

MINUTES

VILLAGE OF CHESTER PLANNING BOARD

JUNE 26, 2012

REGULAR MEETING

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

NOT PRESENT: Robert JANKELUNAS, Member
John REILLY, Member

REGULAR MEETING – 7:00 PM

Chairman Ramsdell opened the Regular Meeting at 7:04 PM.

1. Minutes

Review Draft of May 2012 Planning Board Meeting Minutes

***MOTION** was made by Member LaSpina, second by Member Winters, to ACCEPT THE MAY 2012 MEETING MINUTES as drafted. Motion passed 3-0.

2. Correspondence

- Findings Statement regarding BT Holdings as produced by the Chester Town Board. It was confirmed the Findings Statement is on the Town website and a copy will be kept on file at the Village Hall.;
- Orange and Rockland letter regarding gas pipeline safety;
- Orange and Rockland letter regarding working in their easements;
- Survey.

3. Code Enforcement Officer Report

Presented by John Orr (copy attached).

Board comments/questions:

- CEO John Orr advised that Lowe's has corrected all the lighting issues and that the final Certificate of Occupancy will be issued in the next few weeks.

4. Projects for Review

a. **Project # 12-05** **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**

- No changes to the site plan other than the year;
- Applicant had a question about signage – she will work on the signage with John Orr.
- Applicant indicated she would like to open July 1, 2012;
- No additional SEQRA review since this is a Type II action.

***MOTION** was made by Member LaSpina, second by Member Winters, to EXTEND THE TEMPORARY SITE PLAN APPROVAL TO DECEMBER 31, 2012. Motion passed 3-0.

- b. Project # 10-02 Project Name: Contorino – Site Plan Amendment**
Applicant/Owner: Mario & Lisa Contorino
Location: Garden Street (SBL 101-1-9 / RA Zone)
Re: Site Plan Amendment – Warehouse / Office Space
Presented By: Mario & Lisa Contorino

Overview provided by Jim Dillin:

- New information submitted
 - MSDS sheets from the tenant;
 - Equipment list;
 - Site Improvement list
 - The issue whether the lights on the exterior of the building need to be shielded has been resolved by the owner replacing the lights with shielded lights.
- It was requested that the applicant be given a 3 month time limit to file the updates to the Site Plan and to complete the required improvements.
- Discussion was held on why the outside storage is needed
 - Storage for equipment only – cement mixers, etc
 - Storage area shown on the site plan as a 16 FT X 30 FT area.
- Discussion was held regarding the Special Permitted Use:
 - How long can the special permitted use be extended?
 - Should it be timed to ensure timely review?
 - Is the approval specific to the use applied for?

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

***MOTION** was made by Member Winters, second by Member LaSpina, to DECLARE THIS AN UNLISTED ACTION UNDER SEQR and, therefore requires no further action. Motion passed 3-0.

***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 3-0.

***MOTION** was made by Member Winters, second by Member LaSpina, to GRANT CONDITIONAL FINAL SITE PLAN APPROVAL AND SPECIAL PERMIT FOR WAREHOUSING AND EQUIPMENT STORAGE. Conditions of approval are: payment of all fees within 30 days; submission of final revised site plan within 30 days; the Special Permitted Use is valid for 2 years from June 26, 2012 and is subject to no change of use as well as notice to the Village of Chester should there be a change in use, intensity and/or tenant. Motion passed 3-0.

Jim Dillin will provide a final cost of the public and private improvements to determine the final fees.

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

- c. 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, AFR / Chester Mall Partners, LLC (Joshua Goldstein)

Discussion was held regarding:

- Parking
 - The applicant contracted an outside consultant to review the parking and provide a report (copy attached).
 - The report was provided to the Village on 06-26-2012.

- The focus of the report is on parking utilization demonstrating that there was more substantially more parking available than the site utilizes.
- Deliveries
 - No definite plans on truck deliveries as there is no confirmed tenant, but the applicant believes the site plan is flexible enough to accommodate any tenant.
 - Generally the smaller restaurants use smaller trucks and larger restaurants use larger trucks.
 - It was suggested that, if there were an issue, the employees could park in the spaces that would be potentially be blocked by deliveries.
 - Mark Edsall suggested that the tenant could utilize the outer row of parking for deliveries and create a break in the curb for the deliveries to be transported to the restaurant.
- Bicycle rack locations were confirmed to have been placed in three locations revised "Chester Mall Overall Site" plan.

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

***MOTION** was made by Member LaSpina, second by Member Winters, to DECLARE THIS A TYPE II ACTION UNDER SEQR and, therefore requires no further action. Motion passed 3-0.

It was noted that no Public Hearing is required at this time, but the Board reserves the right to require a Public Hearing if warranted if the applicant files an amended site plan with changes based on the actual user specific plans.

***MOTION** was made by Member Winters, second by Member LaSpina, to GRANT CONDITIONAL APPROVAL OF THE SITE PLAN AS SUBMITTED based on the review of the submitted site plans, parking information, SEQR review, etc.

Conditions of approval:

- Submittal of final site plans with additional landscaping plans (this pad and adjoining areas of site), note on plan regarding parking evaluation, revision to address truck deliveries.
- Payment of fees
- Submittal of user specific plans as an amendment if changes are required to suit tenant. Plans shall address parking, deliveries, landscaping, walkways, etc. in further detail based on specific tenant.
- Approval expires one year from 06-26-2012.

Motion passed 3-0.

5. General Discussion

No general discussion held.

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 3-0. Meeting adjourned at 8:50 PM.

Respectfully Submitted,



Sandra VanRiper
Planning Board Secretary

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

June 26, 2012

Current projects that were inspected during the last month:

C&S - Renovation

- 1- Work complete on banana rooms.
- 2- Now starting renovation to break rooms.

Tartaglione – 69 Brookside Ave.

- 1- Work underway.

Rushing Duck – 1 Battiato Ln.

- 1 - Work underway.

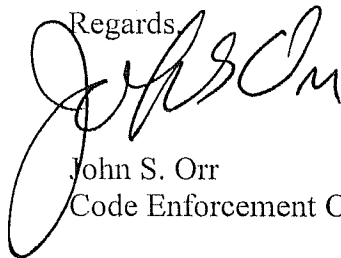
Marco – 118 Main Street

- 1 – Some work has started.

Paul Davis Restoration – 4111 Whispering Hills Dr.

- 1 – Issued building permit for the repairs from car impact.

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)

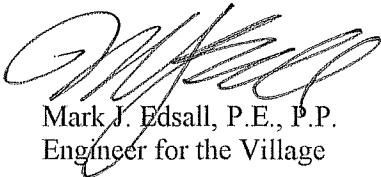
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VILLAGE OF CHESTER
PLANNING BOARD
REVIEW COMMENTS

PROJECT NAME: CONTORINO SITE PLAN
PROJECT LOCATION: GARDEN STREET
SECTION 101 – BLOCK 1 – LOT 9
PROJECT NUMBER: 10-02
DATE: 26 JUNE 2012
CONSULTANT: JAMES DILLIN, PLS
PLAN REVISED JUNE 14, 2012
DESCRIPTION: THIS IS A REVISED APPLICATION FOR A NEW TENANT AT THE SITE.
THE USE NOW PROPOSED IS A WAREHOUSE & OFFICE SPACE. THE NEW
SITE OPERATION WAS PREVIOUSLY REVIEWED AT THE 24 APRIL 2012
AND 22 MAY 2012 PLANNING BOARD MEETINGS.

1. As previously noted, based on my review of the plan and discussions at the worksession meeting, the exterior improvements associated with the previous reviews and prior proposal remain proposed as part of this updated application. In addition, some of the operational restrictions (closure of doors during any machine operations) remain part of the proposal. My records indicate the application previously received conditional approval and special permit on 6-28-2011.
2. It is our understanding that the materials referenced on the submitted MSDS sheets will be stored at the site, and that no application of materials or use of equipment (other than running equipment for maintenance) is to occur. A note should be added to the plan to affirm the same.
3. The plan has been revised as requested. Note the following:
 - A wheelstop has been added for space #5.
 - The outside storage area (16' x 30') is shown at the rear.
 - As previously noted, the word "saws" should be removed from note #6 as the manufacturing use is no longer proposed.

Respectfully Submitted,

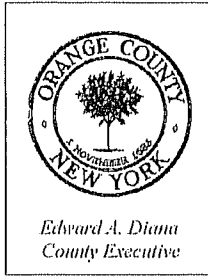


Mark J. Edsall, P.E., P.P.
Engineer for the Village

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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: Mario and Lisa Contorino
Project Name: Contorino ASP
Proposed Action: Site Plan and Special Use Permit to install handicapped parking space, signage, landscaping and ramp for existing workshop and warehouse
Reason for County Review: Within 500 feet of NYS Route 94, property owned by the Village of Chester, and the Village of Chester/Town of Chester boundary
Date of Full Statement: May 30, 2012

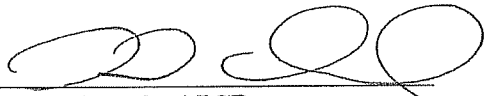
Referral ID #: CHV 03-12M
Tax Map #: 101-1-9
Local File #: none provided

Comments:

The Department has received the above referenced site plan and special use permit and has found no evidence that significant intermunicipal or countywide impacts would result from its approval. We have no advisory comments regarding this application.

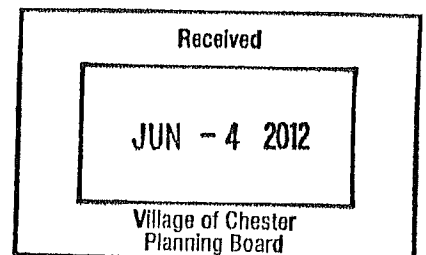
County Recommendation: Local Determination

Date: May 31, 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 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: 26 JUNE 2012
CONSULTANT: AFR ENGINEERING (JOHN LOCH, P.E.)
REV. 2 DATED 6-13-12 (SHEETS 1, 2 AND 3 OF 3)
DESCRIPTION: THE PLANS PROPOSE A 3900 SF RESTAURANT ON THE EXISTING
SITE. THE PLANS WERE PREVIOUSLY REVIEWED AT THE
27 MARCH 2012 AND 24 APRIL 2012 PLANNING BOARD MEETINGS.

1. We have received revised plans for the project, as noted above. Our comments on the plans are as follows:

Sheet 1 – Overall Site Plan

- As previously noted, this drawing was revised to depict the proposed fast food pad and associated parking, in relation to the overall site. As well, a parking table is on this plan which addresses the site in its entirety. The table continues to indicate that this application increases the parking shortage on the overall site by 88 spaces. The applicant has indicated that they are retaining a traffic consultant to examine the parking requirements. We have not yet received that analysis.
- Pursuant to discussions with the Board, the plan now notes bike racks at several locations.

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Sheet 2 – Revised Site Plan

- The plan now includes a location for deliveries (noted as loading/unloading area). I do not believe the location is realistic if the deliveries are anticipated via tractor trailers, which average about 65-70 feet. Barely 70 ft. is provided and it would be inaccessible if cars are parked in the adjoining spaces (if the truck did get in it would block at least one car from leaving). These tractor trailers are common for fast food restaurants and many times the deliveries occur during business hours.
- Perhaps the applicant has some new information on the proposed end user and building detail. Information such as door locations would be helpful to insure that the access points “work” based on sidewalk width at location, and traffic flow.

Sheet 3 – Detail Sheet

- Since traffic will access the ingress / egress from both directions, each one way sign will need to be back to back units (visable from each side). They should be mounted to twin posts.
2. The Planning Board should discuss, with the Attorney for the Planning Board, the status of SEQRA.
 3. Status of the referral to the Orange County Planning Department should be discussed.
 4. The Planning Board should determine, for the record, if a Public Hearing will be required for this Site Plan, per its discretionary judgment under Section 98-28 (B) of the Village Code.

Respectfully Submitted,



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