Plan

Local File #: 12-01

Proposed Action: Site Plan revision for new 3,900 sq. ft. restaurant and appurtenant utility work, lighting and landscaping in existing developed site

Reason for County Review: Within 500 feet of NYS Route 17M and NYS Route 17; within 500 feet of Village of Chester/Town of Chester boundary

Date of Full Statement: March 20, 2012


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 have no advisory comments regarding this application.

County Recommendation: Local Determination

Date: March 22, 2012

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 online at www.orangecountygov.com/planning.



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**VILLAGE OF CHESTER
PLANNING BOARD
REVIEW COMMENTS**

PROJECT NAME: CHESTER P.B.A. CARNIVAL (TEMPORARY SITE PLAN)
(INCLUDING OUTSIDE RETAIL DISPLAY / SALES)
PROJECT LOCATION: CHESTER MALL (NEAR GREENHOUSE)
PROJECT NUMBER: 12-03
DATE: 27 MARCH 2012
DESCRIPTION: THE APPLICATION PROPOSES A TEMPORARY CARNIVAL USE AT
THE EXISTING CHESTER MALL FACILITY.

1. I have reviewed the plan relative to the current standard list for temporary site plans. This appears to be the same layout as discussed during 2003, 2004, 2005, 2006, 2007, 2009, 2010 and 2011 (applications 03-08, 04-07, 05-04, 06-01, 07-05, 09-03 & 10-4, 11-02). *This year, the application also includes temporary outside sales/display for a five foot strip along the mall storefronts.* The items and their status are as follows:

- *Dates of Activity* – Need to be completed on plan
- *Hours of Operation* – Need to be completed on plan
- *Off-street Parking* – Area depicted on plans
- *On-site office or trailer* – issue covered as note #2 on plan
- *Setback of Activity from Property Line or Roadway* – previous application information advised that a sloped grassed area separates the carnival area from the roadway.
- *Signs* – none proposed (see note #3)
- *Lighting* – issue covered as note #3 on plan
- *Barriers (Vehicle to Pedestrian)* – barrier or fencing is delineated on the plan.(see note 1)
- *Vendors Permit* – the applicant should be advised that they must obtain the necessary permit.

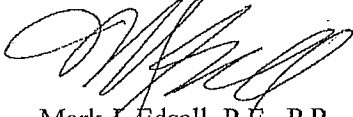
2. The Board should advise the applicant that they must coordinate any temporary utility services with the applicable departments (ie contact Tom Becker re water, etc.). (also see note #5)

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3. The Planning Board may wish to classify this application/action as a minor temporary use of land having negligible or no permanent impact on the environment, which would classify it as a Type II action under SEQRA. If so classified, no further action is needed.
4. I am not aware of any reason why the board could not consider this temporary use application for site plan approval.

Respectfully Submitted,



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

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**McGOEY, HAUSER and EDSALL
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**VILLAGE OF CHESTER
PLANNING BOARD
REVIEW COMMENTS**

PROJECT NAME: GARY SMITH SITE PLAN.
(PROPOSED 3-UNIT MOBILE HOME PARK)
PROJECT LOCATION: OFF GREYCOURT AVENUE
SECTION 106 – BLOCK 2 – LOT 10
PROJECT NUMBER: 12-02
DATE: 27 MARCH 2012
CONSULTANT: JOHN MCGLOIN, PLS
PLAN DATED REV. MARCH 2, 2012
DESCRIPTION: THE APPLICATION PROPOSES THREE (2) MOBILE HOME UNITS ON
A 0.323 +/- ACRE PARCEL ON THE NORTH SIDE OF GREYCOURT
AVENUE. THE PLAN WAS REVIEWED ON A CONCEPT BASIS
ONLY.


1. The property is located in the RMH zoning district of the Village. Mobile Dwelling Parks are permitted with a requirement of 5000 sf per unit (as well as other bulk requirements). A cursory review of the plan indicates that the site would only qualify for two mobile homes, not three as is shown on the plan. The setbacks depicted appear to be correct for the zone and use.
2. We have completed a concept / sketch review of the plan submitted and have the following initial comments:
 - The drawing should have a location plan.
 - The drawing should include a complete bulk table, with required and provided values.
 - The limits of the right of way should be confirmed, to insure that the parking spaces shown do not obstruct the use of the ROW.

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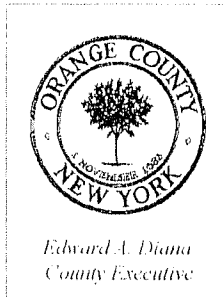
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- The spacing of the two northerly units is very close. Compliance with applicable building code requirements should be verified with the Code Enforcement Officer.
 - The board should note that the parking spaces nearly touch the units themselves. Entering and exiting vehicles will be nominal.
 - The plan does not provide any information regarding sewer and water utilities. This must be added and demonstrate adequate service. As well, Orange County Department of Health approval may be required.
 - The plan should include an approval box, with the Village Project Number (noted above) included in the box. The box should be in the bottom right hand fold of the plans, on each sheet.
3. The Planning Board should discuss, with the Attorney for the Planning Board, the appropriate steps to initiate SEQRA review of the application.
 4. The applicant should submit verification that this application is not subject to review of the Orange County Planning Department, as per New York State General Municipal Law (GML 239).

Respectfully Submitted,



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



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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: Gary Smith

Project Name: Smith—Mobile Home Park

Proposed Action: Site Plan for new installation of three mobile homes on pads

Reason for County Review: Within 500 feet of NYS Route 17M and NYS Route 17; within 500 feet of property owned by Orange County and used for recreational purposes (Heritage Trail); within 500 feet of Village of Chester/Town of Chester boundary

Date of Full Statement: March 20, 2012

Referral ID #: CHV 01-12M

Tax Map #: 106-2-10

Local File #: 12-02

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:

Utilities: We advise the Village that no information is provided regarding water supply or sanitary sewage disposal. Please ensure that the project has sufficient connections to public water and sewer, or that a well or wells and septic system or systems are provided onsite.

Mobile Home Location: We note that the southwest corner of the northernmost mobile home is located less than five feet from the center mobile home. We advise the Village that the proximity of the mobile home structures may cause a safety hazard. As an alternative, the applicant may wish to relocate the proposed parking spaces to make more room for the mobile home structures.

County Recommendation: Local Determination

Date: March 22, 2012

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 online at www.orangecountygov.com/planning.