

## MINUTES

### VILLAGE OF CHESTER PLANNING BOARD

JANUARY 22, 2019

#### REGULAR MEETING

**PRESENT:** Richard RAMSDELL, Chairman  
Robert JANKELUNAS, Member  
Anthony LASPINA, Member  
Vincent RAPPA, Co-Chairman

**NOT PRESENT:** Gene WINTERS, Member  
Mark EDSALL, Planning Board Engineer

**ALSO, PRESENT:** John ORR, Code Enforcement Officer  
Harold PRESSBERG, Planning Board Attorney

#### **\*\*\*\* REGULAR MEETING \*\*\*\***

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

#### **MINUTES**

Review Draft November 2018 Planning Board Meeting Minutes. **\*MOTION** made by Member LaSpina, second by Member Rappa, to **ACCEPT THE MINUTES AS DRAFTED**. Motion passed 3–0 (Robert Jankelunas was not at the meeting for this vote).

#### **CORRESPONDENCE**

None

#### **CODE ENFORCEMENT OFFICER REPORT**

Presented by John Orr

Village of Chester

Building and Codes Department

Monthly Report to the Planning Board

January 22, 2019

Current projects that were inspected during the last month:

BYK – 48 Leone Lane

- 1- Work almost complete.

32 Leone Ln-

- 1- Roof work is complete.
- 2- Issued permit for Satin Fine Foods for new interior freezer.

123 Main Street

- 1- Mexican restaurant now open.

Whispering Hills

- 1- The six decks have been rebuilt.
- 2- Issued permit for an additional 11 decks to be rebuilt.

2 Valley Court

- 1- Basement conversion complete.

87 Brookside Avenue

- 1- Demolition now complete.

Castle

- 1- Issued permit for the construction of an entrance foyer.

Regards,

John S. Orr

Code Enforcement Officer

**WORK SESSION REVIEW**

Planning Board Secretary reviewed the applicants that appeared at the November 8, 2018 and December 6, 2018 Work Sessions:

Presented by Planning Board Secretary

11/08/18: Jones Site Plan – Project 17-02  
 LGW, LLC Site Plan Amendment – 1<sup>st</sup> Meeting  
 Rite Aid Site Plan Amendment – Project # 18-04  
 12/06/18: Elmwood Park Apartments – Project # 13-08

**PROJECTS FOR REVIEW****1. Project # 16-08 Project Name: The Castle SPA (Zip Line & Addition)**

Applicant/Owner: Brian & Alison Leentjes / XLLC & 717, LLC

Location: 107-109 Brookside Avenue (107-2-14.2 & 15 / B2 Zone)

Re: Construct 12' X 40' Platform for a Zip Line and 10,000 square foot addition

The applicant submitted the following letter to the Planning Board requesting an extension of the Site Plan approval for their addition and alteration of the go kart area. The applicant advised they plan to finish the proposed work towards the end of Spring 2020. The applicant is also requesting the Special Use Permit with respect to outside hours of operation, which was valid for one year, be made a permanent revision on the site plan. The letter was read into the record by Chairman Richard Ramsdell.



January 7, 2019

To: Village of Chester Planning Board

Dear Planning Board,

Two items that we wanted to change and finalize.

First, our site plan for The Castle addition and alteration of go kart area has been delayed. We plan on breaking ground towards the end of this summer, didn't know if we needed to get an extension? If so, we are requesting an extension; construction would be finished towards the end of Spring 2020.

Second, it's been over a year since we were in our 1-year trial for being open until 1 am outdoors throughout the year. We have done many school and group events that have used the zip line and go karts and other outdoor activities. We have received no complaints or notifications from anyone. We would like to make this a permanent revision; can you guide us as to how to do that?

Thank you,

Brian Leentjes  
 The Castle Fun Center  
 109 Brookside Ave, Chester, NY 10918

- CEO John Orr advised he has not received any complaints for noise, etc. between 11 PM and 1 AM. He also advised he checked with the police department and they have no complaints on record;
- Village residents in attendance advised there's still noise, but it's better than the music that was previously playing;

- It was noted that a SEQRA determination was previously done;

**\*MOTION** was made by Member Jankelunas, second by Member LaSpina, to **GRANT AN EXTENSION OF THE CONSTRUCTION TIMETABLE TO JUNE 30, 2020**. Motion passed 4-0.

**\*MOTION** was made by Member LaSpina, second by Member Rappa, to **GRANT AN EXTENSION OF THE SPECIAL USE PERMIT ALLOWING THE HOURS OF OPERATION FROM 9 AM TO 1 AM FOR OUTSIDE ACTIVITIES WITH OUTSIDE MUSIC TURN OFF AT 10:00 PM AND 24 HOURS A DAY FOR INSIDE ACTIVITIES FOR ONE YEAR WITH AN EXPIRATION DATE OF JANUARY 30, 2020 OR UNTIL THE FIRST MEETING IN 2020**. Motion passed 4-0.

2. **Project # 18-02 Project Name: Amante-Norris Sub-Division @ Carpenter Road**  
Applicant/Owner: Amante & Norris Associates, LLC  
Location: Carpenter Road (111-1-5 / RS Zone)  
Re: Subdivision of 1.28+ acre parcel into three (3) single-family residential lots

The applicant submitted the following letter to the Planning Board requesting an extension of the Conditional Final Site Plan approval for their 3-lot subdivision. The applicant advised they are working with outside agencies to obtain required approvals. The letter was read into the record by Chairman Richard Ramsdell.

**CIVILTEC**  
Engineering + Surveying

December 10, 2018

Village of Chester Planning Board  
47 Main Street  
Chester, NY 10918  
Attn: Sandy VanRiper, PB Secretary

Ref: Amante-Norris Subdivision at 14 Carpenter Road  
Village of Chester: Section 111- Block 1-Lot 5

Dear Planning Board Members,

On behalf of the applicants for the referenced project we would like to request an extension of the Conditional Final granted for the project in July. We currently are working with the outside agencies to obtain approval for the water and sewer main extensions. Once that is completed, we will be in a position to come back to the planning board to finalize the application. We would request the maximum allowable extension be granted.

If you require anything additional regarding this proposal prior to the meeting, please do not hesitate to contact our office.

Thank you.

Sincerely,  
Lawrence E Torro, PE  
Civil Tec Engineering & Surveying P.C.  
139 Lafayette Avenue, 2<sup>nd</sup> Floor, Suffern, NY 10901 Tel 845.547.2241 Fax 845.547.2243  
69 Brookside Avenue, Suite 223, Chester, NY 10918 Tel 845.610.3621  
[Civil-Tec.com](http://Civil-Tec.com)

**\*MOTION** was made by Member LaSpina, second by Member Jankelunas, to **GRANT A 6 MONTH EXTENSION OF THE CONDITIONAL FINAL SITE PLAN APPROVAL**. Motion passed 4-0.

**3. Village Board Referral of Proposed Local Law # 6 of 2018**

Village Board referral of proposed Local Law #6 of 2018, which proposes amending Zoning §84, Subdivision of Lands, as it relates to notice to interested parties of applications for subdivision of lands (copy attached).

Discussion was held:

- The applicants should mail the public hearing notice as the new proposed local law indicates the Planning Board Clerk is to mail the public hearing notice;
- The public hearing notice should be sent only to the property owners – not to the property owners and each person known to reside at the property;
- The public hearing notice language should be the same as required for ZBA applications;
- David Stevenson noted the ZBA required notice for Public Hearings and, if the Planning Board decides to require Public Hearing mailings, the requirements should be in line with the other Boards already requiring Public Hearing mailings;
- Chairman Ramsdell advised he would like to see Public Hearing notices be send for site plan approval, amendments to site plans, sub-divisions and special permitted uses;

**\*MOTION** was made by Member Jankelunas, second by Member LaSpina to **AUTHORIZE PLANNING BOARD CHAIRMAN RICHARD RAMSDELL AND PLANNING BOARD ATTORNEY HAROLD PRESSBERG TO WRITE A RESPONSE TO THE VILLAGE BOARD RECOMMENDING THE CHANGES TO THE LANGUAGE TO BE IN LINE WITH THE LANGUAGE AND PROCEDURES USED BY THE ZONING BOARD OF APPEALS. THE RESPONSE SHOULD ALSO INCLUDE THE PLANNING BOARD'S ABILITY TO WAIVE A PUBLIC HEARING FOR LOT LINE CHANGES. THE PLANNING BOARD WOULD LIKE THE LETTER PRESENTED AT THE FEBRUARY MEETING FOR REVIEW**. Motion passed 4-0.

**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 LaSpina, second by Member Jankelunas, to **ADJOURN THE MEETING**. Motion passed 4-0. Meeting adjourned at 7:50 PM.

**Respectfully Submitted,**



**Sandra VanRiper**  
**Planning Board Secretary**

## INTRODUCTORY LOCAL LAW NO. 6 OF 2018

### A LOCAL LAW AMENDING CHAPTER 84 OF THE VILLAGE OF CHESTER CODE WITH RESPECT TO NOTICE OF APPLICATIONS FOR SUBDIVISION OF LAND

Be it enacted by the Board of Trustees of the Village of Chester in the County of Orange, as follows:

#### SECTION 1: Title

This Local Law shall be referred to as "A Local Law Amending Chapter 84, entitled "Subdivision of Lands" of the Village Code of Chester.

#### SECTION 2: Purpose and Intent

It is the purpose of this Local Law to amend and amend Chapter 84, entitled "Subdivision of Lands" of the Village Code of Chester, as it relates to giving notice to interested parties of applications for subdivision of lands.

#### SECTION 3: Amendments to notice provisions

A. Section 84-8.C.(1) is amended by inserting the language underlined below:

(1) The Planning Board shall hold a public hearing within 62 days after the receipt of a complete preliminary plat by the Planning Board. Such hearing shall be advertised at least once in a newspaper of general circulation in the Village at least five days before such hearing. **A copy of such notice shall be mailed by the Planning Board Clerk, at the expense of the applicant, to the owner of real property within five hundred (500) feet of lands proposed to be subdivided, and to each person known to reside within five hundred (500) feet of lands proposed to be subdivided.** The Planning Board may provide that the hearing be further advertised in such manner as it deems most appropriate for full public consideration of such preliminary plat.

B. Section 84-9.B.(2) is amended by inserting the language underlined below:

(1) The Planning Board shall hold a public hearing within 62 days after the receipt of a complete preliminary plat by the Planning Board. Such hearing shall be advertised at least once in a newspaper of general circulation in the Village at least five days before such hearing. **A copy of such notice shall be mailed by the Planning Board Clerk, at the expense of the applicant, to the owner of real property within five hundred (500) feet of lands proposed to be subdivided, and to each person known to reside within five hundred (500) feet of lands proposed to be subdivided.** The Planning Board may provide that the hearing be further advertised in such manner as it deems most appropriate for full public consideration of such preliminary plat.

#### SECTION 4: Severability

If any clause, sentence, paragraph, subdivision, or part of this Local Law or the application thereof to any person, firm or corporation, or circumstance, shall be adjusted by any court of competent jurisdiction to be invalid or unconstitutional, such order or judgment shall not affect, impair, or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, subdivision, or part of this Local Law or in its application to the person, individual, firm or corporation or circumstance, directly involved in the controversy in which such judgment or order shall be rendered.

#### SECTION 5: Effective Date

This local law shall take effect immediately upon filing with the Secretary of State.