

MINUTES

VILLAGE OF CHESTER PLANNING BOARD

JUNE 24, 2014

REGULAR MEETING

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

PUBLIC HEARING 7:00PM

Project # 14-02 **Project Name: Nexans Site Plan**
Applicant/Owner: **Nexans Energy USA, Inc.**
Location: **25 Oakland Ave. (SBL 104-1-68 & 7 - M2 – Zone)**
Re: **Warehouse Development**
Presented By: **Alain Blezy & Richard Wostbrock**

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

Chairman Ramsdell read the notice of Public Hearing as it was published in the June 9, 2014 edition of the Times Herald Record. (Copy attached).

Richard Wostbrock, the engineer for the Nexan’s project, gave an overview of the project. He advised that Nexan’s is losing their space in their Newburgh, NY, location. They need to return to some outdoor storage space in their Chester, NY, location. Mr. Wostbrock indicated the area on the site plan. He further advised that they will be improving the access area where the employees enter the building and fencing will be provided for the new area.

Chairman Ramsdell then opened the hearing to the public.

Clifton Patrick, of 117 Brookside Ave., asked if the proposed developer of the neighboring property has made any provisions or has had any future thoughts about improving the truck access.

Chairman Ramsdell advised that the issue was discussed, but not with Nexans. Alain Bleezy reaffirmed that statement.

Leslie Smith, of 117 Brookside Ave., advised that she referenced what was previously discussed regarding a possible alternate road and then read the response from the developer to the Village Board from 2010.

John Orr then asked how this project will affect truck traffic. Mr. Bleezy advised that the trucks will increase to 13 to 14 trucks daily.

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

REGULAR MEETING – 7:22PM

Chairman Ramsdell opened the Regular Meeting at 7:22PM.

1. MINUTES

Review draft of December 17, 2013 Planning Board Meeting Minutes.

***MOTION** was made by Member Robert Jankelunas, seconded by Member Gene Winters, to ACCEPT THE DECEMBER 2013 MEETING MINUTES AS DRAFTED. ***MOTION** passed 5-0.

2. Correspondence

Letter from John Orr regarding SUNOCO – 68 Brookside Ave. (Letter attached)
 Reply from OCDP regarding Nexan’s Site Plan Amendment - #14-02

3. Code Enforcement Officer Report

Presented by John Orr. (Copy attached)

4. Projects for Review

Project #14-02 **Project Name: Nexans Site Plan Amendment**
Applicant/Owner: **Nexans Energy, USA, Inc.**
Location: **25 Oakland Ave.**
Re: **Construct new outdoor storage area**
Presented By: **Alain Blezy & Richard Wostbrock**

Chairman Ramsdell began by reading the County Reply from OCDP. Their recommendation was for Local Determination and they also cited two issues: retaining wall and new pavement.

Mark Edsall then addressed the comments from the OCDP. He advised that these items "have not snuck by us" and will be addressed by Nexan's engineer. He advised that regarding the pavement on site; the applicant will not really have a choice but to do a bituminous pavement. He continued to say that he will not issue any comments, but that he wants to be clear and on record in advising the following:

- 1) Plan shows a fence running along the perimeter and a fence on the uphill side of the retaining wall. We don't look at that as being optional. They must have a fence with an 18ft. wall.
- 2) An approval box must be added to the lower, right hand corner of the plan on each page.

Chairman Ramsdell then began discussion on the SEQRA form. He advised that Mark Edsall has reviewed the form.

***MOTION** by Member John Reilly, seconded by Member Robert Jankelunas to type the project as UNLISTED. ***MOTION** passed 5-0. ***MOTION** by Member Anthony LaSpina, seconded by Member John Reilly that the proposed action will not result in any significant adverse environmental impacts. ***MOTION** passed 5-0.

Mark Edsall advised that he wants to be sure that Nexans are proposing a 10ft. fence as part of the screening element for the area.

Chairman Ramsdell advised that, at this point, we could consider Conditional Approval of this project with the following conditions:

- 1) Payment of Fees
- 2) Proper Pavement
- 3) Addition of an Approval Box on the plans

***MOTION made** by Member Anthony LaSpina, seconded by Member Robert Jankelunas, for Conditional Site Plan Approval. ***MOTION** passed 5-0.

Project #12-08 **Project Name: Meadow Hill Apts.**
Applicant/Owner: **John Sorrentino**
Location: **NYS Rt. 94 (SBL 102-1-1.2)**
Re: **Construction of apartment complex**
Presented By: **Mark Siemers**

Mark Siemers began by advising that since the last time he was in front of the Board, he has attended a Work Session. (He passed out a picture of the proposed sign to the Planning Board members). He advised that he added sign details to the plan sheet, also including a flag pole. He also added to the general notes 12 & 13 to the cover sheet which refers to the developer's agreement, anticipated completion date and project public cost estimator.

He added that this week he received the Health Dept. and water main approvals. The only item outstanding for approval is the NY State DOT. He advised that all of the materials have been submitted to Sibi at DOT. He went on to state that he would like to ask for conditional site plan approval tonight, conditioned upon approval from the DOT.

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

- All requested corrections have been addressed from the 2/25/14 review.
- Conversation with Sibi and all requested information was provided to her.
- The sign detail was added but a sign variance will be needed or the sign will have to be modified.
- Conditional approval can be made with subjects to.
- A final SWPP needed.

John Orr then advised that the count does not quite meet our code for the number of 1 and 2 bedroom units. (He read the code).

Mark Siemers advised that he would like to request that the Board take into account, the developer's agreement between the applicant and the Village Board. He further stated that within the agreement, he believes that the application should be able to proceed as it.

Harold Pressberg advised that the plan, as prepared, can be approved by the Planning Board. We can approve the plan and application without getting a variance from the Zoning Board of Approvals. He continued on and advised that although you have up for approval a site plan which accommodates 72 units which are 2 bedroom apartments, whether the site plan with the one to two ratio of one-bedroom to two-bedroom apartments complies with the Village Zoning Code is not a site plan issue.

Chairman Ramsdell advised that everyone has known what the numbers were, so there would seem to be some basis to think there won't be a change to it. Harold's comments will stand as record as far as the Planning Board is concerned.

Mark Seimers then asked if his 2 options were (1) obtaining a variance or (2) getting a change to the Zoning law by the Village Board. Mark Edsall advised that this is the project you proposed and the project you acted on. This is not news to anyone. He further advised that a third option might be to ask the Village Board to revisit the developer's agreement for clarification in support of the ratio. John Sorrentino advised that they knew the ratio from the beginning.

Chairman Ramsdell advised that regarding the project's oversized sign, when you go to the Zoning Board of Appeals, you can advise them that the Planning Board encouraged, if not directly asked for a sign in keeping with the size of the project.

Chairman Ramsdell advised that Harold has drafted a resolution for conditional site plan approval; this is the paragraph that was inserted by Harold after paragraph "H". Chairman Ramsdell then read the resolution, a copy of which is attached.

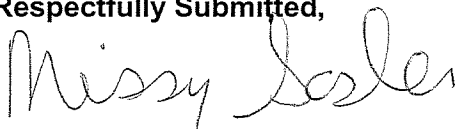
***MOTION** made by Member Anthony LaSpina, seconded by Member John Reilly, to adopt the resolution by the Village of Chester, Planning Board to grant special use permit and conditional site plan approval for the Meadow Hill Apartment complex. ***MOTION** passed 5-0.

4. General Discussion

None

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 John Reilly, to ADJOURN THE MEETING. Motion passed 5-0. Meeting adjourned at 8:26PM.

Respectfully Submitted,



Missy Sosler
Planning Board Secretary