

## MINUTES

### VILLAGE OF CHESTER PLANNING BOARD

JANUARY 28, 2020

### REGULAR MEETING

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

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

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

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

#### **MINUTES**

Review Draft November 2019 Planning Board Meeting Minutes. \***MOTION** made by Member Rappa, second by Member LaSpina, to **ACCEPT THE MINUTES AS DRAFTED**. Motion passed 5-0

#### **CORRESPONDENCE**

None

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

Presented by John Orr (copy attached)

#### **WORK SESSION REVIEW**

There was no Planning Board Work Session held January 2, 2020

#### **PROJECTS FOR REVIEW**

**1. Project # 17-02**                      **Project Name: Jones Site Plan Amendment**  
Applicant/Owner:                      Linda & James Jones  
Location:                                      153 Main Street (111-2-30.2 / B1 Zone)  
Re:    Change of Use (Existing Residential to Commercial Office/Retail)

James Dillin, PLS provided an overview of the project:

- The application was originally submitted in April of 2017.
- The applicant was asked to wait to complete the application as the Village Board was considering an update to the Zoning Code which allows the Planning Board discretion to waive all or a portion of the required off-street parking for business uses of the B-1 district.
- Village Engineer Mark Edsall provided comments in December 2019 and, based on those comments, James Dillin PLS updated the plans submitted for this meeting.

Mark Edsall's comments reviewed by Shawn Arnott (copy attached). General discussion held regarding:

- Vehicle turnaround
  - Village Engineers suggested a "T" turnaround
  - Village Engineers suggested the applicant remove an existing deck and create parking
  - Applicant could possibly install a turnaround on the side yard with item 4
- The Planning Board can waive up to 4 parking spaces based on the lot frontage
  - Applicant requested the Board waive 2 parking spaces at this time

- Applicant to submit plans updated to reflect:
  - Turnaround
  - Parking – spaces 1 & 2 to be moved to the back area
  - Set Up Area: as deep as the house on the left-hand side; items kept 10 feet off the property line; items displayed from the front of the house (not the porch) to the rear of the house.
- Ingress / Egress are the front and back doors (doors will be shown on the plans), which will not block the parking
- No items will be displayed overnight – update note 7 to read “outdoor display only during hours of operation”
- Clarified “Maximum Building Height (FT./Stories) Required 35/3; Supplied <35/3” note in the bulk table
- Add note stating no overnight items displayed
- Update note 7 to “Outdoor Display ONLY During Hours of Operation”

Under General Municipal Law §239 M and N, plans are to be referred to Orange County Planning. The plans will be sent when an updated site plan is submitted.

**\*MOTION** was made by Member Jankelunas, second by Member Winters, to **DECLARE THIS A TYPE II ACTION UNDER SEQRA AS PROVIDED IN 6 NYCRR 617.5(c)(7), AND, THEREFORE, REQUIRES NO FURTHER ACTION UNDER SEQRA.** Motion passed 5-0.

**\*MOTION** was made by Member LaSpina, second by Member Jankelunas, to **SET THE PUBLIC HEARING FOR FEBRUARY 25, 2020.** Motion passed 5-0.

**\*MOTION** was made by Member Winters, second by Member Jankelunas, to **WAIVE THE REQUIREMENT OF A DUMPSTER.** Motion passed 5-0.

2. **Project # 19-07**                      **Project Name: 717, LLC / VanDerMeulen Lot Line Change**  
 Applicant/Owner:                      Brian Leentjes & Louis VanDerMeulen  
 Location:                                      107 & 105 Brookside Avenue (107-2-15; 107-2-5.2 / B-2 Zone)  
 Re:    Proposed Lot Line Change

James Dillin, PLS provided an overview of the project:

- Applicant is obtaining part of the VanDerMeulen property at 105 Brookside Avenue (S/B/L 107-2-5.2) and property from the Town of Chester at State Highway 17M (S/B/L 2-1-37)
- No variances needed
- Parking previously proposed on the property noted as “Parcel A” on the site plan is not being done at this time as it needs special engineering
- Not obtaining any property the VanDerMeulen’s currently utilize

Mark Edsall’s comments reviewed by Shawn Arnott (copy attached). General discussion held regarding:

- Future parking and possible filling a portion of the Black Meadow Creek
- New Section, Block and Lot numbers for each of the newly formed properties
- Applicant plans on annexing the Town of Chester property (S/B/L 2-1-37) into the Village of Chester property (S/B/L 107-2-15). Discussion also involved how long the annexation would take, but applicant made it clear the annexation was not part of this application.
- Has the applicant considered obtaining more road frontage across from the entrance/exit to the mall for future use or potential future traffic light?

**\*MOTION** was made by Member Winters, second by Member LaSpina, to **DECLARE THIS A TYPE II ACTION UNDER SEQRA AS PROVIDED IN 6 NYCRR 617.5(c)(7), AND, THEREFORE, REQUIRES NO FURTHER ACTION UNDER SEQRA.** Motion passed 5-0.

**\*MOTION** was made by Member Jankelunas, second by Member LaSpina, to **REFER THIS APPLICATION TO ORANGE COUNTY PLANNING AND THE TOWN OF CHESTER UNDER GENERAL MUNICIPAL LAW §239 M AND N.** Motion passed 5-0.

**\*MOTION** was made by Member Jankelunas, second by Member Rappa, to **WAIVE THE REQUIREMENT OF A PUBLIC HEARING.** Motion passed 5-0.

- 3. Project # 19-08                      Project Name: The Castle Site Plan Amendment**  
 Applicant/Owner:                      Brian Leentjes  
 Location:                                      107-109 Brookside Avenue (107-2-15; 107-2-14.2 / B-2 Zone)  
 Re:    Site Plan Amendment

The Planning Board gave the following suggestions:

- Highlight the proposed building areas so they stand out;
- Make the lot lines between 107-2-15 and 107-2-14.2 a bolder dash-dot line so they are easier to see;
- Add "Tax Lot (107-2-15 and 107-2-14.2)" in multiple locations
- Applicant advised existing retaining wall may be brought to the first-floor elevation, but not removed
- Applicant advised the overlap of the existing pavilion will be removed

Mark Edsall's comments reviewed by Shawn Arnott (copy attached). General discussion held regarding:

- Update notes in "Amend Site Plan Changes" box along the bottom of page 1 to remove notes relating to previous site plan amendments and keep the notes relating to this amendment only
- Code Enforcement Officer John Orr suggested the applicant look into merging the Village of Chester lots as the proposed building is crossing the lot lines
- As the applicant is doubling the building size, the applicant should send the plans to a plan designer for review of the fire access
- As the applicant is just about doubling the size / volume of this building, Code Enforcement Officer John Orr would like the professional creating the drawings to look at the NYS Fire Code for Fire Department Access and make sure it's shown on the plans the Fire Code can be met. Code Enforcement Officer John Orr would like to review and approve those plans before the Board approves the Amended Site Plan.
- Village Engineer Mark Edsall confirmed sheet 2 of the site plans is necessary for parking calculations, but some of the details could be modified
- The applicant would like to submit updated plans and review them with the Board at a Work Session prior to submitting to Orange County for the GML§239 M and N review.

**\*MOTION** was made by Member LaSpina, second by Member Jankelunas, to **DECLARE THIS AN UNLISTED ACTION UNDER SEQRA AS PROVIDED IN 6 NYCRR 617.5(c)(7), AND, THEREFORE, REQUIRES NO FURTHER ACTION UNDER SEQRA.** Motion passed 5-0.

- 4. Project # PB-20-01                      Project Name: Donnelly Site Plan**  
 Applicant/Owner:                      Lewis Donnelly  
 Location:                                      7-9 Greycourt Avenue (105-1-4 & 105-1-5 / B-1 Zone)  
 Re:    Proposed Commercial / Residential Building

Ross Winglovitz, PE, Engineering and Surveying Properties, provided an overview of the project:

- The proposed project location is 7 Greycourt Avenue – an existing .35-acre property
- All existing buildings (house and barn) will be demolished as part of the application
- The proposed project would consist of a new 3-story building – approximately 6400 square feet, first floor would be commercial, second and third floors would have a total of 6 one-bedroom apartments
- There would be an entrance into the building in the front with the porch servicing the commercial, 2 entrances in the rear serving the residential
- Parking is going to be tucked entirely in the rear with the exception of the handicap parking space, which will be on the east side of the building

- Total of 18 parking spaces, which meets the Code of 2 per residential unit and 1 per 400 square feet for commercial space
- They propose using municipal water and sewer services
- Applicant plans on merging the lots with this application

Mark Edsall's comments reviewed by Shawn Arnott (copy attached). General discussion held regarding:

- Applicant would prefer using individual waste container, but Code Enforcement Officer John Orr advised they may have to use a dumpster due to the size of the proposed building, but that determination would be made by the Town of Chester as they manage the garbage services
- Applicant is proposing three retail store fronts on the first floor, but is flexible depending on the tenant
- The applicant may be able to utilize on-street parking as the proposed building is set back far enough
- The proposed plans should show the rail trail location on the site plan
- The proposed plans should show the roadways, street boundaries, all properties (on the same side of the street and across the street)
- The proposed handicap parking is not appropriate where it is proposed and should be 8 feet X 20 feet for the vehicle and 8 feet X 20 feet for access lane. The walkway can be used for handicap access
- Entrances are being looked into – applicant would like one in front and one in back, but he's working with this architect to finalize that plan
- The entrance should have a walkway past the parking spots
- Applicant is showing 18 parking spaces are required for combined retail and residential uses. The Board discussed where the applicant could develop additional parking spaces
- Establish boundary on the opposite side of the street and the roadway edges on either side if proposing on street parking
- The site plan needs to have the following with details: landscaping, lighting, topography and paving dimensions.
- Applicant advised he will try to get a rendering of the proposed building
- Applicant is not showing any sidewalks on the street
- Applicant is aware the existing utility pole will have to be moved from where the exit is proposed
- Applicant was asked to move the notes so they are not on the fold of the plans
- On the Short Environmental Assessment Form, Item 13, Part A asks, "Does any portion of the site of the proposed action, or lands adjoining the proposed action, contain wetlands or other waterbodies regulated by a federal, state or local agency?"
- Applicant advises he will demolish the existing building very shortly

### **GENERAL DISCUSSION**

**\*MOTION** was made by Member Rappa, second by Member LaSpina, to **ACCEPT THE 2020 PLANNING BOARD MEETING SCHEDULE AS DRAFTED**. Motion passed 5-0.

Chairman Ramsdell asked if anyone had anything else to discuss and there were no other comments.

### **ADJOURNMENT**

**\*MOTION** was made by Member Rappa, second by Member LaSpina, to **ADJOURN THE MEETING**. Motion passed 5-0.

Respectfully Submitted,



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

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

*January*  
~~December~~ 28, 2020

**Current projects that were inspected during the last month:**

22 Maple Ave

1- Project now complete.

40 Greycourt Ave.

1- House progressing.

38 Greycourt Ave

1- Foundation in.

Whispering Hills

1- Interior work underway.

Steris – 2 Nucifora Blvd.

1- Work has just started on roof top solar.

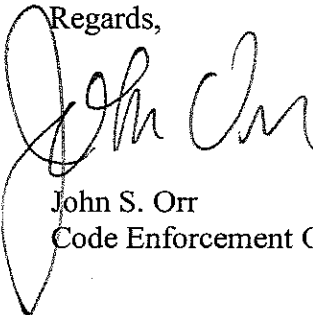
87 Brookside Ave. Credit Union

1- Credit Union is now open.

Carpenter Road. Bell Way

1- All three houses complete.

Regards,



John S. Orr  
Code Enforcement Officer



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

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Principal Emeritus:  
RICHARD D. McGOEY, P.E.  
WILLIAM J. HAUSER, P.E.

**VILLAGE OF CHESTER**  
**PLANNING BOARD**  
**REVIEW COMMENTS**

**PROJECT NAME:** JONES SITE PLAN  
**PROJECT LOCATION:** 153 MAIN STREET  
SECTION 111 – BLOCK 2 – LOT 30.2  
**PROJECT NUMBER:** 17-02  
**DATE:** 28 JANUARY 2020  
**CONSULTANT:** JAMES DILLIN, PLS  
**PLAN DATE:** Revised January 20, 2020  
**DESCRIPTION:** THE APPLICATION PROPOSES CONVERSION OF THE EXISTING RESIDENTIAL STRUCTURE TO AN OFFICE AND RETAIL BUILDING. THE PLAN WAS PREVIOUSLY REVIEWED AT THE 25 APRIL 2017 PLANNING BOARD MEETING. (COMMENTS WERE PROVIDED TO THE APPLICANT FOR THE 17 DECEMBER 2019 MEETING WHICH WAS CANCELLED)

1. The property is located in the B-1 zoning district of the Village. Retail establishments are Principal Permitted Use #2, and Offices are Use #4. Both uses have the same bulk values, which are correctly referenced as the “Required” values in the bulk table.
2. As the Board is aware, the Village Board adopted Local Law #3 of 2017, which (under Sect.98-20 E 7) allows the Planning Board discretion to waive all or a portion of the required off-street parking for business uses of the B-1 district. The credit is based on one space per 20 feet of lot frontage; in this case a maximum of four spaces. As part of the consideration of the waiver, the Board should review the proposed use, proximity to municipal parking and consider the ability for the site to develop on-site parking and to what extent of compliance with the code.
3. We have reviewed the updated plan and provide the following comments:
  - As previously noted, the configuration of the two on-site spaces does not meet normal layout standards (ie. one of the two parking spaces on site obstructs ingress/egress of the second space).
  - As previously noted, the site does not provide a handicapped parking space. The Code Enforcement Officer should comment on this aspect.

- As previously noted, Section 98-20 (E)(3) requires that the layout of off-street parking lots be such that vehicles entering the public street from the lot do so in a forward direction. The proposed site does not provide an actual parking lot, it is rather the residential driveway, the layout of which would require back-out (or back-in) from the public street. The Board should discuss this aspect with the Attorney for the Board as to how relief from this section of the code is addressed.
  - As previously noted, given the intensity of the proposed use, we anticipate that residential style waste cans will be used and no dumpster enclosure will be needed.
  - As previously noted, we presume that residential style lighting will be adequate for the use as proposed. We note no lighting plan is provided nor any information indicated.
4. It is our understanding that the applicant utilizes the side yard for outdoor display and sales. This is not indicated on the site plan. Further, Note 7 states that “Limited Outside display during hours of operation only.” The Board should discuss if this note is adequate.
  5. The Board should discuss the SEQRA process with the Attorney for the Planning Board.
  6. This project would appear to be within a 500-foot distance from the State Highway and, as such, must be referred to the Orange County Planning Department as per New York State General Municipal Law (GML 239). Status of the referral should be discussed.

Respectfully Submitted,



Shawn Arnott, P.E.  
Project Engineer



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**VILLAGE OF CHESTER**  
**PLANNING BOARD**  
**REVIEW COMMENTS**

**PROJECT NAME:** 717 LLC – VANDERMEULEN LOT LINE CHANGE  
**PROJECT LOCATION:** NYS ROUTE 17M  
SECTION 107 – BLOCK 2 – LOTS 15 & 5.2  
**PROJECT NUMBER:** 19-07  
**DATE:** 27 JANUARY 2020  
**CONSULTANT:** JAMES A. DILLIN, PLS  
**PLAN DATE:** Plan Dated January 20, 2020  
**DESCRIPTION:** THE APPLICATION PROPOSES CONVEYANCE OF 0.340 ACRES FROM TAX LOT 5.2 (VANDERMEULEN) TO TAX LOT 15 (717 LLC – CASTLE). (OUR OFFICE NOTES THAT THIS APPLICATION IS NOW THE PROPOSED LOT LINE CHANGE ONLY). (COMMENTS WERE PROVIDED TO THE APPLICANT FOR THE 17 DECEMBER 2019 MEETING WHICH WAS CANCELLED)

1. The properties are located in the B-2 zoning district of the Village. This application proposes a lot line revision with the lands of Vandermeulen (to the southeast). The application includes a lot line revision between a Special Permit Non-Residential use, and a Pre-existing Non-Conforming Residential use.
2. We have reviewed the Lot Line Change Plan and provide the following comments:
  - The required bulk values on the plan appear to be identified correctly on the plan.
  - Reference to “Lot #1” should be eliminated and references only made to current tax map numbers.
  - Disposition of tax parcel 2-1-37 (which is a parcel in the Town of Chester) should be discussed.
    - The plan identifies 717 LLC to purchase this parcel.
    - Is an application being made to the Town Planning Board ?
    - Is the applicant considering annexing this small triangular parcel into the Village ?
  - The Attorney for the Village should opine as to how these new lands should be added to the cross-easement agreement effecting tax lots 14.2 and 15 (or does this just get “absorbed” into the agreement as part of tax lot 15 ?).
3. The Planning Board should discuss, with the Attorney for the Planning Board, the appropriate steps to initiate SEQRA review of the application.



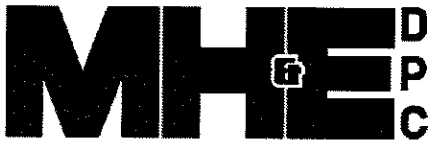
4. This project is adjacent to NYS Route 17M and the Town of Chester and, as such, must be referred to the Orange County Planning Department as per New York State General Municipal Law (GML 239) and to the Town of Chester.

Respectfully Submitted,



Shawn Arnott, P.E.  
Project Engineer

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**VILLAGE OF CHESTER**  
**PLANNING BOARD**  
**REVIEW COMMENTS**

**PROJECT NAME:** 717 LLC – CASTLE SITE PLAN AMENDMENT (v.18) AND SPECIAL PERMIT (Larger Building Addition)  
**PROJECT LOCATION:** NYS ROUTE 17M  
SECTION 107 – BLOCK 2 – LOTS 15 & 5.2  
**PROJECT NUMBER:** 19-08  
**DATE:** 28 JANUARY 2020  
**CONSULTANT:** JAMES A. DILLIN, PLS  
**PLAN DATE:** Plans Dated January 20, 2020 (two drawings)  
**DESCRIPTION:** THE APPLICATION PROPOSES REVISIONS TO SITE PARKING AS A SITE PLAN AMENDMENT. THE PLAN WAS REVIEWED ON A CONCEPT BASIS ONLY.

1. The property is located in the B-2 zoning district of the Village. This application proposes a site plan amendment to the previously amended Site Plan (PB#16-08). This amendment includes a larger proposed two story addition (total 26,700 sq. ft.) to the previously proposed smaller two story addition (10,000 total sq. ft.).
2. We have reviewed the Site Plan and provide the following comments:
  - The bulk table information should be included on the plan.
  - The “provided” parking calculation for the addition is for 5,000 sq. ft. (the total proposed is 26,700 sq. ft.
  - The application notes the proposed zip line and “conc./steel platform 35’ x 22’”. Our office understands that one or both of these improvements has been constructed.
  - Please insert application number (19-08) in approval box.
3. The Planning Board should discuss, with the Attorney for the Planning Board, the appropriate steps to initiate SEQRA review of the application.
4. This project is adjacent to NYS Route 17M and the Town of Chester and, as such, must be referred to the Orange County Planning Department as per New York State General Municipal Law (GML 239) and the Town of Chester.

Respectfully Submitted,

A handwritten signature in black ink, appearing to read "Shawn Arnott". The signature is fluid and cursive, with a long horizontal stroke extending to the right.

Shawn Arnott, P.E.  
Project Engineer

SEA/st  
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**VILLAGE OF CHESTER**  
**PLANNING BOARD**  
**REVIEW COMMENTS**

**PROJECT NAME:** DONNELLY 6-UNIT BUILDING  
**PROJECT LOCATION:** 7 GREYCOURT AVENUE  
SECTION 105 – BLOCK 1 – LOT 4 & 5  
**PROJECT NUMBER:** 20-01  
**DATE:** 27 JANUARY 2020  
**CONSULTANT:** ENGINEERING AND SURVEYING PROPERTIES  
**PLAN DATE:** 8 JANUARY 2020  
**DESCRIPTION:** THE PLAN INCLUDES THE DEMOLITION OF AN EXISTING DWELLING, SHED AND BARN ON BOTH LOTS. THE APPLICANT PROPOSES A 3-STORY MIXED USE BUILDING WITH 2108 SQ. FT. RETAIL SPACE ON THE FIRST FLOOR AND SIX (6)- 1-BEDROOM APARTMENTS ON THE SECOND AND THIRD FLOORS. THE APPLICATION WAS REVIEWED ON A CONCEPT BASIS ONLY.

1. The property is located in the B-1 Zoning District of the Village. The proposed retail use is a Principal Permitted Use and the apartments above the retail is a permitted accessory use (limited to single bedroom dwellings).
2. The Required Bulk Requirements appear to be correct for the zone. The applicant should identify the proposed dimensions on the plan.
3. The plans identify “Lewis Donnelly” as the owner/ applicant. The Orange County tax parcels identifies Lewis Donnelly as the record owner of Lot 5 and Mountain Paradise Builder as the owner of Lot 4.
4. The applicant should consider splitting the content of the sheet submitted into an existing conditions/ demolition plan and proposed site plan.
5. The proposed structure appears to extend over the existing lot line (dividing lots 4 & 5). The Board should discuss the necessity to dissolve this lot line.
6. The parking calculation provides 1 space per 400 sq. ft. of retail space (per the bulk table). Additionally, 2 spaces are provided for each accessory apartment unit. The required parking for the apartments should be discussed.

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7. The Board should discuss if a dumpster enclosure should be required or if individual waste containers should be provided for each occupant.
8. 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.
9. The Planning Board should discuss, with the Attorney for the Planning Board, the appropriate steps to initiate SEQRA review of the application.
10. Our office looks forward to future submissions as the plans develop to continue our review.

Respectfully Submitted,



Shawn Arnott, P.E.  
Project Engineer

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