

MINUTES

VILLAGE OF CHESTER PLANNING BOARD

FEBRUARY 24, 2015

REGULAR MEETING

PRESENT: Richard RAMSDELL, Chairman
Gene WINTERS, Member
Anthony LASPINA, Member
Robert JANKELEUNAS, Member
Vincent RAPPA, Member
Harold PRESSBERG, Attorney
John SZAROWSKI, Engineer
John ORR, Code Enforcement Officer
Missy SOSLER, Planning Board Secretary

PUBLIC HEARING 7:00PM

Project # 14-05 **Project Name: Steris Isomedix Services**
Applicant/Owner: **Chester Industrial Park Assoc L.P.**
Location: **Leone Lane and Nucifora Blvd. (SBL 117-2-4&5)**
Re: **Design and development of a warehouse storage facility of
61,138 sq. ft.**
Presented By: **Jim Sweeney, Kip Kramer, Brad Cleverley and Ray Paulius**

Chairman Ramsdell opened the Public Hearing at 7:00PM.

Chairman Ramsdell asked Missy Sosler, the Planning Board Secretary, to read the notice of Public Hearing as it was published in the February 10, 2015 edition of the Times Herald Record. (Copy attached).

Jim Sweeney began by advising the Board that the plan that will be presented tonight is not too different than the previous plan. The revisions to the plan are as follows:

- A repositioning of the building.
- The temporary batch plant brought onto the site.
- The retention pond has been moved up from the area of schematic to actual and it will be part of the SWPP plan.

Jim advised that before he turns over the rest of the presentation to Ray Paulius; he would like the opportunity, when Ray is finished, to discuss the idea of how to share the costs of the Nucifora Blvd. and Rt.94 improvements with the Planning Board since this does go hand and hand with this project.

Ray Paulius advised that as you can see from the revised site plan, a decision was made to flip flop the facility which will result in the following:

- Provide parking along Nucifora.
- Turn the offices so that they face Elizabeth Drive and Nucifora Blvd.
- Provide 25 passenger car parking spaces which will be segregated from truck traffic.
- The loading dock located in front of the facility will have ten loading positions with additional staging for thirty trailers.
- There is a loop road for fire, emergency vehicle access.
- There is a warehouse distribution area.
- The offices are in front along with ancillary spaces.
- The red portions on the plans indicate the processing area where products will be sterilized.
- Landscaping will be implemented to shield the site from the truck traffic and staging.
- Conifer trees will be provided along Elizabeth Drive to shield the view of the trucks, etc., from passenger cars and vehicles traveling down Elizabeth Drive.
- Boulevard trees have been relocated.
- The curb has been moved away from the intersection of Nucifora Blvd. and Rt.94.
- We will introduce shade trees in the front of the building (which handles processed and non-processed goods).
- The retention basin is back.

Chairman Ramsdell asked if there will still be an infiltration basin in the South, and Ray advised that there would be.

Jim Sweeney then advised that it is time to look at the interchange. He advised that they would design the interchange and that would be their contribution. He stated that he has previously suggested that the Village Trustees should be involved. They could bring benefit and assessments on people in the park to share the cost of the interchange. He advised that he had shared this methodology with Harold Pressberg at the last Work Session. He advised that the Board of Trustees has to set up the process and that there are many ways of coming up with an equitable way of having the cost shared by everyone in the Industrial Park. He advised that the Planning Board will need to bring the Trustees into this.

Chairman Ramsdell asked if any of the Planning Board members had any questions. Member Jankelunas asked about the traffic flow in and out of the project. Ray Paulius indicated on the plans where the passenger cars will enter and where an alternate entrance will be located for the trucks. He also indicated on the plans where the trucks will exit. (He advised that most of the trucks will be 53ft. tractor trailers with sleeper cabs.) He also indicated where a turnaround area will be provided for the tractor trailers. He indicated on the plans that there is a clear circular road for emergency vehicles. Member Jankelunas asked if the trucks that are staged below will have to go back in and out. Ray Paulius advised that it will depend on where the vehicles are staged.

Chairman Ramsdell advised that in the past, there were discussions about reports of traffic problems we've experienced with other businesses in the Industrial Park. He advised that similar problems are not expected with this project for two reasons: they won't have the volume of traffic, and they have more control over the drivers regarding their arrival times.

Mark Thomas advised that they have a dedicated fleet type of arrangement which means that we will see the same drivers day after day; therefore the drivers become very familiar with our operation. He also advised that they have excellent access to contacting the carrier directly, if they are having any problems with the drivers. He also addressed the concern of staging and traffic; he advised that the movement of the trailers would be done by our own yard truck on site. Therefore he doesn't envision the trucks leaving and coming back in.

John Orr remarked that two of the larger companies in the park, C&S and Pep Boys, have it set up so that if the truck pulls in early, they have to leave and that is what creates a problem. He doesn't foresee that type of problem with this project.

Phil Greeley advised that Maser Consulting is in the process of moving along with the intersection design. Jim Sweeney advised that they will also be contributing the necessary land needed for the turn lane. Harold Pressberg asked if they will provide the construction documents, and Phil said that he would.

Member Winters asked Jim Sweeney if he could send the Planning Board a letter indicating their intent to create, along with the other manufacturers in the park, a Benefit District. Jim Sweeney advised that he would.

Chairman Ramsdell then opened up the hearing to the public.

David Stevenson, of 16 Elm St., Chester, NY, asked if Steris will be accepting trucks on a 7 day basis. Mark Thomas advised that, initially, they will begin with 5 days and will grow to 7 days/24 hours per day. He advised that the facility currently has 1 truck per hour over a 20 hour period.

David Stevenson walked over to the site plans to address an ongoing issue for the NYC commuters of which he is a part. He pointed out the Shortline commuter lot which is full to capacity by 4am. He then indicated where trucks park and idle while they are waiting. John Orr advised that any problems with the trucks parking and idling would be a police issue. Chairman Ramsdell advised that this issue may also be in the discussion of the scope of the new benefit district. (More discussion ensued about the commuter parking area.) Kip Kramer advised that there is another parcel on the plans that may be considered in the future for that use.

Member Winters asked if the Village of Chester may become responsible for the commuter lot in the future. John Orr advised that Shortline maintains it. He also advised that the Village is aware of the need for more commuters parking, and that the Village Board has had conversations with the State in the past, but the State is reluctant to say "yes, we will do it."

Mark Thomas commented regarding the issue of controlling the idling trucks; he advised that they get the trucks in their lot and do not leave them waiting to enter. He advised that they are a participant in SWTP (Smart Way Transport Partnership Program). Chairman Ramsdell advised that there may need to be further discussion of this as we go down the road, but it must be noted that the Planning Board is not the approving agency for the commuter parking issue.

Mark Thomas then gave a short overview of what services the Steris Company provides. He advised that they have been in Chester, NY, since 1999 and have had 3 expansions. He advised that they are the provider of sterilization services to the medical device and pharmaceutical industries in regards to finished goods. An example of a company they we would provide services to would be the Johnson and Johnson Company, a manufacturer of band aids. They ship the final packages to our facility; we run them through the irradiator and then ship the product to the store. He advised that the new facility will differ from the current facility in that it will use an electron beam accelerator to convert electric power into radiation. No radioactive materials will be used, and the process will be turned on and off.

David Stevenson asked if the radiation process irradiates the air and will a permit be needed to establish a vent. Mark Thomas advised that this process is below the threshold from a regulatory aspect, and it is not a monitored or regulated process.

Leslie Smith, 117 Brookside Ave., asked about safety oversight. Mark Thomas advised that there is a registration process with the NYS DOT, falls under OSHA guidelines as well as other, numerous agencies that oversee the facility. Leslie Smith asked if there will be anyone on sight to oversee the safety process. Mark Thomas advised that he is the Site Level Radiation Officer. The new facility will require a Radiation Safety Officer. All of the facilities have trained, qualified operators who have been through radiation training as well. She also asked about the dosimetry. Mark Thomas advised that in this facility the employees don't have to wear a film badge to enter. We will have safety interlock and safety administrative systems and processes that far exceed the requirements. Leslie Smith asked if the workers can be contaminated. Mark Thomas advised that neither facility can contaminate and or create something else radioactive. He added that they are only licensed to possess and use the cobalt, not to store it.

MOTION was made by Member Anthony LaSpina, seconded by Member Robert Jankelunas to close the Public Hearing. ***MOTION*** was passed 5-0.

REGULAR MEETING – 7:46PM

Chairman Ramsdell opened the Regular Meeting at 7:46PM. He clarified, for the record, that this is the normally scheduled meeting for the month of February and that the meeting that was held on 2/3/15 was a rescheduled meeting for the January, 27, 2015 meeting.

1. MINUTES

None

2. Correspondence

Letter from Jim Sweeney in regards to the possible implementation of a benefit assessment plan.

3. Code Enforcement Officer Report

Presented by John Orr.

Current projects that were inspected during the last month:

Satin – 32 Leone Lane

1- No Change.

Allen's Falafel 115 Main St

1- Work is now complete.

Sienko – 20 Oakland Ave

1- Interior work continues.

Previtera – 18 School St.

1- Home delivered today.

Symrise – 45 Leone Lane (former Belmay)

1- Work continues.

BYK – 48 Leone Lane (former Chem-Chor).

1- Work Continues.

N2O – 2 Vadala Rd.

1- Units have been delivered and installed.

2- Interior connections being completed.

DePaulis- Summerville/State Route 17

1- I shut the job down on 2-11 because of a blast I could feel in my office.

2- After speaking with the monitoring company, the blaster and NYS department of labor work was restarted 2-23. The blast should be less intense from this point forward.

F&A Concrete – 41 Greycourt Ave

1- Issued permit for new single family home.

4. Projects for Review

Project #14-05 Project Name: Steris Isomedix Services

Applicant/Owner: Chester Industrial Park Assoc. L.P.

Location: Leone Lane and Nucifora Blvd (SBL 117-2-4&5)

Re: Design and development of a warehouse storage facility of 61,138 sq. ft.

Presented By: Jim Sweeney, Kip Kramer, Brad Cleverley and Ray Paulius

Chairman Ramsdell advised that this project was the subject of the Public Hearing tonight.

Jim Sweeney renewed his request for the Board to make a negative declaration for this project.

Mark Edsall's comments on the project were reviewed (copy attached) by John Szarowski and discussion was held:

- 1) The address issue has already been discussed.
- 2) SWPPP will be discussed a bit later in the meeting.
- 3) Lighting has been updated.
- 4) The Board has discussed the landscaping.
- 5) There needs to be more detail of the site sign; including any potential blockage of site distance.
- 6) Off-site traffic must be discussed.
- 7) John Orr added that the possibility of a glare issue should be discussed.

John Szarowski comments regarding SWPPP were reviewed (copy attached) and discussion was held:

- 1) The new SPDES must be completed and must include the new rainfall data requirement.
- 2) There must be infiltration testing.
- 3) The soil survey which was submitted is no longer valid.
- 4) The 1993 report referenced may no longer be valid. There are specific requirements for downstream analysis.
- 5) You need to clarify a diversion structure.
- 6) We need the timing for the construction of the (2) two infiltration basins.
- 7) We need an erosion and sediment plan on the site plans.

John Orr asked if filtration basin can possibly be pulled further into the site. Brad Cleverley advised that we can look at it and advice.

Regarding SEQRA, Chairman Ramsdell advised that we recommended that it be typed as an Unlisted Action and that the Planning Board become Lead Agency without any challenges. Chairman then advised Jim Sweeney that, if he is looking for determination, he would like Mark Edsall's comments on that regarding the SEQRA determination; since he errs on the conservative side, he would like to have Mark Edsall's comment with regards to the determination. Jim Sweeney advised that the applicant has a meeting with the Orange County IDA for funding purposes.

Chairman Ramsdell advised that through Mark Edsall's comments, the Board has become very familiar with the proposed landscaping, and we want to make that a goal for our next meeting. He advised that he is not quite sure what the other outstanding issues are with respect to the development of the site plan.

Member LaSpina advised that he feels that the entrance is still too close to the intersection and that there is no catch basin in the middle. Brad Cleverley advised that the new catch basin will be installed at the end of the entrance. Chairman Ramsdell advised that he wants the issue regarding the entrance to be brought to the Highway Superintendent's attention. Phil Greeley advised that they have a meeting scheduled with the Highway Superintendent. Chairman asked Phil to let him know, in advance, of when the meeting is happening. Phil advised that he will coordinate the meeting with Mark Edsall and John Orr. Chairman Ramsdell advised that they will be at the next work session.

Project #13-08 Project Name: Elmwood Park Apts.
Applicant/Owner: John Sorrentino
Location: Elm St.
Re: Revised fully designed Site Plans
Presented By: Mark Siemers

Chairman Ramsdell asked Mark Siemers if the plans that are in front of him, dated 9/30/14, are the most current plans. Mark advised that they are. Chairman advised that the correspondence he has from Mark Siemers is dated 12/10/14. He advised that these plans were submitted for the December 2014 meeting, which was cancelled. They were to be presented at the 1/15/15 Planning Board meeting but that meeting had to be cancelled due to inclement weather and rescheduled for 2/3/15. Mark Siemers had a previously scheduled meeting for 2/3/15, and was unable to attend the meeting.

Chairman advised that Mark Edsall's comments, which were prepared for the 1/25/15 Planning Board Meeting, will be the comments reviewed and discussed at tonight's meeting.

Mark Siemers advised that he received Mark Edsall's and John Szarowski's comments and reviewed them. He advised that he has no problem addressing the major comments.

Mark Edsall's comments on the project were reviewed (copies attached) by John Swarowski and general discussion was held:

- 1) The project is in compliance with all aspects of the B-1 Zoning District.
- 2) They are proposing 20 units; 6 – one bedroom and 14 – two bedrooms. (Mark Siemers refers to the 6 – one bedroom and 14 – 2 bedroom and advises that John Sorrentino has identified that this project will be more marketable with this different bedroom count. He advised that his client moved forward to the Zoning Board with the same request that was made for the Meadow Hill project, regarding an area variance).
- 3) The Board needs to discuss the Conservation Easement.
- 4) All of the addresses and road names need to be coordinated with the Code Enforcement Officer.
- 5) The project addresses etc. must be discussed with the Post Office.
- 6) A determination must be made regarding the number of hydrants.
- 7) The retaining wall will require a 4 ft. fence at the top.
- 8) The lighting plan submitted is acceptable.
- 9) My recommendation is to indicate that the Board declared their intent for Lead Agency under SEQRA.
- 10) My recommendation indicates that no Public Hearing was held therefore further discussion, is needed.
- 11) Referral to OCDP should be discussed.

John Szarowski comments on SWPPP were reviewed (copy attached) and general discussion was held:

- 1) Soil restoration must be included.
- 2) Timing of the installation of a sand filter must be included.
- 3) You have identified the Conservation Areas, but you are grading in them, and they must remain untouched.
- 4) You must provide a tabulation of the runoff reduced practices in the report.
- 5) The details you provide don't match the elevations used in the stormwater computer model.
- 6) The existing drainage system is already over capacity; it doesn't impose increases, but it doesn't alleviate.

Mark Siemers advised that the SWPPP will have to be revised. He has a call into Natalie Brown and is awaiting her reply. We are trying to meet with Natalie Brown of the DEC, and I will advise the Board of the outcome after the meeting has been held.

Mark Siemers advised that in regards to 2 items from Mark Edsall's comments: the referral to the OCDP has already been done and reply has been received, and our goal is to schedule the Public Hearing as soon as possible. Chairman asked Mark if he had a date in mind, and Mark advised the earlier the better.

Mark Siemers addressed the Board regarding the offsite meeting that was held with Mark Edsall and John Orr. The current property pipe outlet from the property pond connects to the existing catch basin on the west side of the development driveway. The existing catch basin's outlet is a 12" pipe across Elm St. to a catch the basin located on the north side of Elm St. It will then outlet through the backyards of homeowners and run into a structure at Chester Elementary School. The 12" pipe is sufficient enough to handle a 25 year storm.

The property would need an 18" pipe to account to a 100 year storm. That pipe would bring the storm water down to Elm St. off of the hill and into the basin. According to Charlie Bono, the system is undersized. During the meeting he suggested, possibly, bringing the drain up Elm St., down Walnut St. and then out to the black dirt. Mark advised that John Sorrentino advised that it is not a feasible option and the responsibility of the developer is to not increase the flows off of the site. Mark Siemers advised that this design does not increase the flows.

Another option is a retention pond outlet to a level spreader and allows the water to go naturally downhill. We would much rather bring the water down in a pipe and connect to an existing catch basin, even if it is an undersized system because it would be better than releasing it up higher behind houses.

Mark Siemers advised that they would rather connect to an existing system be pipe. John Orr asked how he can say that they would not be increasing the flow off the site. Mark Siemers advised that what they are doing is detaining long enough at the top of the hill which will not increase the flow over the site. John Szarowski asked about what would happen if a large storm occurred. Mark Siemers advised that if it was above the 25 year storm, it would back up. (Some discussion then ensued about using Davis Way.)

Member Winters asked E.J. (Edward) of 9 Elm St. if, within the last 2 years, he has seen any vehicle(s) on Davis Way, and he said that he has not.

John Orr then advised that there are 3 options to take water off of the site:

- 1) Through the old pipe between the houses which would eventually have problems.
- 2) Ask the developer to go down Davis Way.
- 3) Ask the developer to go up Walnut.

Mark Siemers advised that they need to be clear, in that, they are not creating this problem.

Member Winters commented that you are adding to it.

Chairman Ramsdell advised that John Orr's comments were well made. There needs to be more discussion with respect to where we want this situation to end up and have any improvement.

Member Winters asked Mark Siemers to comment about the possibility of a cemetery being located somewhere on the property. Mark Siemers advised that he has researched the deeds back to the 1890's and has not found any specific designs which would indicate a 25x25ft. burial area.

Cliff Patrick, 119 Brookside Ave., advised that he spoke with George Smith, and he recalls where the cemetery may be located. (Cliff indicated the area on the site plan). He advised that the stones may have been knocked down and, with the overgrowth of brush, may no longer be distinguishable.

Mark Siemers advised that he would like to go out to the property along with Cliff Patrick and Member Winters and search for the burial site.

Member Winters advised that they still have not addressed the area of traffic flow from Elm St. onto Rt. 94. He advised that this is an issue with the neighbor directly across from the entrance and exit of the proposed development. Chairman Ramsdell advised that when the on-site meeting took place, the roadways and infrastructure were among the topics that were discussed. Mark Siemers advised that he would like Phil Greeley to attend a meeting. He advised that earlier in the project a site meeting took place between Phil Greeley, Mark Edsall and himself. They walked up and down Elm St. and looked at Mr. Szulwach's property. Mark Siemers pointed out to Mr. Szulwach that he has some vegetation in front of his property and that the developer would be willing to provide additional vegetation screening if he would want it.

Mark Siemers advised that Phil Greeley would be the best person to attend a meeting to discuss and explain the traffic situation. Member Winters advised that he would like Phil Greeley to attend a meeting for that purpose.

Mark Siemers advised that they have petitioned the Village Board to create "no parking" along both sides of Elm St. back to Davis Way. Again, the best answer is for Phil Greeley to attend one of the meetings.

Chairman Ramsdell asked if a turning radius was included in the traffic study for the existing area.

Mark Siemers advised that it was not but he would provide that to him from his notes.

Member Jankelunas asked if there is a school bus stop located there and, if so, where do they purpose that all of those people who are parked there waiting for their children go. Mark Siemers advised that they will have to park further back on Davis Way and Elm St.; the intersection will have to stay clear.

Chairman Ramsdell advised that the Board has quite a bit of information to move forward on: Elm St. existing drainage situations and Mark Siemers volunteering to have Phil Greeley to attend a meeting and discuss the traffic issues. The scope of the inquiries can be put together as such so that we have certain goals. We will be continuing our discussion with Mark Siemers at our next work session.

John Orr advised that you have to address the bedroom issue with the Zoning Board before we can schedule the Public Hearing. Mark Siemers advised that he will have to discuss the possibility of a Zoning Board meeting with his client.

5. General Discussion

Harold Pressberg advised that as part of the update of the Village of Chester website and in response to the numerous FOIL requests received, the Village Clerk would like to request that when a project is presented, in addition to the ten hard copies that are required, a PDF version of all documents submitted would also be required.

MOTION made by Member Vincent Rappa, seconded by Member Anthony LaSpina to add the requirement of a PDF version of all documents submitted to the Planning Board be added to the application instructions. ***MOTION*** passed 5-0.

Chairman Ramsdell asked if anyone had anything else to discuss and, as there were no other comments, ***MOTION*** was made by Member Robert Jankelunas, second by Member Gene Winters, to ADJOURN THE MEETING. Motion passed 5-0. Meeting adjourned at 9:10PM.

Respectfully Submitted,

**Missy Sosler
Planning Board Secretary**