

MINUTES

VILLAGE OF CHESTER PLANNING BOARD

MAY 28, 2013

REGULAR MEETING

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

REGULAR MEETING 7:00 PM

**1. MINUTES**

April minutes were not available.

**2. CORRESPONDENCE**

No correspondence was received.

**3.** Chairman Ramsdell welcomed Missy Sosler as the new Planning and Zoning Board Secretary. He also thanked Sandy VanRiper for continuing to do the meeting minutes.

**4.** Chairman Ramsdell also mentioned that a flyer was received from Chester Industrial park inviting everyone to a BBQ on 6/6/13.

**5. Code Enforcement Officer Report**

Presented by John Orr (copy attached).

**6. Projects for Review**

<b>Project # 13-03</b>	<b>Project Name: Chester C&amp;S Site Plan Amendment</b>
<b>Applicant/Owner:</b>	<b>C&amp;S Wholesale Grocers, Inc.</b>
<b>Location:</b>	<b>1 Elizabeth Drive</b>
<b>Re:</b>	<b>Add more truck lanes and install new security post.</b>
<b>Presented By:</b>	<b>Greg DeMinico</b>

Greg DeMinico, Director of Facility Construction, provided the presentation:

- This application is a request to enlarge the main truck entrance to 4 lanes to reduce traffic congestion and also create a second inbound entrance on the west end of Leone Lane to help with inbound traffic and install a new security post.

- Create 4 inbound lanes at peak times and holidays.
- Have 2 inbound and 1 outbound lane during regular hours.
- At this time, trucks are not able to get in efficiently on time.

Mark Edsall's comments were reviewed (copy attached), by John Szarowski and general discussion was held regarding:

\*The note on the drawing needs to state clearly the project number, date of prior site plan approval and what the purpose of the drawing is. This is to highlight and list the changes on the drawing since the previous approval.

\* The amendment revises only the portion of site within Village of Chester and no modifications within the Town of Chester are included in the amendment. Referrals are needed to both the Orange County Dept. of Planning and Town of Chester. Both letters were mailed on 5/24/13.

\* Additional signage may be required to establish a fire lane.

\* There is a contradiction as to why "Do Not Enter" signs would be covered during non-peak times as well as Entrance Only signs.

A resolution was made to hold a Public Hearing at the next meeting, June 25, 2013 at 7pm.

## **7. Project # 12-08**

**Applicant/Owner: Ciro (John) Sorrentino**

**Location:**

**Re: Apartments**

**Presented By: Mark Siemers, Project Engineer**

Mr. Siemers conducted the presentation. He advised that this is not a new application but a revision of Project 05-01. The property has received a zone change to RM from the Village Board. The revised project will be an apartment complex with 108 units: 36 will be one bedroom and 72 will be two bedrooms. All ground floor units will be offered to seniors (55 and older) and disabled persons. The project is proposed to be completed in 2 Phases. Mr. Siemers asked the board for a sketch plan approval. Chairman Ramsdell advised that the Zoning Law does not authorize preliminary or sketch plan approvals. The board brought attention to the following concerns: traffic, schools, banking parking, drainage and a buffer tree line at adjacent RS zone districts. It was suggested that they attend the next workshop session on 6/6/13.

**8. General Discussion**

**Sign Code Changes**

John Orr announced that he has established a committee for the sign code changes. The members are as follows: PB Member Winters, PB Chairman Ramsdell, VB Member Roggia and John Orr. A review meeting was held on the afternoon of 5/28. They addressed the following issues regarding the signage: new technology including electronic signs, nuisance signs and signs not conforming to our code. Mr. Orr drafted a seven page document for review in the hope it will bring the village up to date with past problems. It will also highlight new and changed criteria.

Chairman Ramsdell asked if anyone had anything else to discuss and there were no other comments, **MOTION** was made by Member Winters, second by Member Reilly, to ADJOURN THE MEETING at 8:04pm. Motion passed 4-0.

**Respectfully Submitted**

**Missy Sosier  
Planning Board Secretary**

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

May 28, 2013

**Current projects that were inspected during the last month:**

Tartaglione – 69 Brookside Ave.

1- No change from last month.

Marco – 118 Main Street

1 – No work has started.

Chester Collision – 63 Brookside Ave

1 – Project complete.

Houston – 51 Meadow Ave

1- Final inspection this week.

Boodles – 37 Main Street

1- Cosmetic work continues.

Kramer – 22 Maple

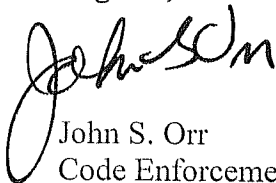
1- Issued permit for new half bathroom.

Bukowski – 16 Chester Acres Blvd.

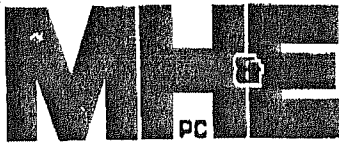
1- Issued permit for an addition.

Spoke with Allen's Falafel who would like to expand his dining area taken the space next to him. Being that that space was retail and had some parking allocated under the last site plan I approved the increase in space.

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 & PA)  
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:** C&S WHOLESALE SITE PLAN AMENDMENT  
(TRACTOR TRAFFIC REVISIONS)  
**PROJECT LOCATION:** ELIZABETH DRIVE & LEONE LANE  
SECTION 118 – BLOCK 1 – LOT 7.1  
**PROJECT NUMBER:** 13-03  
**DATE:** 28 MAY 2013  
**CONSULTANT:** DEWOLFE ENGINEERING ASSOCIATES  
**PLAN DATE:** PLAN DATED 8 MAY 2013  
**DESCRIPTION:** THE APPLICATION PROPOSES REVISIONS TO THE TRUCK  
ENTRANCE, TRUCK EXIT, PROPOSES ADDITIONAL TRAFFIC  
CONTROL SIGNAGE AND ADDS AN EMPLOYEE BREAK AREA.  
THE PLAN WAS REVIEWED IN CONCEPT.

1. The applicant has (as requested) included a site plan note which outlines the scope of the amendment proposal. This note is located on the lower right hand area of the plan. It is our understanding that these improvements are intended to address operational traffic problems that are being experienced during peak operating periods.

The note should be revised as follows (in addition to any other requirements of the Board):

- Change “Notes” to “Note”
  - Clearly indicate purpose of the note on the plan
  - Note should reference project number and date of approval for prior site plan.
2. It is our understanding that this amendment revises only the portion of the site within the Village of Chester, and no modifications are proposed within the Town of Chester. Notwithstanding same, given the proximity to the municipal boundary, referrals are needed to both the Orange County Department of Planning and Town of Chester to comply with GML 239 and make them aware of the proposal.

**REGIONAL OFFICES**

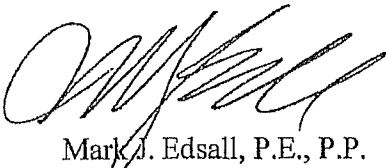
• 111 WHEATFIELD DRIVE • SUITE ONE • MILFORD, PENNSYLVANIA 18337 • 570-296-2765 •  
• 540 BROADWAY • MONTICELLO, NEW YORK 12701 • 845-794-3399 •

3. We have performed a concept review of the plan submitted and provide the following initial comments:

- If the cross-hatched lane is to be formally established as a Fire Lane, additional signage may be required. The Code Enforcement Officer should advise in this regard.
- During the worksession meetings, it was agreed that (to avoid confusion) there would be no difference in traffic movements between peak and non-peak conditions (ie the direction of travel would be the same at all times). I am confused why the plan notes indicate that the "Do Not Enter" signs on the south side of the twin security posts would be "covered during non-peak times". This contradicts the previous discussions.
- Similarly, the "Entrance Only" signs are noted to be covered. I recommend against this as well.
- For clarity, we recommend that R6-1 DOT style One Way signs be required at the truck entrances and exit locations. THESE SIGNS SHOULD NOT BE COVERED AT ANY TIMES.
- Similar to the concerns noted above, the "Do Not Enter" signs at the east end of Leone Lane are noted to be covered during non-peak periods. I also recommend against this.
- In title block "Site Plan" should be changed to "Site Plan Amendment".
- The approval box should be revised to standard Village requirement and include the project number noted above.

4. In short, as noted above, I recommend that the Board work with the applicant on a revised and improved traffic movement plan, which in its implementation will not cause more confusion and traffic problems. I believe the plan submitted is not acceptable from this standpoint.

Respectfully Submitted,



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

§ 98-19. Signs.

**[Amended 2-10-1992 by L.L. No. 2-1992]**

A. Objective of Sign Ordinance. These regulations are promulgated for the purpose of controlling existing and proposed outdoor signs of all types which are visible from streets in the Village in order to:

- (1) Promote public safety and welfare by reducing distraction and obstructions to motorists which may contribute to traffic accidents and by reducing hazards that may be caused by signs overhanging streets in the Village; and
- (2) Create a more attractive economic and business climate, lessen congestion of land and air space, enhance and protect the physical appearance of the community visible from the streets in the Village and provide a more aesthetically enjoyable and pleasing community. It is further intended to provide more visual open space and enhance the community's appearance and attractiveness.

B. Unless specifically permitted herein or required to be permitted as a matter of freedom of speech by the Constitution of the United States or the Constitution of the State of New York, all signs are prohibited.

**[Amended 2-11-2002 by L.L. No. 2-2002]**

C. Signs permitted in residence districts. The following signs shall be permitted in residence districts:

- (1) Real estate signs not exceeding six square feet in area, advertising the sale, rental or lease of the premises on which they are maintained. Such signs shall be distant at least 25 feet from any street line or not more than five feet in front of any building that sets back less than 25 feet from the street line.
- (2) One nameplate or professional or announcement sign in connection with a residential building not exceeding two square feet in area.
- (3) One identification sign not exceeding 16 square feet in area, for a place of worship, parish house, religious school building, hospital, nursing home, private school or apartment building, subject to Article V hereof. Such sign shall refer only to the premises upon which it is located. Such sign shall not be located in a required yard unless affixed to the wall of a building, except that in no case need it be located more than 25 feet from the street line. Notwithstanding the above, a bulletin board of a place of worship, not more than 12 feet square, may be placed no closer than 10 feet to a street line.
- (4) A ground-mounted sign shall not project more than five feet above the ground.

- (5) A sign mounted on a building shall not project above the roofline or a line five feet above the top of the roof beams where they join the exterior bearing wall, whichever is lower.

D. Signs permitted in B-1 Districts. The following signs shall be permitted in B-1 Districts:

- (1) Any sign permitted in a residential district, according to residential district regulations.
- (2) Flat business signs which shall not project more than 12 inches beyond the building facade and shall not extend above the roofline or a line five feet above the top of the roof beams where they join the exterior bearing wall, whichever is lower.
- (3) Suspended business signs hung off buildings over sidewalks no larger than 12 square feet in size. Lowest edge of sign must be higher than 8 foot 6 inches over sidewalk surface and be supported solely by the building (no post). Sign must not be closer than 12 inches from road curb.
- (4) The total surface display area of flat business signs and suspended business signs shall not exceed in square feet two times the number of linear feet of the width of the store or building frontage, except that in the case of a corner lot such square foot display area may be increased by one times the number of linear feet of the length of the store or building which faces the secondary street. Said increased permitted display area shall be used only for the erection of a permitted sign on the length of the building or store which faces the secondary street. Where the premises abut a parking lot, the total display area may be increased by 1/2 times the number of linear feet of the width of the store or other building fronting on such parking lot. Such increased display area shall only be utilized for the erection of a permitted sign on that part of the store or building which abuts said parking lot.
- (5) No sign of any kind shall be painted or mounted on the side of a building facing an adjoining residence district, nor shall signs of any kind be placed in the side yard or rear yard area adjoining a residence district.

E. Signs permitted in B-2 Districts. The following signs shall be permitted in B-2 Districts:

- (1) Any sign permitted in a B-1 District, according to B-1 District regulations except suspended signs which are permitted in B-1 District. However, the maximum total area for all permitted flat signs shall not exceed 200 square feet for the frontage on one street and shall not exceed 400 square feet for all sides of a store or building.



- (2) One identity sign per individual use, exclusive of uses in a shopping center. One identity sign is permitted for a shopping center less than 10 acres in area, and two identity signs are permitted for shopping centers in excess of 10 acres.
- (3) Identity signs, which shall not be over 20 feet high above ground level with no part or projection closer to a street line than 20 feet.
- (4) The maximum area for identity signs shall be:
  - (a) For individual uses: 50 square feet for one face or 100 square feet for the two faces of a double-faced sign.
  - (b) For shopping centers: 100 square feet for one face or 200 square feet for the two faces of a double-faced sign.
- (5) In addition to identity and wall signs, gasoline filling stations may have incidental signs indicating services, products, prices, trade information or other information, not including product advertising, which may be attached to the structure or may be listed on one permanently installed sign structure at least 20 feet from any property line.
- (6) No products or product containers or signs shall be closer to a street line than 20 feet.
- (7) The total sign area of incidental signs other than identity and wall signs shall not exceed a total of 40 square feet.
- (8) Billboards and other advertising signs which are not clearly visible from any street in the Village.

E. Signs permitted in M Districts. The following signs are permitted in M Districts:

- (1) For each industrial establishment, one identity sign for each street frontage, each with a maximum area of one square foot for each linear foot of a building facade which fronts on a street.
- (2) Flat wall signs located anywhere on the surface of the building, but in no case shall they project above the roofline or a line five feet above the top of the roof beams where they join the exterior bearing wall, whichever is lower, or ground-mounted signs not to exceed five feet in height and set back at least 25 feet from a street line.
- (3) Billboards and other advertising signs which are not clearly visible from any street in the Village.

G. Signs permitted in any district. The following signs shall be permitted in any district and shall not require a permit:

- (1) Construction signs which identify the architects, engineers, contractors and other individuals or firms involved with the construction, but not including any advertisement of any product, and signs announcing the character of the building enterprise or the purpose for which the building is intended, during the construction period, to a maximum area of 32 square feet for each industrial or B-2 use and to a maximum area of four square feet for each firm in all other districts. The signs shall be confined to the site of the construction and shall be removed within 14 days of the beginning of the intended use of the project.
- (2) Real estate signs advertising the sale, rental or lease of the premises or part of the premises on which the signs are displayed, up to a total area of 12 square feet unless otherwise regulated by Subsection **C(1)** above. Such signs shall be removed within 14 days of the sale, rental or lease of the premises.
- (3) Political campaign signs announcing the candidates seeking public political office and other data pertinent thereto or other signs publishing noncommercial content, up to an area of 16 square feet for each premises. These signs shall be confined within private property.

**[Amended 2-11-2002 by L.L. No. 2-2002]**

- (4) A sign of the temporary poster-type erected for temporary use only and displayed inside a business establishment or affixed to the outside of its show window or on the building which houses such establishment, advertising a special sale for a limited time only of goods, services or entertainment on the premises where displayed; or a similar sign not over three square feet in area advertising some civic event.
- (5) Signs directing traffic movement onto a premises, not exceeding two square feet in area for each sign. Horizontal directional signs on and flush with paved areas are exempt from these standards.
- (6) Signs of educational, religious, governmental or nonprofit organizations containing general public information, or signs of public, quasi-public, commercial, industrial or real estate development uses giving directions thereto. Such signs:
  - (a) Shall require approval of controlling agencies when located on street rights-of-way.
  - (b) Shall not exceed four square feet in area.

(c) May be located on a premises other than that on which the use to which the signs refer is located.

(d) Shall be limited to three signs per use.

(e) Shall be located at least 1,500 feet apart as measured along a street.

H. Signs prohibited in any district. The following signs and types of signs shall be prohibited in any district:

(1) Signs, advertising a structure or device erected or maintained adjacent to a state park or parkway in violation of § 13.07 of the Parks, Recreation and Historic Preservation Law.

(2) Signs which contain or are an imitation of an official traffic sign or signal or contain the words "stop," "go slow," "caution," "danger," "warning" or similar words.

(3) Signs or lights which are of a size, location, movement, content, coloring, shape or manner of illumination which may be confused with or construed as a traffic control device or which hide from view any traffic or street sign or signal.

(4) Signs which move in any manner, consist of moving devices, have a major moving part or which may swing or otherwise noticeably move as a result of wind pressure because of the manner of their suspension or attachment.

(5) Billboards and other advertising signs which are clearly visible from a street in the Village, and signs mounted on rooftops and signs which project out from buildings more than one foot.

(6) Freestanding or projecting signs within an area bounded by the intersection of the right-of-way of two or more streets and located within 30 feet from such intersection along the rights-of-way of such streets, except informational signs erected by a governmental body.

(7) Signs that are displayed in such a manner as to be hazardous to traffic or disturb occupants of any other building.

(8) Signs attached to or incorporated onto any utility pole or light pole.

(9) Signs erected or located on, within or over any public right-of-way, unless specifically permitted herein.

(10) Except as otherwise permitted in this chapter, signs which are not accessory to a use located on the premises.

(11) Inflatable signs.

I. Illumination of signs in any district. The following regulations as to illumination of signs shall apply in all districts:

(1) Signs may be internally lighted or illuminated by a hooded reflector.

(2) No sign shall have blinking, flashing or fluttering lights or other illuminating device which has a changing light intensity, brightness or color.

(3) Exposed reflective-type bulbs or incandescent lamps which exceed 15 watts shall neither be used on the exterior surface of any sign so as to expose the face of the bulb, light or lamp to any public street or adjacent property nor be strung in a series of bulbs.

(4) In the B-2 District, Signs, or portions of, can be of Electronic Message Display (EMD) provided they meet the following criteria.

(a) EMD does not change more than once every 8 (eight) seconds and the electronic message center does not exceed 50% of total sign area permitted.

(b) EMD change is to be instant and take no more than 1 (one) second.

(c) EMD will not flash, fade or scroll.

(d) All devices will be required to have automatic dimming capability that adjusts the brightness to the ambient light at all times of the day and night.

(e) Only one Electronic Message Display per zoning lot. Gasoline filling stations are allowed digital pricing at each pump not to be included in overall sign allotment.

(5) In the M Districts, Signs, or portions of, can be Electronic Message Display (EMD) provided they meet the following criteria.

(a) EMD does not change more than once every 8 (eight) seconds and the electronic message center does not exceed 50% of total sign area permitted.

(b) Billboards and other advertising signs which are not clearly visible from any street in the Village can be up to 100% EMD.

(c) EMD change is to be instant and take no more than 1 (one) second.

(d) EMD will not flash, fade or scroll.

(e) All devices will be required to have automatic dimming capability that adjusts the brightness to the ambient light at all times of the day and night.

(f) Billboards and other advertising signs facing State Route 17/Interstate 86 must meet the more restrictive standard of state or village requirements.

J. Noncommercial copy. Notwithstanding any other provisions of this section, any sign authorized herein is allowed to contain noncommercial copy in lieu of any other copy. Any provision authorizing commercial copy may be read so as to authorize noncommercial copy in lieu thereof.

K. Severability. If any provision of this section or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of this section which can be given effect without the invalid provisions or application, and to this end the provisions of this section are severable.

L. Governmental agencies. The provisions of this § 98-19 shall not apply to the Village of Chester.