

MINUTES

VILLAGE OF CHESTER PLANNING BOARD

AUGUST 25, 2020

REGULAR MEETING

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

NOT PRESENT: Anthony LASPINA, Member

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 July 14, 2020 and July 28, 2020 Planning Board Meeting Minutes. ***MOTION** made by Member Rappa, second by Member Jankelunas, to **ACCEPT THE MINUTES AS DRAFTED**. Motion passed 3-0 (Member Winters could not be heard on the zoom call for this vote)

CORRESPONDENCE

No correspondence to discuss.

CODE ENFORCEMENT OFFICER REPORT

Presented by John Orr – verbal report only.

WORK SESSION REVIEW

Review of the applicants that appeared at the August 6, 2020 Work Session:

- Lorgan's Liquor to discuss a Site Plan Amendment for a lot line change.
- Rustic Wheelhouse to discuss a Site Plan Amendment for an outdoor patio.
- Meadow Blue Coffee House to discuss a Site Plan for a change of use.
- Elmwood Park Apartments to discuss a Site Plan for a senior apartment complex.

PROJECTS FOR REVIEW

1. **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 provided an overview of the project:

- Applicant is working with Orange & Rockland for comments on the plan. approval.
- Applicant would like to add a propane filling station by the proposed dumpster enclosure.
 - They are proposing 4 bollards around the propane filling station and bollards at the corners of the proposed dumpster enclosure.

- Customers would pay for the propane tank refill in the store and then walk/drive to the fill station where the employee would fill the tank.
- Will the proposed propane filling station be too close to the dumpster enclosure?
- Per Larry Marshall, the dumpster enclosure is a 12' X 10' structure made of 8" concrete blocks housing one large dumpster. The applicant will add space between the dumpster enclosure and the propane filling station if the Planning Board requires it.
- Recycling will be stored inside.
- The propane filling station cannot be located in the O&R easement.
- Applicant is proposing a drop curb by the "DO NOT ENTER" sign.
- Applicant would like to extend the awning/overhang to cover the entrance by the handicap parking spaces.
 - Current awning proposed is 2/3' wide.
 - Applicant will confirm how big the proposed extension will be.
 - Planning Board Engineer Mark Edsall commented that the awning cannot be constructed in the easement and must conform to the front yard setbacks.

McGoey, Hauser, Edsall's comments reviewed (copy attached) and general discussion held:

- Handicap parking is located near the entrance, but not near the redemption center
 - Larry Marshall advised the employees would assist those customers with redemption.
- The plans need to be revised to show:
 - More detail in the location map on page 1.
 - The project box should be moved to near the approval box.
 - Where deliveries will be made.
 - Where the power lines are located.
 - The building lines should be more prominent.

***MOTION** was made by Member Rappa, second by Member Winters, to **SCHEDULE A PUBLIC HEARING FOR SEPTEMBER 22, 2020 AT 7:00 PM.** Motion passed 4-0.

Roll Call:	Chairman Rick Ramsdell	Yes
	Member Robert Jankelunas	Yes
	Member Anthony LaSpina	Absent
	Member Vincent Rappa	Yes
	Member Gene Winters	Yes

***MOTION** was made by Member Jankelunas, second by Member Rappa, to **DECLARE THIS AN UNLISTED ACTION UNDER SEQR.** Motion passed 4-0.

Roll Call:	Chairman Rick Ramsdell	Yes
	Member Robert Jankelunas	Yes
	Member Anthony LaSpina	Absent
	Member Vincent Rappa	Yes
	Member Gene Winters	Yes

2. **Project # PB-20-06** **Project Name: Rustic Wheelhouse Site Plan Amendment**
 Applicant/Owner: Christian & Andrea Cotter / C & M Repair Group
 Location: 37 Main Street (102-1-26 / B-1 Zone)
 Re: Proposed outdoor patio

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

- The application to the Planning Board has been submitted.
- The applicant has attended a Work Session.

- The proposed outdoor patio would be an accessory to the existing restaurant
- The proposed outdoor patio would be open seasonally.
- The 2 lots are a combined 66' X 54'.
- The proposed outdoor patio would be located behind the existing restaurant.
- The proposed outdoor patio would be a concrete area with a 48-seat capacity.
- The applicant would construct a block retaining wall to support the elevated patio.
- The proposed project includes a storage area.
- The applicant is proposing additional lighting and parking.

McGoey, Hauser, Edsall's comments reviewed (copy attached) and general discussion held:

- Catch basins.
- Per CEO John Orr, the project has been discussed with Mayor Bell and, as the parking will be shared with the Village and not only for the patio, the Village sees no issue with the parking.
- The applicant is looking into lighting at the crosswalk.
- The applicant will note on the plan that their events will not interfere with Village events.
- The applicant submitted a letter from David Roach giving permission to access his property during construction of the patio.
 - The applicant will add a note to the site plan that the footer will not be located on an the adjacent property.
- The plans should show:
 - Pictorial views on the west side (by the proposed parking spaces).
 - Cross section of the patio from the East/West.
 - Owner/applicant information should be located above the zoning information.
 - The address of the proposed patio.
 - The address of the existing restaurant.
 - The number of proposed patio seating.
 - Include restaurant information including what the different restaurant floors are used for and the total number of seating in the restaurant.
 - Dimensions of the proposed parking spaces.
 - All proposed landscaping.
- The applicant was asked to contact Orange and Rockland to see if they will move the existing utility pole as since it's located close to the roadway and may interfere with the proposed parking and traffic flow around the proposed patio.

***MOTION** was made by Member Rappa, second by Member Jankelunas, 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 4-0.

Roll Call:	Chairman Rick Ramsdell	Yes
	Member Robert Jankelunas	Yes
	Member Anthony LaSpina	Absent
	Member Vincent Rappa	Yes
	Member Gene Winters	Yes

- 3. Project # PB-13-08 Project Name: Elmwood Park Apartments**
 Applicant/Owner: John Sorrentino
 Location: Elm Street (SBL 111-2-7.1 & 3 / RA-B1 Zones)
 Re: Proposed construction of a Senior apartment complex

Vince Pietrzak, PE-PLS, provided an overview of the project:

- There are no plan revisions for this meeting.

- The Division for Historic Preservation of the Office of Parks, Recreation and Historic Preservation (OPRHP) signed off on the applicant's Burial Survey - Mechanical Soil Stripping Plan for Unmarked Graves at the Historic Townsend Homestead for the Proposed Elwood Park Apartments (copy attached).
- Building elevation and floor plans were prepared.
- The applicant is requesting the Board schedule a continuance of the Public Hearing.

General discussion held regarding:

- The additional information submitted should be cataloged for the Public Hearing.
- The water pressure letter / memo outlining the testing and results should be made available.
- The applicant's traffic consultant should be available for the Public Hearing.
- It was agreed that the lower level units would be made handicap accessible, but the floor plans don't show the handicap accessibility. The applicant should reinforce on the plans that the lower level units are accessible and adaptable for handicap tenants.
- The information submitted by the applicant should be made available in chronological order for the public to review.

The applicant will attend the September 3, 2020 Planning Board Work Session.

***MOTION** was made by Member Rappa, second by Member Winters, to **CONTINUE THE PUBLIC HEARING ON SEPTEMBER 22, 2020 AT 7:00 PM.** Motion passed 4-0.

Roll Call:	Chairman Rick Ramsdell	Yes
	Member Robert Jankelunas	Yes
	Member Anthony LaSpina	Absent
	Member Vincent Rappa	Yes
	Member Gene Winters	Yes

GENERAL DISCUSSION

The next Planning Board meeting is scheduled for Tuesday, September 22, 2020 and will be held at the Chester Senior Center, 81 Laroe Road, Chester, NY 10918.

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

ADJOURNMENT

***MOTION** was made by Chairman Ramsdell, second by Member Rappa, to **ADJOURN THE MEETING.** Motion passed 4-0. Meeting adjourned at 8:30 PM.

Respectfully Submitted,



**Sandra VanRiper
Planning Board Secretary**



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

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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: 25 AUGUST 2020 (ZOOM MTG.)
CONSULTANT: MNTM ENGINEERING & SURVEYING
PLAN DATE: Rev. 3 dated 8-13-20 (9-drawing set)
DESCRIPTION: THE APPLICATION PROPOSES MODIFICATION TO THE EXISTING
RETAIL FACILITY WITH A REVISION FROM 5,740 SF TO 12,630 SF. THE
APPLICATION WAS PREVIOUSLY REVIEWED AT THE 9 JUNE 2020 AND
28 JULY 2020 PLANNING BOARD MEETINGS.

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.
** a small area of the property is in the M-2 zone.

2. We have reviewed the resubmittal and the applicant's engineer's cover letter. The great majority of the issues have been addressed on the plan resubmittal in an acceptable manner. Some items remain open, as follows:

- Orange & Rockland Utilities - we have received a copy of a letter dated July 12, 2020 from Eric Grumm of O&R which requires some revisions. The applicant's engineer advises in the cover letter that coordination with O&R is ongoing.
- Curbing – We recommend the northwest corner of the site (at entrance near pylon sign) be curbed, in addition to any additional curbing required by Orange and Rockland Utilities.

- Handicapped Parking Detail – The no parking sign forward of the access aisle does not conform with the requirements of NYS Building Code Sections 1106.1.1 and 1111.5, which requires a sign with the text “No Parking – Any Time”.
 - Survey/Elevation datum – The Board asked for further explanation of the elevation datum for values shown on the plans. A discussion with the applicant’s engineer is appropriate.
3. The applicant’s engineer notes in his cover letter, and it is depicted on the plans, that a propane filling station has been added adjoining the dumpster enclosure. The propane tank is protected by bollards. Input from the Code Enforcement Officer is appropriate.
 4. The Board should discuss status of the following:
 - SEQRA
 - GML 239 referral to Orange County Planning Department
 - Public Hearing
 5. We will continue our review as additional information is submitted.

Respectfully Submitted,

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

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

PROJECT NAME: RUSTIC WHEELHOUSE SITE PLAN AMENDMENT
(PROPOSED REAR ELEVATED PATIO)
PROJECT LOCATION: 37 MAIN STREET
CENTER ST. & BANK ST.
SECTION 102 – BLOCK 1 – LOTS 24, 25 & 26
PROJECT NUMBER: 20-26
DATE: 25 AUGUST 2020 (ZOOM MEETING)
CONSULTANT: JAMES DILLIN, PLS
PLAN DATE: Revised July 30,2020
DESCRIPTION: THE APPLICATION PROPOSES A 1820 S.F. ELEVATED PATIO AT THE REAR (SOUTH SIDE) OF THE EXISTING EATING & DRINKING ESTABLISHMENT. THE PLAN WAS REVIEWED ON A CONCEPT BASIS ONLY.

1. The property is located in the B-1 Zoning District of the Village. It is my understanding that the patio is intended for temporary seasonal outdoor seating as an accessory to the existing restaurant. This should be verified and specifically acknowledged on the plan.
2. I have reviewed the initial concept plan submitted and provide the following comments for discussion with the applicant:

General

- The application references three tax parcels. It should be clarified which lot(s) is involved and the Board should discuss with the Attorney for the Planning Board if this is a stand alone site plan or accessory to the restaurant use (and consider the aspect if they are on separate parcels).
- The plan should have more dimensions for the parking spaces, drive aisle, patio, etc.

- The plan depicts a block wall for construction of the elevated patio. The use of interlocking gravity wall type units is preferable to MSU, although consideration of a reinforced concrete wall should not be discounted, given the near 20 ft. height of the wall. In any case, the standard retaining wall notes should be included, in this case with an additional note that the plexiglass fence panel structure and mounts should be included in the design by the professional engineer.
- In addition to the notes regarding the retaining walls, an additional note should be included regarding the controlled structural fill under the patio (within the retaining wall area) to avoid settlement under the patio.
- The Board should determine if they want a seating layout for the patio (rather than just an indication on the plan that 48 seats are proposed).
- Please add VOC PB Project Number 20-06 to all approval boxes.

Access and Safety

- The operational aspect of the site should be discussed by the Board. It is our understanding that patrons will walk along the west and north side of the patio structure, as well as from the restaurant building to the patio (as will servers of the business). A cross-walk is depicted. Adequate delineation of the cross-walk (pavement markings and signs) are critical to avoid pedestrian to vehicle conflicts.

Parking and Grading

- The Board should discuss the parking calculation (especially in relation to the first “general” comment above).
- Wheel stops may be appropriate for parking spaces 1 thru 4.
- Drainage from parking spaces 1 thru 4 should be directed away from the sidewalk and patio. Perhaps toward the existing stormwater inlet to the west.
- Cross-slope of parking spaces 5 thru 9 should be called out and determined if reasonable.
- Some additional clarification may be needed for grading on the east wall as well as the west corner near parking space #4.
- Grading over the Village 15” CMP is not recommended, in fact, it will need to be verified that proper cover will exist over the pipe. If adequate cover exists, grading should be limited to the east side of the pipe wherever possible.
- It appears that there is an intent to extend the Village drainage pipe. Please confirm. If so, grades and cover will be of concern.
- Some method of preventing parking on the right (south) side of space #9 will be needed. Perhaps roadway delineators.
- All aspects of grading and impacts on the drainage pipe should be reviewed by the Village Street Superintendent. A copy of the updated plan (once received) should be forwarded for review and comment.

Lighting

- It appears that one rear building-mounted light is proposed, as well as four pole mounted lights at the corners of the patio. Additional information is needed. As well, the standard lighting note should be added.

Hours of Operation and Noise Equipment

- The Board may wish to discuss the intended hours of operation and potential operational conflicts with Village concert functions with the applicant. Input from the Village Board may be appropriate since traffic restrictions may be in effect during Village concerts, which could impact operations of this site.
 - The Board may wish to discuss the applicant's intent regarding music (live or electronic) on the outside patio.
3. From a procedural standpoint, the Board should discuss:
 - SEQRA
 - Need for a GML 239 referral to the Orange County Department of Planning
 4. We will continue our review as issues are raised by the Board and as new plans are submitted.

Respectfully Submitted,

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

MJE/st
Ches20-06-25Aug2020 – Rustic Wheelhouse