

**MINUTES**  
**VILLAGE OF CHESTER PLANNING BOARD**  
**MAY 26, 2015**  
**REGULAR MEETING**

**PRESENT:** Richard RAMSDELL, Chairman  
 Anthony LASPINA, Member  
 Vincent RAPPA, Member  
 Gene WINTERS, Member  
 Robert JANKELUNAS, Member  
 Harold PRESSBERG, Attorney  
 John SZAROWSKI, Engineer  
 Missy SOSLER, Planning Board Secretary

**REGULAR MEETING – 7:00 PM**

Chairman Ramsdell opened the Regular Meeting at 7:00 PM.

**1. MINUTES**

Review draft of March 24, Planning Board Minutes.

Member Gene Winters asked to abstain from the vote since he did not attend the March 24, 2015 meeting.

**\*MOTION\*** was made by Member Anthony LaSpina, seconded by Robert Jankelunas to ACCEPT THE MARCH MEETING MINUTES AS DRAFTED. **\*MOTION\*** passed 4-0.

**2. Correspondence**

None

**3. Code Enforcement Officer Report**

Presented by John Orr

Current projects that were inspected during the last month:

Sienko – 20 Oakland Ave

1- Interior work continues.

Previtera – 18 School St.

1- Interior connections being completed.

Symrise – 45 Leone Lane (former Belmay)

1- Work is complete.

BYK – 48 Leone Lane (former Chem-Chor)

1- Work almost complete.

N2O – 2 Vadala Rd.

1- Interior connections being completed.

F&A Concrete – 41 Greycourt Ave

1- Foundation is now complete.

Norris – 26 Elm Street

1 – Work has started.

2 - Footings are in.

Castle – 109 Brookside Ave

1- Issued permit for Solar System.

#### 4. Projects for Review

<b>Project #15-04</b>	<b>Project Name: New York Dance Center</b>
<b>Applicant/Owner:</b>	<b>Gina Solimando</b>
<b>Location:</b>	<b>33 Brookside Ave.</b>
<b>Re:</b>	<b>Conversion of retail to Dance Center</b>
<b>Presented By:</b>	<b>Jim Dillin</b>

Jim Dillin addressed the Board and advised that his client is proposing to renovate the bottom floor (half of the building) into a dance center for New York Dance Center. The other half of the floor will remain as it is. The back of the building will continue as PDJ Components, manufacturer of tresses.

Chairman asked if the 2<sup>nd</sup> floor is a mezzanine. Sid, Green Bull North property owner, advised that it is some of both; front half is a showroom, office, bathroom and lunch room for employees, the back is storage.

Jim Dillin advised that the front of the building is entirely paved. The property owner is proposing striping the parking lot so they can have a circular traffic pattern. This pattern would allow drop offs of the children to be done at the front of the building. After they drop off, the cars could drive up and out. Jim advised that both of the properties are owned by Green Bull North. The curb cuts have always been shared by the properties. We don't need an easement to use it because the site plan is developed into one property.

Sid advised that his workers begin between 5:30 and 6:30am and all of his trucks are back by 3pm. Gina, New York Dance Center, advised that her hours of operation are; Monday – Friday noon to 9:00pm and Saturday & Sunday 9:00am to 5:00pm. She advised that the traffic during the day is light and the majority of classes begin at 3:30pm. All of the dance center activities take place inside the building.

Jim Dillin advised that he incorporated 3 Mamas and Mike to fit in with this parking lot. He stated that they will have to move 3 Mamas and Mike 20 ft. towards Rt. 17M. There is 150 sq. ft. for parking spaces, and we will have 47 spaces: 38 for New York Dance Studio and 9 for 3 Mamas and Mike. Chairman asked Jim if he needed more parking, where would he get it. Jim indicated, on the site plan, that they have the entire left side to use for parking if need be. Gina advised that most of the kids are dropped off, a very small percentage of parents stay in the building.

Chairman asked if the size of the parking spaces is noted on the plans. Jim advised that it is. The spaces are 10x20 ft. We will be spacing the handicap spaces a bit further apart.

John Orr asked that the main entrance be labeled on the plans. John asked how many employees there are and Gina advised that there are 4 including her. John asked Jim to label parking spots 42-47 for employees.

John Orr, indicating where the shadowing is on the site plan, asked Sid if he would consider breaking the fence and parking the food cart there. He also indicated that the gray area, on the site plan, could be straight parking. He asked Sid if he has the room to do that. Sid advised that he does have the room, and he could do it if 3 Mamas and Mike want to move.

Harold Pressberg asked where the drop off is at the front door. Jim indicated where it is.

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

- The area was previously zoned as an M2 and has been rezoned as a B2.
- We need verification of traffic usage for the 3 uses; we need to clarify the lines on the plans.
- The plan is very preliminary.
- We need to formalize the easement, at this point, to permit traffic movement across the other property.
- You need to note most of the use on the other properties.
- Is a whole dumpster really needed? Would you be able to use a smaller dumpster or 4 large garbage cans?
- The project number in the box needs to be revised to 15-04.
- We will need a referral to OCDP and Town of Chester.

Bob Jankelunas asked that, since the property has 3 access points from Rt. 17, how will they control the traffic and which entrance people drive into? Jim Dillin advised that the customers can use both entrances. Sid advised that the traffic for his business and Gina's business occur at two different times of the day so that should not cause a problem. Bob Jankelunas advised that he is concerned about "parent drop off traffic". Gina advised that she will instruct her parents to circulate after they drop off their children.

Chairman advised that they do need a building sign. Harold Pressberg advised that they could make a building sign to indicate where the entrance is. Chairman advised that they need signs to direct people as to how to enter and exit the lot as well as a business identification sign. Chairman suggested that they could make both signs work together. John Orr advised that the signs must be 20 ft. from curb line. Chairman advised that we can brainstorm about the signage at the next work session.

Chairman advised that we need to type for SEQRA. **\*MOTION** by Member Gene Winters, seconded by Member Anthony LaSpina to Type as TYPE II, since there is no construction required for this, permitted use. **\*MOTION** passed unanimously.

Chairman then advised that the Planning Board should determine if a Public Hearing is required; he feels that it is necessary to hold a Public Hearing on this project. **\*MOTION** by Member Anthony LaSpina, seconded by Member Robert Jankelunas to hold a Public Hearing at the June 23, 2015 Planning Board Meeting at 7:00pm or as soon thereafter. **\*MOTION** passed 3 to 2:

Rick Ramsdell – Yea  
Gene Winters – Nay  
Vincent Rappa – Nay  
Robert Jankelunas – Yea  
Anthony LaSpina – Yea

Member Winters then questioned whether the Notice of Public Hearing must be published in Spanish as well as English. Harold Pressberg advised that he would look into this matter and advise the Planning Board Secretary of what he finds out.

This project will be at the 6/4/15 work session at 1:30pm.

<b>Project #15-03</b>	<b>Project Name: Chester Burger King</b>
<b>Applicant/Owner:</b>	<b>Sanjay Patel</b>
<b>Location:</b>	<b>3 Bryle Place</b>
<b>Re:</b>	<b>Renovation of 3400 sq. ft. (former Provident Bank Bldg.) Burger King Restaurant with Drive Thru</b>
<b>Presented By:</b>	<b>David Higgins</b>

Member Winters stated that he wants to recuse himself in connection with this project. The Planning Board Secretary made note of this.

Chairman advised that this project is located in a 3 store strip in front of the Holiday Inn Express. Burger King wants to take over the former Provident Bank space which is approximately 3400 sq.ft.

David Higgins advised that they want to renovate the former Provident Bank space into a Burger King Restaurant. They would utilize the drive thru window that is there.

Some of the other improvements to the site would be:

- Request for additional signage.
- Installing a new door at the front of the building.
- New dumpster enclosure.
- Chain link fence with evergreen, privacy slates.
- Indicated parking requirements updated for restaurant.
- Landscaping added as a buffer.
- 52 seats will require 40 parking spaces; we have 43.

Member Anthony LaSpina asked what would the hours of operation be? Sanjay advise that the restaurant will be open Sunday – Thursday – 6:00am to midnight and Friday and Saturday – 6:00am to 1:00am.

Member Jankelunas asked how the employees will get to the dumpster. Dave Higgins advised that they will have to walk around the back of the building to get to it.

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

- Parking spaces are sufficient.
- Need to add a “Do Not Enter” sign on the west side of the rear lanes.
- Handicapped sign is in conflict with the vehicle overhang for the wheel stops.
- We are recommending that the Board require a masonry type dumpster enclosure.
- The approval box needs to be relocated on the plans. (Chairman Ramsdell indicated on the site plan where the box should be located.)
- An anticipated completion date is required.
- There is confusion regarding where the service turn around lane is. (Dave Higgins indicates on the plans where it is.)
- A referral to OCDP is needed.
- A Public Hearing is needed.
- SEQRA must be reviewed.

John Orr made the following comments:

- The “Affidavit of Ownership/Owners Consent” is missing.
- They need to bring down the sign to 20ft. or request a variance.
- Need to clarify how you are locating the sign and how and will it have an effect on stormwater drainage.
- Need to show distance off of the curb line.
- Need detail for signage.
- Need square footage for the message board.

Chairman Ramsdell advised that we need to type the project for SEQRA. **\*MOTION** by Member Robert Jankelunas, seconded by Member Vinny Rappa to Type the project as TYPE II for SEQRA. **\*MOTION** passed 4-0.

**\*MOTION** by Member Robert Jankelunas, seconded by Member Vinny Rappa to hold a Public Hearing at the June 23, 2015 Planning Board Meeting at 7:00pm or as soon thereafter. **\*MOTION** passed 4-0.

John Orr asked Dave about the Traffic Study which was mentioned at the 6/4/15 Work Session. Dave advised that he used the ITE Charts for TRIP Generation analysis. He advised that he sent it to John Orr last week. He advised that the ITE analysis has come up with various formulas and charts to estimate the number of vehicle trips through the various facilities. He compared the use of the drive thru windows in banks to fast food restaurants. He reviewed the figures from the chart regarding the number of cars that go through the food drive thru.

Member Jankelunas advised that he has concerns about having 2 fast food restaurants with access to Rt. 17m. Member Winters expressed that he had concerns with the traffic flow when the last fast food restaurant was proposed. Chairman advised that the report Dave Higgins supplied us with does not support what Member Winters just said. Member Winters advised that Provident Bank never had that amount of traffic. He was concerned about the last fast food restaurant proposed and is very concerned that we now have another fast food restaurant proposed.

John Orr advised that we appreciate the information you have given to us tonight. He asked if this is a National or Northeast analysis. Dave advised that it is a national analysis. John advised that when he asked for traffic information, he wanted information more specific to the Village of Chester's current issues. He advised that most of us don't understand the numbers and, therefore, we can't buy into it. We would like to see numbers from Burger King's corporate office as to what they're expecting a restaurant of this size to do and how it will impact the Village of Chester and that particular intersection.

Harold Pressberg asked Sanjay if he has an idea of the number of vehicles that they will be expecting. Sanjay advised that all of the Burger King restaurants are different. He can get the numbers you need.

Chairman Ramsdell asked if he could have the numbers so we can discuss them at the 6/4/15 Work Session. Dave said that he would.

Member LaSpina advised that he shares the same concerns as Member Winters.

## 5. General Discussion

Chairman Ramsdell asked if anyone had anything else to discuss and, as there were no other comments, \***MOTION** was made by Member Robert Jankeluas, second by Member Anthony LaSpina to ADJOURN THE MEETING. Motion passed 5-0. Meeting adjourned at 8:31 PM.

**Respectfully Submitted,**

**Missy Sosler**  
Planning Board Secretary