

**MINUTES**  
**VILLAGE OF CHESTER PLANNING BOARD**  
**JUNE 9, 2020**  
**SPECIAL ZOOM MEETING**

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

**NOT PRESENT:** Gene WINTERS, Member

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

**\*\*\*\* MEETING \*\*\*\***

Chairman Ramsdell opened the Special Zoom Meeting at 7:00 PM.

**MINUTES**

Review of Drafts of May 12, 2020 and May 26, 2020 Planning Board minutes. **\*MOTION** made by Member Rappa, second by Member LaSpina, to **ACCEPT THE MINUTES AS DRAFTED**. Motion passed 4-0.

**CORRESPONDENCE**

None

**CODE ENFORCEMENT OFFICER REPORT**

Presented by John Orr verbally:

- Restaurants are planning outdoor seating.
- CEO Orr reviewed the Chester Agricultural Center's request for opening a coffee shop at 8 Greycourt Avenue and determined that the proposed new use is substantially similar to the previous use, therefore there is no need for Planning Board approval.

**WORK SESSION REVIEW**

CEO John Orr reviewed the applicants that appeared at the June 4, 2020 Work Session:

- Jones Site Plan Amendment – Proposed Change of Use for Commercial Business.
- Rustic Wheelhouse Site Plan Amendment – Proposed New Outdoor Seating Area.
- Chester Agricultural Center – Proposed Re-Use for Coffee Shop.

**PROJECTS FOR REVIEW**

1. **Project # PB-20-02**      **Project Name: Steris Isomedix Temporary Site Plan**  
Applicant/Owner:      Chester Industrial Park Assoc, LLC / Steris Isomedix Operation Inc  
Location:                9 Nucifora Boulevard (117-1-3 / M1 Zone)  
Re:                         Temporary concrete plant during expansion project @ 2 Nucifora Boulevard

Ben Ostrer, Attorney, provided an overview of the project:

- The applicant is requesting approval at this meeting.

McGoey, Hauser and Edsall's comments were reviewed (copy attached). Discussion was held regarding:

- The Village Street Superintendent and Water Commissioner will work with the applicant.
- The applicant will have a street sweeper to clean the streets.

SEQR typing determination was made at the May 26, 2020 Planning Board meeting.

**\*MOTION** was made by Member Winters, second by Member Rappa, to **DECLARE A NEGATIVE DECLARATION UNDER SEQR AS THE PURPOSED TEMPORARY ACTION WILL NOT RESULT IN ANY POTENTIALLY SIGNIFICANT ADVERSE ENVIRONMENTAL IMPACT.**

**Roll Call:**

<b>Chairman Rick Ramsdell</b>	<b>Yes</b>
<b>Member Robert Jankelunas</b>	<b>Yes</b>
<b>Member Anthony LaSpina</b>	<b>Yes</b>
<b>Member Vincent Rappa</b>	<b>Yes</b>
<b>Member Gene Winters</b>	<b>Absent</b>

Motion passed 4-0.

**\*MOTION** was made by Member Winters, second by Member LaSpina, to **GRANT SITE PLAN APPROVAL WITH THE FOLLOWING CONDITIONS:**

- 1. REVISIONS TO THE SITE PLAN ACCORDING TO MARK EDSALL'S COMMENTS.**
- 2. APPROVAL BY MARK EDSALL OF THE FINAL SITE PLAN.**
- 3. APPROVAL OF THE STREET SUPERINTENDENT.**
- 4. PAYMENT OF ALL FEES.**

**Roll Call:**

<b>Chairman Rick Ramsdell</b>	<b>Yes</b>
<b>Member Robert Jankelunas</b>	<b>Yes</b>
<b>Member Anthony LaSpina</b>	<b>Yes</b>
<b>Member Vincent Rappa</b>	<b>Yes</b>
<b>Member Gene Winters</b>	<b>Absent</b>

Motion passed 4-0.

**2. Project # PB-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)

Jim Dillin, PLS, provided an overview of the project:

- The site plan was submitted and updated with:
  - The proposed parking spaces were moved.
  - The sign height was changed from 6 feet to 5 feet.
  - The trailer location is now shown on the site plan for storage.
  - The steep slope in the rear of the property is noted.
  - The outside display area is moved to the side of the structure.

**\*MOTION** was made by Member Jankelunas, second by Member LaSpina, to **GRANT SITE PLAN APPROVAL WITH THE FOLLOWING CONDITIONS:**

- 1. REVISIONS TO THE SITE PLAN ACCORDING TO MARK EDSALL'S COMMENTS:**
  - **CONTINUATION OF DEPICTION OF THE DRIVEWAY TO THE ROAD.**
  - **LABEL THE GARAGE AS STORAGE ONLY.**
  - **ADD COMPLETION DATE TO THE PLANS.**
- 2. APPROVAL BY MARK EDSALL OF THE FINAL SITE PLAN;**
- 3. PAYMENT OF ALL FEES.**

**Roll Call:**

<b>Chairman Rick Ramsdell</b>	<b>Yes</b>
<b>Member Robert Jankelunas</b>	<b>Yes</b>
<b>Member Anthony LaSpina</b>	<b>Yes</b>
<b>Member Vincent Rappa</b>	<b>Yes</b>
<b>Member Gene Winters</b>	<b>Absent</b>

Motion passed 4-0.

- 3. Project # PB-19-06      Project Name: Rushing Duck Brewing Site Plan**  
 Applicant/Owner: Rushing Duck Brewing Company / Christine Battiato  
 Location: 2 Greycourt Avenue, Building 2, Unit 1 (104-6-14.2 / B1 Zone)  
 Re: Convert building into new production facility and tasting room

Nick Rugnetta, PE, Pietrzak & Pfau, provided an overview of the project:

- Proposed total Phase I and Phase II expansions is approximately 5,000 square feet.
- Parking was updated.
- The updated plans show one-way traffic circulation.

Chairman Ramsdell asked if the Board had anything to discuss and there were no comments.

McGoey, Hauser and Edsall's comments were reviewed (copy attached). Discussion was held regarding:

- The applicant has existing dumpsters on site, which will be relocated near the handicap parking.
- The applicant confirmed all parking will be completed with Phase I.
- The project requires 2 handicap parking spaces, so it was suggested they re-orient the cross hatch in between the 2 handicap spaces shown on the site plan.
- With the Phase I proposed outdoor area, bollards need to be added.
- The applicant might want to re-consider the one-way traffic pattern with the existing easement with the Warehouse Outlet at 6 Howland Street.
- Applicant was asked to note the following on the site plan:
  - Rushing Duck entrance signs.
  - The existing covered seating area on the southside of the existing building on the site plan.
  - Hours of operation.
  - Projected completion date for improvement to the site plan.
  - The Village's standard lighting note.
  - All existing and proposed doors.
  - Depict the buildings with an inside and outside line.
  - Existing easement with 6 Howland Street and where the easement is filed.
  - The proposed project will continue to utilize the existing sewer.
- Application needs to be sent to Orange County Planning for review.
- There are no proposed lighting updates.

**\*MOTION** was made by Member Jankelunas, second by Member LaSpina, to **SCHEDULE A PUBLIC HEARING FOR THE FIRST MEETING DATE IN JULY.**

<b>Roll Call:</b>	<b>Chairman Rick Ramsdell</b>	<b>Yes</b>
	<b>Member Robert Jankelunas</b>	<b>Yes</b>
	<b>Member Anthony LaSpina</b>	<b>No</b>
	<b>Member Vincent Rappa</b>	<b>No</b>
	<b>Member Gene Winters</b>	<b>Absent</b>

Motion denied 2 – 2.

**\*MOTION** was made by Member LaSpina, second by Member Jankelunas, to **AUTHORIZE THE CODE ENFORCEMENT OFFICER TO ISSUE A TEMPORARY CERTIFICATE OF OCCUPANCY FOR LIMITED OUTDOOR SEATING AND USE OF THE BUILDING DEPICTED IN PHASE 1 FOR RETAIL ONLY.**

<b>Roll Call:</b>	<b>Chairman Rick Ramsdell</b>	<b>Abstained</b>
	<b>Member Robert Jankelunas</b>	<b>Yes</b>
	<b>Member Anthony LaSpina</b>	<b>Yes</b>
	<b>Member Vincent Rappa</b>	<b>Yes</b>
	<b>Member Gene Winters</b>	<b>Absent</b>

Motion passed 3 – 1.

- 4. Project # PB-20-04      Project Name: Beer World Site Plan Amendment**  
Applicant/Owner:      SD Chester, LLC  
Location:                39 Brookside Avenue (114-1-7.1 / B2 Zone)  
Re:                        Renovation and expansion of existing commercial building

Larry Marshall, PE, Mercurio-Norton-Tarolli-Marshall, provided an overview of the project:

- Existing building is approximately 5,740 square feet.
- Proposed project will expand the building to approximately 12,000 square feet.
- There will be an additional 34 parking spaces with an additional 24 in reserve as their other locations show less parking is utilized than what is required by the Village Code.
  - CEO John Orr advised the Board could give some consideration to the parking as the business utilizes the selling floor as their storage area.
  - Larry Marshall, PE, noted the Board could allow CEO John Orr to oversee the parking and require the applicant to construct the parking spaces if needed.
  - CEO John Orr suggested the 24 spaces be constructed and used as a commuter parking lot.
  - Larry Marshall, PE, advised the applicant would look into commuter parking and requested contact information for the bus company. He also noted that the 24 spaces would put the project at approximately 8/10 of an acre of disturbance for the proposed site.
- The entrance will be moved from the existing entrance by the parking lot entrance to by the proposed handicap parking spaces.
- There are 2 existing trailers on the site which will be removed.
- Chairman Ramsdell asked the applicant to provide a floor plan for the proposed building.

McGoey, Hauser and Edsall's comments were reviewed (copy attached). Discussion was held regarding:

- Deliveries would be made in the back of the building.
- CEO John Orr commented he would like to see the applicant remove the paving in front of the building and replace it with a green area.
- Village Attorney Harold Pressberg asked the applicant to remove the redemption area, warehouse and coolers from the total building square footage and advise how many square feet were left.
  - Larry Marshall, PE, advised it would leave 8,614 square feet of customer accessible floor space, which is what they based the parking calculations on.
- CEO John Orr asked the applicant to split the plan into what is existing on the site and what is being proposed with the expansion.
  - Larry Marshall, PE, advised the applicant submitted a preliminary drawing and will show existing and proposed on future submittals.

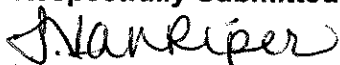
#### **GENERAL DISCUSSION**

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 4-0.

Respectfully Submitted,



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



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

**PROJECT NAME:** CHESTER INDUSTRIAL PARK ASSOC. TEMPORARY SITE PLAN  
(STERIS CONCRETE PLANT)  
**PROJECT LOCATION:** NUCIFORA BLVD – CHESTER INDUSTRIAL PARK  
SECTION 117 – BLOCK 1 – LOT 3  
**PROJECT NUMBER:** 20-02  
**DATE:** 9 JUNE 2020 SPECIAL MEETING (Zoom Meeting)  
**CONSULTANT:** MJS ENGINEERING & LAND SURVEYING, PC  
**PLAN DATE:** Revision C – dated 06/05/20 (two drawings)  
**DESCRIPTION:** THE APPLICATION PROPOSES THE TEMPORARY USE OF A LOT WITHIN THE INDUSTRIAL PARK FOR A CONCRETE PLANT RELATED TO THE CONSTRUCTION OF THE STERIS BUILDING ADDITION. THE PLAN WAS PREVIOUSLY REVIEWED AT THE 28 APRIL 2020 AND 26 MAY 2020 PLANNING BOARD MEETINGS.

1. The property is located in the M-1 Zoning District of the Village. As noted in my informal comments issued on 24 March 2020, the Planning Board has adopted a general procedure for processing temporary site plans within the Village. Based on the information submitted, it is also noted that this site would also serve as employee parking for the construction activities on the nearby Steris construction site.
2. As part of the submission for this application, the applicant has provided all the elements of information on the “checklist” for temporary uses. Corrections have been made to the plans as requested and the applicant and their engineer have acknowledged their responsibilities relative to coordination with the Village Street and Water Superintendents, as well as the NYSDEC.
3. The Board should insure that all procedural steps are complete before considering temporary site plan approval.

Respectfully Submitted,

*Mark J. Edsall*

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

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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:** 9 JUNE 2020 (Special Meeting)  
**CONSULTANT:** JAMES DILLIN, PLS  
**PLAN DATE:** Revised June 2, 2020 (electronic copy received for worksession)  
(updated plan dated June 8, 2020 received 6/8/20)  
**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,  
17 DECEMBER 2019\*\* , 28 JANUARY 2020 AND 12 MAY 2020  
PLANNING BOARD MEETINGS. \*\* meeting cancelled  
(in addition to above, a non-meeting review was performed on 3/24/2020).

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. This project has been the subject of multiple reviews and discussions at meetings and technical worksessions. The most recent discussion was at a technical worksession via Zoom on 6/4/2020, and subsequently an updated plan has just been received. Revised issues that should be discussed for a final conclusion are as follows:
  - Hours of Operation – expanded, shown as note #6
  - Location of Display Area – 15' deep area offset 10 ft from property line, with front aligned with building front face now depicted on plan.
  - Configuration of rear parking area – reversed, spaces not pull face into existing retaining wall, with backout to a new stone area. All rear parking and turnaround is Item #4 subbase material, non-paved.
  - Location of Storage Trailer – shifted back, currently sits in part of outside display area.
  - Location and height of sign – detail on plan. Height reduced to 5 ft.
  - Steep slope area at rear called out on plan.

3. Our understanding of procedural status is as follows:

- Public Hearing – held 5/12/2020
- GML 239 Orange County Planning Referral – “Local Determination” response
- SEQRA – verify with Attorney for Planning Board

4. As previously discussed, as part of any approval considered, the Board will need to include the off-street parking waiver per Section 98-20 (E)(7) of the Village Code (adopted by Local Law #3 of 2017). The criteria for the waiver can be discussed with the Attorney for the Planning Board.

Respectfully Submitted,

*Mark J. Edsall*

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

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

**PROJECT NAME:** RUSHING DUCK BREWING SITE PLAN  
(NEW BREWING LOCATION)  
**PROJECT LOCATION:** 2 BATTIATO LANE  
SECTION 104 – BLOCK 6 – LOTS 7, 14.2 & 12  
**PROJECT NUMBER:** 19-06  
**DATE:** 9 JUNE 2020 SPECIAL MEETING (ZOOM MTG.)  
**CONSULTANT:** BODHI ANAIS PIEDMONT-FLEISCHMANN, P.E.  
**PLAN DATE:** 12 FEBRUARY 2020  
**DESCRIPTION:** THE APPLICANT PROPOSES TO RELOCATE THEIR BREWING OPERATION TO THIS NEW SITE, A TASTING ROOM IS ALSO PROPOSED AT THIS NEW SITE. THE PLAN WAS REVIEWED ON A CONCEPT BASIS ONLY. THIS APPLICATION APPEARED AT 13 NOVEMBER 2019 PB MEETING. AT THE REQUEST OF THE PLANNING BOARD, THE APPLICATION WAS PREVIOUSLY REVIEWED AT THE 6 FEBRUARY 2020 AND 25 FEBRUARY 2020 BOARD MEETINGS.

1. The property is located in the B-1 zoning district of the Village. It is our understanding that the use is permitted in the zone pursuant to an interpretation of the ZBA on 12/8/2011. The plan now includes a complete bulk table reflecting the bulk data for the zone.
2. The new plans submitted consist of three sheets, which provide improved information for the proposed activity. We have reviewed the plans and feel that more adequately address the needs of a site plan, and are substantially responsive to our prior comments. In reviewing the plans, we have some issues which the Board may wish to discuss, and some recommended revisions to the final plans submitted. Note the following:
  - Site Waste Disposal – no indication is made as to if a dumpster or other waste arrangements are intended. The Board should discuss this with the applicant.
  - Parking Provisions – Phase I – based on our review of the plan, it appears that all parking is being constructed as part of Phase I. Applicant should confirm.
  - Handicapped Parking – A total of 35 spaces are proposed on the site. Per Table 1106.1 of the NYS Building Code, two handicapped spaces are required, with only one shown. We recommend the current single space be changed to two handicapped spaces with a shared access aisle.
  - Traffic Control Signs and Traffic Pattern – we have some questions which are further outlined in the following numbered comment.



- Safety Barrier at Phase I Concrete Outdoor Seating area – We recommend more than the single bollard shown. A row isolating the seating from the parking spaces is warranted. Generally we do not believe bolted bollards are acceptable, but given the location at an existing concrete pad, they may be appropriate in this case.
  - The Existing Conditions plan appears to address existing water service, but we are missing the location of sewer service. As well, no topography is indicated, but in that case given the existing nature of the site, such topography could be waived by the Board.
  - Site Lighting is addressed by location of fixtures only, no further information or isolux curves. Given the existing nature of the site, the Board may wish to waive any additional information. At minimum, the standard lighting note should be added to the plan.
  - Regarding the details on Drawing #3:
    - For the gravel parking area, we recommend the requirement be the compacted NYSDOT Item #4 (first option listed). We believe the other alternatives are not acceptable.
    - For the One Way sign, we recommend the signs be double-post mounted, and two-sided (where required).
    - For the Do Not Enter signs, we recommend standard configuration signs. Reduced dimension may be acceptable given the nature of the site; however, recognition of the sign intuitive, not based on a reading of the sign only.
3. The location of the Do Not Enter (DNE) sign at the northeast corner would appear to obstruct access to the rear of the existing “Warehouse Outlet Bldg Inc.” property, unless they loop thru the application properties. I do not believe this is the intent. As well, the restriction may be contrary to existing easement provisions, or create the need for new easements. Perhaps that DNE sign is better located at the One Way (OW) sign near the property n/f Schaeffer.
- The south side of the existing “Duck In” near Greycourt Avenue may operate currently as two-way. If so, and there is no reason to change this, the OW sign at the southeast corner of the building, may better be to the east of the “Metal Shed” to the west, where the one-way loop actually starts.
4. We have not further addressed the previous issue of Howland Street, easements over tax lot 104-6-12, and the fact that the site plan spans two properties (separate owners) as it is our understanding this is being addressed by the Attorney for the Planning Board.
5. If there are any other open issues identified by the Board, we will assist the Board as needed.

Respectfully Submitted,

*Mark J. Edsall*

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

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

**PROJECT NAME:** SD CHESTER LLC (BEER WORLD) SITE PLAN AMENDMENT  
**PROJECT LOCATION:** 39 BROOKSIDE AVENUE (NYS ROUTE 17M)  
SECTION 114 – BLOCK 1 – LOT 7.1  
**PROJECT NUMBER:** 20-04  
**DATE:** 9 JUNE 2020 SPECIAL MEETING (ZOOM MTG.)  
**CONSULTANT:** MNTM ENGINEERING & SURVEYING  
**PLAN DATE:** Rev. 1 dated 5-11-20  
**DESCRIPTION:** THE APPLICATION PROPOSES MODIFICATION TO THE EXISTING  
RETAIL FACILITY WITH A REVISION FROM 5,740 SF TO 12,380 SF. THE  
PLAN WAS REVIEWED ON A CONCEPT BASIS ONLY.

1. The property is located in the B-2 Zoning District of the Village\*\*. The proposed use is cross-referenced from use A-1 of the B-2 to use A-2 of the B-1 zone. The bulk table indicates compliance with the required bulk values other than the front yard setback which is pre-existing non-conforming (which should be indicated). \*\* a small area of the property is in the M-2 zone.
2. Inasmuch as the site is an existing site with some limitations, I believe the amendment, as proposed, appropriately uses the existing curb-cuts to the State highway, and provides for reasonably accessible parking for the expanded facility. I have performed a concept review of the site plan and have some initial comments as follows:
  - Parking – the plan includes a parking calculation table which utilizes three different potential references for the parking ratio (B-2 code; B-1 code; ITE manual recommendations). The Board should discuss the alternate methods with the applicant and Code Enforcement Officer. The Board should also discuss what flexibility the Board has in application of parking requirements. Two handicapped spaces are provided (which meets code). A complete detail should be included on the detail sheet.
  - Traffic Flow – the access on the west side of the building is narrow and is shown as one-way entry. We recommend that a “Do Not Enter” sign be provided on each side of the drive in the proximity just to the south of the adjoining restaurant.

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- Dumpster Enclosure – we recommend that the Board require a masonry enclosure protected with bollards (details should be included on detail sheet).
  - Trailers on Site – disposition of the trailers should be discussed and it should be verified if they are permitted on a non-temporary basis (can be discussed with Code Enforcement Officer).
  - Survey Reference - Please complete note #2 with date of survey.
  - Plan Approval Box – please add project number 20-04 to approval boxes on all drawings.
3. Subsequent plans should include additional information such as utilities, lighting, landscaping, details, etc. as part of a more complete site plan.
  4. The Planning Board should discuss, with the Attorney for the Planning Board, the appropriate steps to initiate SEQRA review of the application.
  5. This project adjoins NYS Route 17M and, as such, must be referred to the Orange County Planning Department as per New York State General Municipal Law (GML 239).
  6. We will continue our review as additional information is submitted.

Respectfully Submitted,

*Mark J. Edsall*

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

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