

MINUTES

VILLAGE OF CHESTER PLANNING BOARD

MAY 22, 2018

REGULAR MEETING

PRESENT: Richard RAMSDELL, Chairman
Anthony LASPINA, Member
Robert JANKELUNAS, Member
Gene WINTERS, Member

NOT PRESENT: Vincent RAPP, Co-Chairman

ALSO PRESENT: John ORR, Code Enforcement Officer
Mark EDSALL, Planning Board Engineer
Harold PRESSBERG, Planning Board Attorney

****** REGULAR MEETING ******

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

MINUTES

Review Draft April 2018 Planning Board Meeting Minutes. ***MOTION** made by Member LaSpina, second by Member Jankelunas, to **ACCEPT THE MINUTES AS DRAFTED**. Motion passed 4-0

CORRESPONDENCE

- Letter from Gordon Shehab and Nikki Mayer re: Meadow Hill. They would like the issues of lighting and lack of plantings along their property line addressed before Meadow Hill's bond is released. The letter was read into the record by Chairman Ramsdell (copy attached).
- Letter from Harold Pressberg re: PBV, LLC at 161 Main Street Zoning Board of Appeals application advising the applicant that the Village passed a moratorium precluding the Planning Board from approving any site plans for two dwellings (separate structures) on a RM or B-1 District Lot (copy attached).

CODE ENFORCEMENT OFFICER REPORT

Presented by John Orr (copy attached)

Projects discussed:

- Meadow Hill: CEO John Orr is working with McGoey, Hauser and Edsall regarding the outstanding issues. They are aware of issues with the retention pond, lighting and plantings, which will be resolved before any bonds are released. It was also noted that the sidewalks were installed and we are waiting for the as-built plans to ensure ADA compliance on the sidewalk on their property and NYS DOT sign off on the sidewalk along Route 94.
- ShopRite: They're down to one lane for exiting traffic for repairs to the retaining wall. They thought it was going to be a quick job where they could pull the old gabions and put up new blocks to complete the job, but there's actually a cement wall behind those blocks, which they not want to remove. In order to do that, they have to get an engineer to engineer it out right. It's closed because they're waiting for the engineer to design it so that they can repair it.
- Chester Plaza: CEO John Orr has reached out to the owner to fix the pot holes in the parking lot.

WORK SESSION REVIEW

No Work Session was held in March.

PROJECTS FOR REVIEW

1. Project # 17-08

Applicant/Owner:

Location:

Re:

Presented By:

Project Name: HVFCU Site Plan

Hudson Valley Federal Credit Union / Ronald & Pam Bernstein

87 Brookside Avenue (110-2-2.2 / B2 Zone)

Proposed demo of existing building and construction of a Credit Union

Roger Keating, The Chazen Company

Roger Keating, Engineer, provided an overview of the project:

- They've previously appeared before the Planning at Work Sessions;
- In B-2 Zone, so the use is consistent with the zoning requirements;
- New 3800 square foot branch of the Hudson Valley Federal Credit Union;
- 3 drive up tellers and associated parking;
- The site plan meets the setback and parking requirements;
- There will be 15-20 employees working at this location;
- Business hours would be Monday thru Friday 8:30 AM to 7 PM and Saturday 8:30 AM to 5 PM with approximately 40-50 cars per hour during peak times;
- They reached out to NYS DOT to discuss the current curb cuts and there was some concern about the distance between the Rite Aid entrance and the HVFCU entrance, so the site plan was revised to improve the southern-most access point, which still allows emergency vehicle access as required;
 - Chairman Ramsdell asked for detail on the site plan regarding the structures / businesses on the other side of 17M to show where their access points are located;
- Emergency access to the hotel site was removed as the property owner felt strongly about not having that connection between the two properties;
- They've improved the topography, which allowed them to reduce the retaining wall size;
- Existing utilities are being used when appropriate;
- They have reduced the amount of impervious surface area, they are utilizing sub-surface retention as well as bioretention;
- Everything generally flows towards the DOT. We're proposing a reduction in impervious cover (less pavement and building than today) and proposing a small bio-retention area and a small sub surface drainage system as required by the DOT process;
- SWPPP report was prepared and provided to the Village;
 - Chairman Ramsdell as if they would have a SPDES report and was advised by Roger Keating that they would prepare that report.
- Roger Keating reviewed the cover letter submitted with the updated site plan.

Mark Edsall's comments were read into the record by Shawn Arnott, Engineer (copy attached) and general discussion held regarding:

- Whether a variance will be needed for the retaining wall;
 - Roger Keating advised the height of the retaining wall doesn't exceed 5 feet;
 - CEO John Orr advised he would look at the site plan retaining wall details and make a decision;
- Emergency Access between the HVFCU and the Holiday Inn:
- CEO John Orr advised initially he suggested it for emergency access, but after further review, he believes it would be beneficial to have interconnectivity for all vehicles. Maybe the three property owners could meet and to try to come up with something? Emergency access is primary goal, but with the other large businesses, it wouldn't hurt to have another access point.
- Roger Keating advised they're not buying the property, just leasing and the direction we were getting from the owner of the property is that she was not really in favor of making a driveway connection between the two properties. That set the direction and we removed that from the plan.
- Wanted to hear PB comments tonight before they made formal curb cut permit application to the DOT;
- Mark was concerned about the stacking for the traffic lights – that it may be difficult to enter or exit from the southerly entrance and/or make a left-hand turn out of the property if there's someone waiting to turn into the bank cause it's multi-lane at that point.
- Roger Keating stated one thing it has it in its favor is the center lane – the left / right, which is a benefit for all the businesses in that corridor;
- It was clarified that the exit currently shown on the site plan is a single exit, which could create some stacking of cars on the interior of the property, but there is ample stacking room on the property;
- The Planning Board has not yet requested a traffic study, but DOT is going to be looking at traffic as it's their highway and their lights, so the Village might not need to request one.
- Next steps are:
 - Application to DOT;
 - Respond to MHE comments;
 - Possible appearance at a Work Session;

- Public Hearing possibly in the July time frame.

Jay, RA, AIA, from Mauri Architecture, Engineer, provided an overview of the building:

- He displayed pictures of the proposed building;
- Confirmed the canopy showed on the pictures would not interfere with the proposed sidewalk;
 - Roger Keating advised the plans will be updated to reflect the building dimensions.

2. Project # 18-02

Project Name: 14 Carpenter Road Sub-Division

Application/Owner:

Amante & Norris Associates, LLC

Location:

14 Carpenter Road (111-1-5 / RS Zone)

Re:

Minor Sub-Division (3 Lots) @ 14 Carpenter Road

Presented By:

Larry Torro, Civil Tec Engineering

Larry Torro, PE, provided an overview of the project:

- The property is in the RS District and meets the bulk requirements;
- The site plans were updated to show the "T" turn around at the end of the street;
- They are proposing temporary easements for the turn-around for if/when the road is extended;
- They will review with the Street Superintendent before the plans are finalized.

Mark Edsall's comments were read into the record by Shawn Arnott, Engineer (copy attached).

General Discussion

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 LaSpina, to **ADJOURN THE MEETING**.

Motion passed 4-0. Meeting adjourned at 8:05 PM.

Respectfully Submitted,



Sandra VanRiper

Planning Board Secretary

68 High Street,
Chester, NY 10918

April 18, 2018

Mr. Rick Ramsdell, Chairman, Planning Board
47 Main St,
Chester, NY 10918

Dear Mr. Ramsdell,



We have two issues in regards to the Meadow Hill Apartment complex which need to be addressed before their bond is released. The first is lighting and the second is a double row of evergreens along our entire property line.

1. The multiple lighting on all six buildings as well as the additional lanterns are extremely harsh, bright LED lights, and, in addition, there are too many of them. Our entire backyard is lit up at night. All of the lights either need some kind of shield or bulbs that are not so bright. The lighting at the Meadow Hill Apartment complex detracts from the character of the neighborhood. There is not one person in the Village we have spoken with that has not commented about the lighting being too bright, glaring, or harsh, and they always say there are too many lights.
2. The double row of evergreens that the Zoning Code requires at our property line are still not planted. At present, there is only a single row of evergreens at the base of the berm they created on our border; however, the single row of evergreens stops before they go behind the lantern that lights up our back yard. The single row of evergreens also do not extend behind the garbage collection site which we did not realize would be placed so close to our property line. If you look at the other garbage collection sites on the property, you will see four evergreen trees situated behind each garbage collection site visible to Route 94 (High Street).

According to the Zoning Code, a double row of evergreens is required that will eventually grow and block our view of this property 12 months a year. Right now, on windy days, the garbage receptacle top blows open and the garbage blows onto our property, especially plastic bags which are annoying to pick up as well as dangerous to wildlife. In addition, we pick up fast food containers, coffee cups, and anything else that blows out onto our property. The double row of evergreens should contain the garbage on the Meadow Hill property so they can pick up their own garbage. After all, we have been picking up garbage blowing from the site ever since they started building.

As you know from the email we sent you in August, 2017, we have already incurred an \$1800.00 bill in order to have cracks repaired in our house foundation. The cracks only appeared when our house was shaken to its core for weeks by the leveling of dirt when Meadow Hill construction began. Would we be able to receive compensation for this expense caused by Meadow Hill through their bond, and if so, what steps would we have to take to initiate this compensation?

We have spent enough time and money with regards to the Meadow Hill project. We request that the bond on this property remain intact until all of the lighting issues are addressed and the double row of evergreens are planted along our entire property line including behind the lantern and behind the garbage collection site. Thank you.

Sincerely,

 
Gordon Shehab & Nikki Mayer

Cc: Tom Bell, Mayor
John Orr, Code Enforcement Officer



NORTON & CHRISTENSEN

ATTORNEYS AND COUNSELLORS AT LAW

60 ERIE STREET

POST OFFICE BOX 308

GOSHEN, NEW YORK 10924

(845) 294-7949

TELECOPIER (845) 294-7791

HENRY N. CHRISTENSEN, JR.*

HAROLD M. PRESSBERG*

*ALSO ADMITTED IN NEW JERSEY

April 24, 2018

Ms. Susan Lofstedt
PBV LLC
1420 Orange Turnpike
Monroe, New York 10950

RE: 161 Main Street - Village of Chester Zoning Board of Appeals application

Dear Ms. Lofstedt:

We are the attorneys for the Village of Chester Zoning Board of Appeals.

Regarding your application to the Zoning Board of Appeals for area variances required in connection with your site plan application to construct a second residence on a B-1 District lot, the Village Board passed a moratorium (Local Law No. 2 of 2018) precluding the Village Planning Board from approving any site plans for two dwellings (separate structures) on a RM or B-1 District lot. A copy of the local law is enclosed. The Village Board is considering a local law which would allow only one dwelling as a principal permitted use - either a single-family residence or a two-family residence - on a lot in those Districts.

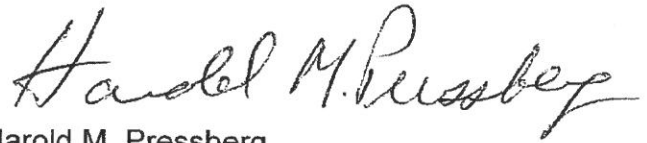
The moratorium law permits a hardship review in the nature of a use variance application before the Zoning Board of Appeals.

VILLAGE OF CHESTER
RECEIVED
APR 27 2018
ZONING BOARD
CHESTER, NEW YORK

-2-

There is no reason to schedule a ZBA hearing on your present application which only requests area variances. If you wish to revise your application to request a use variance to permit two residences on a single lot, you may do so.

Yours truly,



Harold M. Pressberg

HMP:ik
Enclosure

cc: John Orr, Building Inspector
David Stevens, Chairman, Village of Chester ZBA
Richard Ramsdell, Chairman, Village of Chester Planning Board
Sandra VanRiper, Secretary of the Village of Chester Building Dept.,
Planning and Zoning Boards
James Dillon, PLS

VILLAGE OF CHESTER
RECEIVED
APR 27 2018
ZONING BOARD
CHESTER, NEW YORK

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

May 22, 2018

Current projects that were inspected during the last month:

Petermna – 11 Elm Street

1- Interior work continues.

BYK – 48 Leone Lane

1- Work continues.

FDF – 67 Greycourt Ave

1- Interior work underway.

Holiday Inn – 2 Bryle Place

1- Work continues.

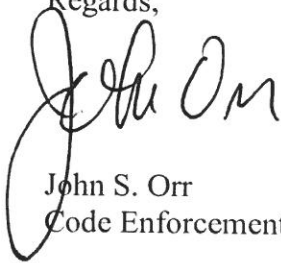
45 Leone Lane

1- Work continues.

78 Brookside Ave – Shoprite

1- Work now complete.

Regards,



John S. Orr
Code Enforcement Officer



**McGOEY, HAUSER and EDSALL
CONSULTING ENGINEERS D.P.C.**

MARK J. EDSALL, P.E., P.P. (NY, NJ & PA)
MICHAEL W. WEEKS, P.E. (NY, NJ & PA)
MICHAEL J. LAMOREAUX, P.E. (NY, NJ, PA, VT & VA)
PATRICK J. HINES
LYLE R. SHUTE, P.E. (NY, NJ, PA)

Main Office
33 Airport Center Drive
Suite 202
New Windsor, New York 12553

(845) 567-3100
fax: (845) 567-3232

Writer's Email:
mje@mhepc.com

Principal Emeritus:
RICHARD D. McGOEY, P.E. (NY & PA)
WILLIAM J. HAUSER, P.E. (NY, NJ & PA)

**VILLAGE OF CHESTER
PLANNING BOARD
REVIEW COMMENTS**

PROJECT NAME: HUDSON VALLEY FEDERAL CREDIT UNION SITE PLAN
PROJECT LOCATION: 87 BROOKSIDE AVENUE (ROUTE 17M)
SECTION 110 – BLOCK 2 – LOT 2.2
PROJECT NUMBER: 17-08
DATE: 22 MAY 2018
CONSULTANT: CHAZEN ENGINEERING
PLAN DATE: 03/23/18 (14 drawings)
DESCRIPTION: THE APPLICATION PROPOSES THE DEMOLITION OF THE EXISTING RESTAURANT AT THE SITE AND THE DEVELOPMENT OF A BANK WITH RELATED SITE IMPROVEMENTS. THE PLAN WAS PREVIOUSLY REVIEWED AT THE 28 NOVEMBER 2017 PLANNING BOARD MEETING.

1. The property is located in the B-2 zoning district of the Village. The bank use is a Principal Permitted Use for the zone. The bulk information provided in the table on sheet C130 appears correct. The site as depicted appears to comply from a zoning standpoint.
2. The layout of the site, primarily traffic flow, is substantially revised. The Board should review this latest site plan and provide input to the applicants regarding any concerns.
3. We have reviewed the revised plans submitted and have the following comments:

General:

- Please add a drawing list on the first sheet of the set.
- The existing conditions plan with survey data (formerly SV1) is missing from the drawing set.
- The plans submitted removed the dual access by elimination of the northerly curb cut. We are not sure that the southerly access is the preferred curb cut to be maintained. Has the Village received any correspondence from NYSDOT directing this approach ?

- The applicant has removed the emergency cross access as per discussions at the worksession. The entire Board should discuss this aspect to concur with the basis of the removal.
- Approval boxes are required on ALL drawings of the submittal set (not just sheet C130). All sheets should have the title block (with project name), approval box (with project number) located in the bottom right hand fold. Use C130 as an example and have all other drawings match such layout.
- All plans bear the comment "Issued for Site Plan Review". Final plans must be noted for construction.

Sheet C120 – Demolition Plan

- If this is to be the first sheet of the set, it should include a drawing list, as noted above.

Sheet C130 – Site Plan

- The site plan should depict setbacks (dimensioned on plan) to be consistent with data shown on the bulk table.
- Please confirm the status of the sidewalk along Route 17M. Is this existing, new or to be replaced.
- The DOT will need to verify if a Stop sign is required at the project egress point onto the State Highway.
- The orientation of the Do Not Enter signs at the east end of the one-way lane should be such that traffic exiting the front parking area understands not to make a right turn.
- The plans should include a detail for the monument sign.

Sheet C140 – Grading Plan

- In general it appears that the driveway slopes approximate 5%. The applicant should verify this limit.
- There should be adequate dimension from the curb lines near the retaining walls such that vehicles parking with wheels to curb do not impact the wall.
- What appears to be contours on the northwest corner of the site do not connect to any existing contours.
- There should be provisions to insure that the site development does not impact the property to the north. Grading and improvements are immediately adjacent.
- Further review of this plan will be made in connection with the SWPPP review.

Sheet C150 – E&SC Plan

- This drawing is in review with the SWPPP submitted. A separate memo will be issued once available.

Sheet C160 – Utility Plan

- We recommend all commercial service lines be 6" diameter, not 4". Connection directly a manhole is not preferable.
- Location and disposition of the existing sewer line to the existing building being razed should be shown and the line shall be properly terminated.
- It is recommended that the gas and water services into the building be "flipped" such that a crossing is not needed. Proper spacing of water and sewer services should be maintained.

- Approval from the NYSDOT for connection of the site drainage to the State system will be required, as will the proposed modification to the inlet grate.

Sheet C180 – Landscaping & Lighting Plan

- Lighting distribution appears generally reasonable, other than at the main entrance off the State Highway. Additional lighting is required in that location.
- We recommend evaluation of the 4000 K lighting for fixture type A. Perhaps a lower K rating would be more appropriate.
- The following note should be added to the plan sheet:

“Planning Board’s acceptance of the lighting design shown hereon is premised on the representation of the applicant that the lighting will not cause a glare or other deleterious effect on adjoining properties and/or roadway traffic. Should any such conditions result from the installation, in the sole opinion of the authorized representatives of the Village, the applicant agrees to modify and/or replace fixtures to cause the correction of the condition, to the satisfaction of the Village representatives.”

Sheet C530 – Site Details

- No comments at this time.

Sheet C531 – Site Details

- Detail 1 – Add requirement that entire gate system (rails, mesh, etc.) be vinyl coated green to match privacy slats.
- Detail 2 – Add requirement that masonry exterior be coated and/or finished to match main building finish (same as note of detail 3)
- Detail 4 – Recommend reflective band at top of exterior bollards.
- Detail 15 – We recommend a double timber rail section for durability. The back-to-back rails should have staggered joints.

Sheet C532 – Retaining Wall Details

- The following notes must be added to this drawing:
 - Design for the retaining wall shown hereon shall be prepared by a NYS Licensed Professional Engineer and submitted to the Village Building Inspector for record prior to construction. Such design drawings (or shop drawings) shall bear the stamp and signature of such engineer, and shall be specific for the site and specific to the retaining wall system to be utilized and shall consider all appropriate and necessary possible loadings and conditions related to this project.
 - The aforementioned design and details shall consider / identify / include, but shall not be limited to: signed and sealed design calculations; complete and specific construction plans and details for each wall; appropriate sizing for drainage system to handle intense storm conditions; maintenance ability to clean stormwater piping systems; appropriate backfill material sufficient porosity to allow free drainage of water; evaluate potential failure by internal/external failure mechanisms, global failure or other potential failures; and seismic design considerations.
 - If the wall or walls are tiered walls, the design shall include an analysis of the minimum spacing of walls to allow the individual walls to act as individual walls based on the specific site and construction conditions. If the walls are to be placed closer than the same, the specific design shall consider the loads superimposed by one wall to the other.

- During construction, the work must be inspected by a NYS Licensed Professional Engineer who shall provide written verification to the Village Building Inspector, prior to the request for a certificate of occupancy, that he/she has personally inspected the work, and the installation is in compliance with the design drawings and manufacturer's installation recommendations.
- If deemed necessary by the design engineer and/or the Village, third party testing will be performed regarding material compaction, fill quality, etc. A copy of all such testing records shall be provided to the Village Building Department for record.

Sheet C540 – Storm Sewer Details

- No comments at this time.

Sheet C541 – Storm Sewer Details

- This drawing is in review with the SWPPP submitted. A separate memo will be issued once available.

Sheet C550 – E&S Control Details

- This drawing is in review with the SWPPP submitted. A separate memo will be issued once available.

Sheet C560 – Water System and Sanitary Sewer Details

- No comments at this time.

Sheet C580 – Landscaping Details & Notes

- No comments at this time

4. In the response letter from the applicant's engineer, they indicate a vehicle turning movement evaluation was performed for the site. It is indicated that this analysis included emergency vehicles. This should be submitted for review.
5. The Orange County Department of Planning performed a review of the application and provided comments dated 12/12/2017. The Board should review these responses. Attention is specifically directed to the first comment questioning if a variance is required for the retaining wall within the setback area. The Board should discuss this with the Code Enforcement Officer and Attorney for the Planning Board.
6. We will continue our review of this application as additional information is submitted.

Respectfully Submitted,



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



**McGOEY, HAUSER and EDSALL
CONSULTING ENGINEERS D.P.C.**

MARK J. EDSALL, P.E., P.P. (NY, NJ & PA)
MICHAEL W. WEEKS, P.E. (NY, NJ & PA)
MICHAEL J. LAMOREAUX, P.E. (NY, NJ, PA, VT & VA)
PATRICK J. HINES
LYLE R. SHUTE, P.E. (NY, NJ, PA)

Main Office
33 Airport Center Drive
Suite 202
New Windsor, New York 12553

(845) 567-3100
fax: (845) 567-3232

Writer's Email:
mje@mhepc.com

Principal Emeritus:
RICHARD D. McGOEY, P.E. (NY & PA)
WILLIAM J. HAUSER, P.E. (NY, NJ & PA)

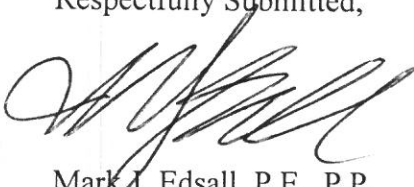
**VILLAGE OF CHESTER
PLANNING BOARD
REVIEW COMMENTS**

PROJECT NAME: AMANTE & NORRIS ASSOC. - 14 CARPENTER ROAD SUBDIVISION
PROJECT LOCATION: 14 CARPENTER ROAD
SECTION 111 – BLOCK 1 – LOT 5
PROJECT NUMBER: 18-02
DATE: 22 MAY 2018
CONSULTANT: CIVILTEC ENGINEERING & SURVEYING
PLAN DATE: 3/20/2018
DESCRIPTION: THE APPLICATION INVOLVES THE SUBDIVISION OF THE 1.28+ ACRE PARCEL INTO THREE (3) SINGLE-FAMILY RESIDENTIAL LOTS. THE PLAN WAS REVIEWED ON A CONCEPT BASIS ONLY.

1. The property is located in the RS zoning district of the Village. The bulk table on drawing 1 appears correct for the zone and use; however, the building height should also reference a 3-story maximum and a minimum 900 sf of habitable dwelling area should be indicated.
2. Drawing 1 should include metes and bounds for all proposed lot lines, roadway line including the turnaround areas. The drawing should clearly indicate the proposed disposition of the roadway (it is understood the intent is to dedicate the entire road strip). See #7 below.
3. Regarding the Utilities Plan (Drawing 2), note the following:
 - The plan should call out lot numbers for each proposed lot.
 - The plan depicts a proposed sewer main extension to serve the road extension. The extension will require an application and approval from the NYS DEC.
 - The plan should design and depict the lateral (service) connections for each lot from the proposed sewer main. Are gravity connections available for all three lots ?
 - We caution the developer that the current hydrant location would conflict with a perpendicular driveway to the roadway, if the road is extended in the future and the turnarounds eliminated. Also, the hydrant should be moved onto the ROW.
 - Purpose of the seepage pits should be defined on the plan.
 - No drainage improvements are indicated to serve the roadway.

4. Slopes should be indicated on the profile sheet.
5. Details for construction of the project improvements must be included in the plan set.
6. All plans should include an approval box, with the Village Project Number (noted above) included in the box. The box should be in the bottom right hand fold of the plans, on each sheet.
7. A review will be required by the Street Superintendent. We should obtain his concurrence regarding the T-turnaround. We will reach out to him for a coordinated review.

Respectfully Submitted,

A handwritten signature in black ink, appearing to read 'Mark J. Edsall', written in a cursive style.

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

MJE/st
Ches18-02-22May2018.doc