

## MINUTES

### VILLAGE OF CHESTER PLANNING BOARD

SEPTEMBER 18, 2012

#### REGULAR MEETING

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

#### **REGULAR MEETING**

Chairman Ramsdell opened the Regular Meeting at 7:05 PM.

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

Review Draft of August 2012 Planning Board Meeting Minutes

\***MOTION** was made by Member Reilly, second by Member Jankelunas, to ACCEPT THE AUGUST 2012 MEETING MINUTES AS AMENDED. Motion passed 5-0.

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

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

Presented by John Orr (copy attached).

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

**Project # 12-07 Project Name: 51 Meadow Avenue Special Use Permit**

Applicant/Owner: N2O Enterprises LLC (Matthew Houston) / Thundarr Blackstar

Location: 51 Meadow Avenue (SBL 101-4-4 / RA Zone)

Re: Special Use Permit to allow construction of a 2 Family Residence in the RA Zone.

Presented By: No representative present

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

- Engineer Mark Edsall suggested the Board accept the letter submitted via e-mail by Sue Conklin, PE (copy attached) and consider making one of the conditions of approval that she provide a signed/stamped letter;
- Comment # 3 was resolved with the submission of a letter from Sue Conklin, PE;
- Comment # 4 was resolved with a discussion about SEQRA;
- Comment # 5 was resolved with a brief discussion about requiring a Public Hearing and the determination that a Public Hearing was necessary;
- Comment # 6 was resolved as the application has already been sent to Orange County Planning for review.

As the applicant was not present, a brief overview of the project was provided by CEO John Orr:

- The applicant, N2O Enterprises LLC / Matthew Houston, is in the process of purchasing the property;
- The property is a triangle shaped parcel with a single family home;
- The previous owner did not maintain the property and the current owner has not made any improvements to the maintenance of the property;

- The applicant would like to remove the existing structure and construct a two family home;
- The property is located in the RA Zone, which only allows for a single family home;
- The applicant received a side yard variance, rear yard variance and a use variance from the Zoning Board of Appeals;
- It was noted that the Zoning Board of Appeals held two public hearings – the first public hearing was attended by 3 neighbors, who indicated they support positive changes to the property. There were no residents in attendance at the second public hearing, which was held to allow the applicant to provide financial information in support of the use variance application;
- It was noted that there are currently three properties improved with single family homes on Meadow Avenue that are in foreclosure;
- The property's rear yard is close to Potter Lane, but is not accessible by Potter Lane.

**\*MOTION** was made by Member Reilly, second by Member LaSpina, to DECLARE THIS A TYPE II ACTION UNDER SEQRA and, therefore requires no further action. Motion passed 5-0.

**\*MOTION** was made by Member Jankelunas and second by Member LaSpina to SET THE PUBLIC HEARING FOR TUESDAY, OCTOBER 23, 2012 AT 7:00 PM. Motion passed 5-0.

It was noted for the record that the applicant did not attend the Planning Board meeting. The Board requested a letter be sent to the applicant with a copy of Mark Edsall's comments and indicate they could attend the October Work Session should they have any questions.

#### **5. General Discussion**

- Chairman Ramsdell discussed what he learned at the OCMPF Chairs Meeting on 09-13-2012.
- CEO, John Orr asked the Board about their thoughts on lighting in the village – specifically LED lights with respect to gas station signs.

Chairman Ramsdell asked if anyone had anything else to discuss and as there were no other comments, **\*MOTION** was made by Member Winters, second by Member Jankelunas, to ADJOURN THE MEETING. Motion passed 5-0.

**Respectfully Submitted,**



**Sandra VanRiper  
Planning Board Secretary**

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

September 18, 2012

Current projects that were inspected during the last month:

Tartaglione – 69 Brookside Ave.

1- Work continues at a slow pace.

Rushing Duck – 1 Battiato Ln.

1 - Work is now complete.

Marco – 118 Main Street

1 – Work has stopped.

Paul Davis Restoration – 4111 Whispering Hills Dr. ---

1 – Work now complete.

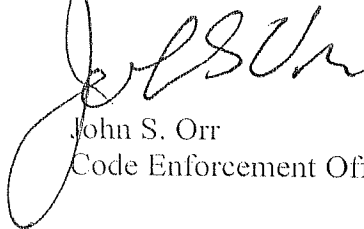
Bruedan- Sanford Ave

1- Building down, concrete stockpiled, topsoil and seed down.

Chester Collision – 63 Brookside Ave

1 – Issued building permit.

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:** N20 ENTERPRISES LLC  
(MATTHEW HOUSTON)  
**PROJECT LOCATION:** 51 MEADOW AVENUE  
SECTION 101 – BLOCK 4 – LOT 4  
**PROJECT NUMBER:** 12-07  
**DATE:** 18 SEPTEMBER 2012  
**CONSULTANT:** JOHN McGLOIN, PLS  
**PLAN DATE:** REVISED 9/12/12  
**DESCRIPTION:** APPLICATION PROPOSES THE DEMOLITION OF AN EXISTING  
STRUCTURE AND “RUINS” AND CONSTRUCTION OF A NEW TWO-  
FAMILY RESIDENTIAL STRUCTURE. THE PLAN WAS REVIEWED  
ON A CONCEPT BASIS ONLY.

1. The property is (to my understanding) in the RA zoning district of the Village. Single family residences are allowed as a Special Permitted Use in the zone, limited to that one dwelling unit. The request for a two-family was before the Village Zoning Board of Appeals and it is my understanding that the use was permitted with the setbacks shown on the plan being found acceptable.
2. We have reviewed the plan submitted and have the following comments:
  - The Plan title should be revised to note the same as a Site Plan. (also see below).
  - It would be helpful if the plan had a location plan.
  - Water and sewer services should be shown.
3. A request has been made of the applicant to have a professional perform exploratory tests to determine if the site is subject to “black dirt” type soils. If information is available, we will review the same and discuss the test observations at the meeting.

**REGIONAL OFFICES**

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• 540 BROADWAY • MONTICELLO, NEW YORK 12701 • 845-794-3399 •

4. The Planning Board should discuss, with the Attorney for the Planning Board, the appropriate steps to initiate SEQRA review of the application.
5. The Planning Board should review (with the Planning Board's Attorney) the disposition of a Public Hearing. Residential uses are a Special Permit Use in this zone (which I believe would require a Public Hearing) but this application is for a two-family which is not permitted but was allowed by a variance from the ZBA.
6. 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).
7. It appears that a portion of the roadway of Meadow Avenue, as well as some drainage improvements, are within the bounds of the deed parcel of the property. A dedication to the Village may be in order.
8. The application involves single-family development with disturbance less than a total of five acres; as such a full SWPPP is not required. The plans should include soil erosion and sedimentation prevention measures (especially in this case to protect the nearby black dirt farm areas). A plan view of the provisions, and appropriate details should be provided as part of the site plan submittal.

Respectfully Submitted,



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

## Village of Chester Building Dept

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**From:** Dolly Conklin <pinehillfarmvegetables@yahoo.com>  
**Sent:** Thursday, September 13, 2012 3:20 PM  
**To:** vcbldg@frontiernet.net  
**Subject:** Fw: 51 meadow avenue

----- Forwarded Message -----

**From:** Dolly Conklin <pinehillfarmvegetables@yahoo.com>  
**To:** "vcbldt@frontiernet.net" <vcbldt@frontiernet.net>  
**Sent:** Thursday, September 13, 2012 3:17 PM  
**Subject:** 51 meadow avenue

Hi John,

I am writing to let the Village of Chester Planning Board know that I have reviewed the drilling logs conducted by Allied Drilling of Orangeburg, NY at 51 Meadow Avenue on 9/11/12.

Two borings were conducted which included split spoon sampling as well as standard penetration testing.

The standard penetration testing was conducted continuously from depths of 0 to 10 ft and then at 5 ft intervals until the end of borings at 27'. The soil in this location is fine sand with various amounts of silts and gravel. No soft soil intervals were encountered during drilling.

I have analyzed the boring logs and results of standard penetration testing and have found them adequate for allowable bearing capacity of a standard footing (18") or residential concrete slab (6 to 8").

Please let me know any questions you may have, I can be reached by cellular (802) 999 2069.

Best Regards,  
Sue Conklin, PE  
NYS 79720 renewal in process pending continuing education requirements.