

**MINUTES**  
**VILLAGE OF CHESTER PLANNING BOARD**  
**SEPTEMBER 22, 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

**\*\*\*\* PUBLIC HEARING \*\*\*\***

**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  
Rep: Lawrence Marshall, PE Mercurio-Norton-Tarolli-Marshall, PC

Public Hearing notice read into the record by Chairman Ramsdell, and it was confirmed that the mailings were done and return receipts were turned into the Planning Board Secretary.

Lawrence Marshall, PE provided an overview of the project:

- Proposed expansion of existing business, Beer World, to 12,000 +/- square feet.
- Parking will be expanded.
- Existing asphalt in front of the business to be replaced with landscaping.
- New lighting is proposed to be downcast to avoid spillage over property lines.
- The dumpster will be in the southwest corner of the site.

Public questioned / commented on the following:

- Patti Salerno, 11 Hambletonian Ave: Will the proposed expansion would be one story or two?
  - Larry Marshall, PE, advised it would be one story.
- Clif Patrick, 117 Brookside Avenue: Asked if the lighting would be upgraded to not shine in the roadway (State Route 17M).
  - Larry Marshall, PE, advised the lighting would be installed to cast light downward.
- The Planning Board asked that the elevation lines on the site plan be clarified.
- CEO John Orr requested the site plan note the project is for Beer World as they have the project noted as the property owner, SD Chester, LLC.

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

- It was noted that no update has been received by the applicant from Orange & Rockland.

As there were no other questions from the members of the Planning Board or the public in attendance, **\*MOTION** made by Member LaSpina, second by Member Rappa, to **CLOSE THE PUBLIC HEARING**. Motion passed 5-0.

**2. 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  
Rep: Mark Siemers, P.E., Pietrzak & Pfau



Public Hearing notice read into the record by Chairman Ramsdell, and it was confirmed that the mailings were done and return receipts were turned into the Planning Board Secretary. The public in attendance was advised that the Board will not accept comments that have been previously discussed.

Letter from Eric Denega, PE, PMP, Commissioner of Orange County Department of Public Works dated September 22, 2020, was read into the record by Planning Board Attorney Harold Pressberg (copy attached). The letter explains that the Village of Chester is currently exceeding its agreed upon discharge of gallons per day of sewage to the Harriman Wastewater Treatment Plant. The letter also advises that the Village of Chester does not have sewage capacity for any project that seeks to increase the amount of sewage discharged. Site plan approval for projects which will cause increased sewer usage should address how the related sewer capacity for such project will be met consistent with the existing agreement.

Planning Board Chair Ramsdell noted that on September 21, 2020, he met at the project site with Village Trustee Elizabeth Reilly, Zoning Board of Appeals Chair David Stevenson, Village Code Enforcement Officer John Orr, Village Mayor John Bell, Orange County Department of Planning Commissioner Alan Sorensen, AICP, Orange County Department of Public Works Commissioner Eric Denega, PE, PMP, Orange County Executive Steven Neuhaus and Orange County Attorney Langdon Chapman. Overview of the meeting provided by Village Trustee Elizabeth Reilly:

- There are residents who oppose entering / exiting the project from Elm Street. Therefore, she organized the meeting to give the parties an opportunity to discuss the entrance / exit.
- Village Trustee Elizabeth Reilly contacted Orange County for ideas regarding an alternate entrance on New York State Route 94 / Main Street as an existing curb cut is there.
- Village Trustee Elizabeth Reilly proposed working with the property owners along Main Street for alternate entrances.
- One alternate entrance / exit proposed is to enter to the left of 129 Main Street (Main Street Pizza) and exit by 145 Main Street (Vero Agency / former Chester Inn) or possibly enter by 115 Main Street (Alan's Falafel).
- John Vero advised the exit behind the existing Main Street businesses would be too narrow for emergency vehicles and some automobiles. He advised the delivery / garbage trucks have to drive extremely slowly as they barely fit between the buildings.
- Is it possible to exit the site via Davis Way? Is Davis Way Village property?
  - It was noted that Davis Way is not owned or maintained by the Village.
- Orange County Department of Planning Commissioner Alan Sorensen, AICP, advised he will contact the New York State Department of Transportation to discuss the project.
- Off-street parking is a priority for the Main Street businesses.
- Village Trustee Elizabeth Reilly asked the Planning Board not to rush to a decision until the proposed entrances / exits are looked in to.

Public questioned / commented on the following:

- Ben Ostrer, 111 Main Street: At the earlier Public Hearing, I had questioned the size of the units, which were designated senior housing units. It appears that the size is considerably larger, at least based upon the drawings to the extent that they've been provided. They're comparable to Whispering Hills units rather than comparable to senior citizens units, which I think would impact upon any sewer or water calculations which dovetails in with the comments we received from the County. Again, the access onto Elm Street. I don't want to plow that same field, but I do think that the applicant should provide what the floor plans are so that the Board would have some confidence that they are indeed senior housing units.
  - Planning Board Chair Ramsdell: While you're still there, we did get an architectural plan for a handicap accessible unit, and while the apartment units seem to be large, most of the space is going to be needed for access by people in a wheelchair.
  - Ben Ostrer: I think that's more of a function of the elevations of the doorways and the access to kitchen and bath facilities. It doesn't necessitate a larger unit to the extent that these compare to say the senior units that were built in Monroe or any of the other surrounding communities. Those units are in the 5-6-700 square foot variety. These are comparable to 2-bedroom units in Whispering Hills and that's not a typical senior unit. There's no elevators to the second floor so



there's nothing really about the layout of this project that indicates that it is truly designed for senior citizens. You don't have to be a senior to be handicapped, so the fact that it's a handicap accessible unit – I applaud the developer for doing that, but that doesn't excuse the size of all the units.

- Planning Board Chair Ramsdell: Thank you
- Ray Presky, 17 Elm Street: I've just got a question for the developers. My question is. So, I was reading the reply. Was there any concessions? I just didn't see any changes in the plan. It was just answers, but no.... You didn't change any of it, did you? Is there any specific changes you made – like made anything smaller, different, moved anything?
- Mark Siemers, P.E.: What we did do, was we, like the Chairman just said, we provided architectural layouts for the Planning Board's consideration, we did work with an archeologist and New York State Office of Parks, Recreation and Historic Preservation. We have received sign offs from them with the requirement of a grave survey being done during the stripping of top soil and, at the Planning Board's request and basically the public's request, we did have an update done of the traffic study that was submitted to the Board for their review and consideration. We do have Phil Greely here tonight, who is the traffic consultant who did that traffic update if the Board would like a rundown of that, but those are the items that we did do as a result of the public comments.
- Ray Presky: Same sizes, same everything else?
- Mark Siemers, P.E.: Yes
- Leslie Smith, 117 Brookside Avenue: I handed my comments to Sandy ahead of time (Leslie Smith read her letter into the record – **copy attached**).
- David Stevenson, 16 Elm Street: I just wanted to comment about the Moodna Sewer District letter. I happened to attend that meeting yesterday on site and the County Attorney made the comment that he thought that the Village of Chester wasn't just a little bit over, but was possibly over 37,000 gallons per day over their maximum allotment, which is quite a lot. To paraphrase what he was saying, I can't believe that the Village of Chester is even considering approving one gallon of additional usage since they're already so far over and hinted that it could possibly open the Village up to litigation from other projects that perhaps have been denied sewer capacity in the past. So, it's something that we should really think about because we could really be getting ourselves into deep trouble if we do this. I have another question. I did want to concur with Leslie Smith's comment about the impervious surface. It sounds like that was a deal that may have been struck at the Work Session and I'm not sure. The Work Session is like a technical review usually attended by the Planning Board Chair, not necessarily all of the other Planning Board members, so I think if there's some sort of arrangement that is made with the developer, it shouldn't be decided there. It should be brought back to the Planning Board so that it could be put in front of a quorum and voted on. It really shouldn't be a back-room deal. I have a question for Mark Siemers.... Mark, on the floor plan that was submitted, on the actual apartments, what was the width of the doors that are going to be on the first floor?
- Mark Siemers, P.E.: I don't know the answer to that.
- David Stevenson: The doorways. Ok. There's a floor plan – there's aggregate measurements up here at the top, but there's no real measurements to go with the door frame and so forth, and I would just want to say that if it is indeed going to be handicap accessible, it should be wide enough for a wheelchair to go through. That doesn't seem to be the case or at least so far. I also noticed that there was a sheet in the materials that were submitted to the Planning Board that says Elmwood Park proposed General Note #12 "All lower level units are handicap accessible and can be converted to handicap units as necessary." So that kind of sounds like they're actually not going to be handicap units from the get-go. Is that roughly correct that they would be regular apartments and then, if a handicap person goes in, then the doorway will be widened or how does that work?
- Mark Siemers, P.E.: My understanding is that they were designed so that they can be made handicap accessible.
- David Stevenson: They can be. Ok. So, renovation would have to be done as opposed to being done right out of the box. Getting back to the Moodna Sewer District, I did want to mention that the applicant's response to the Public Hearing when somebody brought up about how the sewer capacity was, they said there was currently adequate capacity in the Moodna Sewer District, so this was their claim at the time. Just makes you start to question the validity of some of their other comments. I don't know how much homework they put into this if they're now saying... If they were



saying that the Moodna Sewer District was capable of this new of the new capacity and now we just heard we're possibly 37,000 gallons a day over. It's quite a difference.

- Planning Board Chair Ramsdell: 10%
- David Stevenson: 10%. I also wanted to comment about something that Ben Ostrer said at the last Public Hearing in 2019. He was wondering if it's possible that a market study could be done to assess the need – the actual need for senior housing in the Village and the response was that a market study is not required in the Village of Chester Code as it is in the Town of Monroe where one was done previously. My suggestion to the Village Board is even though it's not required, I think you have the right to request anything you want in order to make an informed decision. So, although it may not be required, I think it's well within your right to ask for it if you feel that it's necessary to assess the demand because these apartments are not affordable housing, they're market rate value market rated and, as Ben was saying, they're going to be quite large, so they're gonna command a hefty sum, and I'm not really sure that they're gonna find a market for it and, if they don't, I know it's going to possibly be part of the Certificate of Occupancy or maybe deed restricted, but I would hate to see them come back and say we can't rent them and let non-seniors in and the all of a sudden the whole thing falls apart. And lastly, I just wanted to mention that, as Leslie says, there were some of their responses to the Public Hearing comments were rather dismissive and, for example, for some of the comments about... The Village is on the verge of adopting its first Comprehensive Plan and one of the tenets of it is protection of the historic neighborhoods that are currently here, and somebody brought that up at the last Public Hearing the notion of preserving historic neighborhoods, cultural and civic institutions, open space and the integrity of our residential neighborhoods and their response was there's no effect. Seems to me they could have perhaps provided more data or qualifying ~~trunkens~~ statements than just there's no effect, so my message to the entire Planning Board here is that you have your own minds to make up – they're obviously saying there's no effect and just kind of wiping it under the carpet. I would like and urge all of you to really think about it. Most of you live in the neighborhood and that vicinity and you know what that neighborhood is like, what the traffic is like, what the character of the neighborhood is like, and I hope you will consider it using your own minds. Thank you.
- Planning Board Chair Ramsdell: Thank you David.
- Planning Board Chair Ramsdell: If there's anyone else who would like to speak, I'm going to say something that won't take too long. It was suggested that some decisions were being made at Work Sessions. The Planning Board started doing Work Sessions I think more than 10 years ago and I have attended more than 95% of them and I can tell you, whether you believe it or not, no deals are made, no decisions are made at a Work Session other than have you given us enough information and usually people don't even ask that because they can see, based on our conversation, that they've got work to do. So, no deals have been made at our Work Sessions and it's... A Work Session is available to anyone who wants to attend, but we only have a fairly small room, so not this number of people could be there, but I just wanted to make that quite clear to everyone. No deals have been made. Next....
- Leslie Smith, 117 Brookside Avenue: I just want to read the response. This calculation was agreed to at a previous Workshop with the Planning Board.
  - Planning Board Chair Ramsdell: What are you referring to please?
  - Leslie Smith: This is the agreement about using the entire property to calculate the impervious surface area instead of just the individual lots.
  - Planning Board Chair Ramsdell: Is that minutes of a meeting?
  - Leslie Smith: This is Mark's or whoever their consultant is – this is his response to one of the comments.
  - Planning Board Chair Ramsdell: Ok, so it's not
  - Leslie Smith: About the impervious surface.
  - Planning Board Chair Ramsdell: Ok, I don't recall that deal being made.
  - Leslie Smith: Well, I go to a lot of
  - Planning Board Chair Ramsdell: I know.
  - Leslie Smith: Workshops and I obviously wasn't at this one, but I'm just reading what their consultant put down as a reason that they're using 41.2% of the entire lot as being acceptable for their number as being under the 50% that's allowed.
  - Planning Board Chair Ramsdell: We will be looking at this.



- Leslie Smith: I thought so.
- Anthony Quinn, 77 Main Street: It's hard not to repeat yourself cause these things happened over a year ago, but as far as the discussion regarding the impermeable surfaces to bed, here in an RS Zone, there's maybe some suggestions that we use the B1 Zone and count them all as one, in § 98-7(D) quote: "Where a district boundary divides a lot in single ownership, the regulations for either portion of the lot may, at the owner's discretion, extend not more than 30 feet beyond the boundary line of the district". I would interpret that as you cannot. It's more than 30 feet in the lot. It's not like someone trying to put a shed somewhere and needing a few extra feet. What they're doing is substantial. Certainly, more substantial than 30 feet of that lot that's being used for a driveway or a road. Another issue, which I don't recall if we brought up back in June or not, was §98-20, Section 4 – I'll paraphrase it. I'll let you guys read it exactly, but it says that the road is to be no more than 20 feet wide and existing plan has it at 30.

§ 98-20(F)(4) There shall be adequate provision for ingress and egress to all parking spaces. Access to off-street parking areas shall be limited to several well-defined locations at which curb cuts shall be permitted by the Planning Board. Driveways to each of said curb cuts shall be at least 10 feet in width and no more than 20 feet in width in a B-1 or residential district for a use requiring five or more spaces. In a B-2 or industrial district, driveways to each of said curb cuts shall be at least 15 feet in width and no more than 30 feet in width. In no case shall there be permitted unrestricted access along the length of the street or streets upon which the parking area abuts.

My thoughts are as far as what's going on here. I've been asked not to repeat the same stuff, but the plan hasn't changed and I feel like if we don't beat this to death, it's gonna get massaged and just changed around – not even necessarily intentionally, but I think we kinda have to repeat ourselves a little bit to keep refreshing your minds cause there's a lot of paperwork to this site. It's been going on for a while. It would be a lot for any individual to go back and read all the comments, so there is gonna be a little bit of repetition by us especially considering the site has not changed, and we've voiced all these concerns. I mean, to me the 98-7 and the impermeable surface issue is a brick wall that needs to be addressed. I don't know how it's gonna go further without it and how it hasn't been addressed, but we're still here talking about this. Something needs to change with it. I'd also like to bring up the fact that even if this other idea of the road going around – where the garbage. Have to put more thought into it and it's up for debate about whether it's good or not. That doesn't change the requirements. If that were to somehow happen, the site still needs to be looked at carefully whether 20 apartments makes sense over there regardless of where the road is. I just wouldn't want to see a scenario he does agree to sell us some property and is gonna bend over backwards for the sake of getting a road through. The site has to be right for the Village regardless of the road. Roads have to be a good idea. I haven't thought about it too much. I just wanted to get that point across. I think that's it for me today, so thank you.

- Planning Board Chair Ramsdell: Thank you.
- Alex Patane, 11 Kerner Drive: It must be the acoustics in here because I can't hear anything, so if I'm gonna say something that doesn't make sense it's because I didn't hear everything. My problem is that in living in this area for 42 years, and when I drive out of Elm Street, I can't get on 94. So, you know, we can embellish all the little details with all these survey companies and water companies and history companies – the fact is that the safety factor is not being paid attention to. I can't drive out on that street without somebody almost hitting me every single day that I drive out of there. Look at the traffic on Academy Avenue. Who's doing these surveys? These surveys don't make sense. If you stand there and you count these cars, that's not the way it is. We're talking about doing a survey on January 15<sup>th</sup>. What was the weather like that day? Was it snowing? Did they have cars? Go out there in the middle of summer at 4 o'clock – between 4 and 6 o'clock and count the traffic. Not on January 15<sup>th</sup> when people are hiding in their houses. Everybody that comes through that street there could be heading to Washingtonville, Blooming Grove. That whole area. That street is feeding that area there and you wanna – you wanna put another contraption in there that's gonna completely screw everything up. It's just not fair. We need to look at the safety point. I got hit right in front of Jimmy's Uptown 4 years ago by a big truck. I wasn't doing anything. I was stopped and they hit me, but that's not the point. The point is that there's too much traffic there. There's no control there. We don't have any control at that street. It's 30 miles an hour. I asked them to lower it because 30 miles an hour is too



fast when you come around from the Cumberland Farms area heading downtown people are driving way too fast over there to be able to move out of the way in time. And if anybody is parked and having their dinner or lunch there forget about it you can't see anything. And then the mail truck is parked on the other side, so when the mail truck is parked there, you can't see anything. You can't even go around it. You know, I don't understand why we're looking at historical points here. Why we're looking at cemeteries unless William Lord's father is buried there, and we're gonna disturb it. I don't know why we're looking at all these things because the safety factor. Here's where our biggest problem is. If somebody gets killed, who's gonna be responsible? Who am I gonna come to if one of my kids gets hit there? Who's gonna answer and say what – what are they gonna say to me? Sorry? There's too much congestion there to begin with. Look at all these little Mexican kids running around here on the corner with nobody watching them. You know, there's too much. It's too much there. We need to look at it realistically from that safety point and forget about all these side details that are masking everything else here. We don't need that. Safety. Thank you

- Planning Board Chair Ramsdell: Thank you.

- John Vero, 143 Main Street: Yesterday morning I looked out my window, saw a group gathering, so I joined the group. It was the group we talked about earlier surveying the situation by 143 Main Street as a possible cut through in the back of ???. As a former owner of that property for 28 ½ years, this concept is not new. I was approached at least 15 years ago with the same reason after they sold the lot, but then they got Kerner Drive cause it came in one way and out the other for a building lot because they were greedy, and they wanted to sell the building lot for more money. They kind of land locked it there with this small access. So, coming down through our property, we were a no right from the beginning because it cut our property in half, gave away an easement we didn't want and the driveway there between my building and 143 Main Street, my former building, between 145 and mine, is just kind of narrow. The buildings you can't move those. The road is what it is. It's a narrow driveway. When the garbage truck comes out there on Monday morning, he creeps up there cause there's about this much distance between my building and the building next to it. If this was to happen, I'd lose at least one parking spot for site distance in front of my building, in front of the other building. That's coming out onto a State highway. The site distance means we wouldn't want to. I wouldn't be in favor of it. I feel that it would devalue my property and the property at 143 Main Street. I just wanted to let you know what I was thinking. If a garbage truck can barely get through there, how will a fire truck go between the buildings? Thank you.

- Planning Board Chair Ramsdell: Thank you. Anyone else?

- Clif Patrick, 117 Brookside Avenue: I just wanted to first mention that we have a lot of wisdom up in front of the room. A lot of experience. And I urge you, as this gentleman mentioned, to take in the big picture and all the details. It's all important. One of my questions that I had back on the June 2019 Public Hearing was about where the water would go from this site and the response was basically that they'd put it down the Village pipe, and they're not worrying about it, but that didn't answer my basic question, which was ultimately where does the storm water end up. If it ends up in a stream or if it ends up in the black dirt. The black dirt grows food and I think it's important that we know if the organic classification that the new farmers are developing the land for is at risk. And, like I said, the response didn't address that particular question. And I also had a question about the hours of operation and the noise. I think the original plan said they were going to start at 6:30, and I think that might be an issue for some of the neighbors, and the response was they must meet the Village noise ordinance. I don't think the Village has a noise ordinance, especially with respect to construction. I'd like to see that addressed. The other one was taken care of. I had a question about the Environmental – the EAF and their response was that the New York State DEC EAF mapper answered the question automatically. The mapper – the State said yes to the question, but the response was the answer is no – not yes. As such, no other parts of the question require addressing, but since they stated that the State answered that question yes and, given the history of this site as noted then, yes must be valid and those additional points should be addressed. That was a question about the historic nature of the site and its neighborhood. The archeological report that was mentioned earlier about the – when they removed the soil to actually – to find where the burials are, especially for the pauper's graveyard. I haven't found any documentation showing the exact location on the extent of that burial ground, except that on an earlier plan, I think somebody kinda felt where it was, but I haven't found anything definitive. So, I think that's very important that be carefully monitored, and the exact extent of the burials clearly documented. I think that's it. Everything else was – somebody else brought up. Thank you very much.



Oh, one more thing. I almost forgot. A long time ago, the applicant agreed to memorialize the history of the site along with the burials with signage. The exact wordage was to be determined later, but I saw no indication on the site plan for that signage. I expected to see a roadside historical marker located at the pedestrian entrance to Main Street and indication of the former Townsend burials signage for the pauper's burial ground at least shown where it would be located and some provision on the site plan for it. If it's there, I missed it. Oh, I must have missed it.

- Planning Board Chair Ramsdell: No, that's ok because I did want to talk about that. This area shows where the digging is going to be done to determine if there's any burial remains there. And, also, here (Chairman Ramsdell is showing Clif Patrick where the items appear on the proposed site plan). And we did ask some time ago whether or not somehow – it must have gotten lost – that on the survey sheet we asked that the Townsend House be shown on this plan. It would be in this area. So, a marker would be a nice addition to the plan.
- Clif Patrick: I believe the applicant agreed to do some signage to educate the people who pass by and the future residents of the site.
- Planning Board Chair Ramsdell: Right.
- EJ Szulwach, 9 Elm Street: If I heard correctly that the Village is already overusing the sewage plant by 37,000 gallons a day, I wonder how you can consider any requests to put in more housing.
- Planning Board Chair Ramsdell: I agree with you.
- EJ Szulwach: Let's close the meeting then (audience laughter).
- Planning Board Chair Ramsdell: Anyone else? We will be in receipt for any additional written comments. Harold, what is it 9 days or something like that?
- Village Planning Board Attorney Harold Pressberg: 10 days.
- Planning Board Chair Ramsdell: 9 or 10 days.
- Planning Board Attorney Pressberg: Does the applicant have any response to some of the matters brought up? The impervious coverage in the RS Zone and the. I know you've just been provided with the information regarding lack of sewage capacity. We want you to have a chance to respond to that.
- Mark Siemers, P.E.: We're on for the regular meeting and we would be happy to discuss our answers with the Board.
- Planning Board Member Gene Winters: Mr. Chairman. Can I ask you a question?
- Planning Board Chair Ramsdell: Yes.
- Planning Board Member Gene Winters: Mrs. Reilly put together a good idea to help the health and safety on that intersection of 94 and Elm Street and I, at this time, would not like to see the Hearing be closed until some more information is received either to the Planning Board or to Mrs. Reilly and she tells us what was brought up and we don't really know if the owner of the property agrees at all and is willing to sit down and discuss the change and at this time I really don't believe, again, this should not have this part of the hearing closed as yet because these questions are good questions and I think it needs to be answered or continue investigating the probability of the entrance and the exits. That's it.
- Planning Board Chair Ramsdell: Thank you.
- Planning Board Chair Ramsdell: Anyone else? Thank you all for showing up. Maybe we'll see you next month.
- Mark Siemers, P.E.: So, is it my understanding you're leaving the Public Hearing open? While I understand your statement and I understand the idea behind it, I believe that the entrance – even though it was just brought upon us today, is a discussion with the Planning Board. We have gone through 5 months of Public Hearings. We received all the comments. We understand what the public's feelings are. We have provided response documents. I understand that the responses aren't necessarily satisfactory to everyone in the public, but we do work with the Planning Board and, if the Planning Board does not find a response satisfactory, we will work on that response to get it to a point where it is satisfactory with the Board. So, at this time, while I understand that the idea behind it, we would request the Public Hearing be closed and leave the written comment period open for 10 days so that we can move forward and continue to discuss these issues with the Planning Board.
- Planning Board Chair Ramsdell: A motion has not yet been made about closing the Public Hearing and I think that might be taken up during our regular meeting.
- Planning Board Chair Ramsdell: Anyone else?
- Alex Patane, 11 Kerner Drive: So, the Planning Board has the final decision on this? Because we've been going through this for years now. So, when does it end? When. What. I mean, we can continue to say we'll dim this light, we'll put a stop sign there. How far do we go before it stops?



- PB Chair Ramsdell: We're going as far as we can to let everyone express their opinions.
- Alex Patane: So, don't you think that we've given them the benefit of the doubt after 4/5 years of continuing to.... Look, I understand when you buy something – when you own a piece of property, you want to make it fruitful for you. So, you want to build something on it. But, you know, this is something that's been negated a long time ago. The writing's been on the wall for a long time. It's not something that's gonna continue to change if we say we have less cars coming or if we have the sun setting at a different time and there's nobody getting hit by the lights here. I don't understand. What are we waiting for? We've given them the benefit of the doubt, okay. Everything was brought up, put on paper, delivered. Where do we go from here? How far do we go? I don't mind coming to the meetings. You know I like coming to these meetings, but they have to reach a point where we have to say this is the end.
- Planning Board Chair Ramsdell: That will be happening.
- Alex Patane: Okay. Thank you.
- Gordon Shehab, 68 High Street: In regard to the sewage capacity, I think for the future, for any developments to be approved, I think they're gonna to have to go to septic rather than connecting to our sewage line because we're over capacity, so that would be the only way, if they're gonna go forward, I think that's the only way that could be done. Thank you
  - Planning Board Chair Ramsdell: Okay.
- Anthony Quinn, 77 Main Street: I'd have to agree that the guys had over a year to make changes and no changes have been made, so if he wants you to look at that site plan with those terms that are there. He's had over a year to make adjustments to it and our concerns over the lot restrictions were mentioned earlier and the main thing that to me is a hard line is the impervious surfaces and nothing has been changed. So, it might make sense to vote on this as it is. It doesn't seem like he wants to change it. As far as trying to maybe hope something different happens with the property, maybe closing the door on this plan will open up another door as opposed to keeping this plan going and going and going. I thought about it, and Alex inspired that thought in my brain, so I figured I would share it with you guys, but he's had well over a year since the last Public Hearing and it seems like nothing changed, so maybe it is time to vote on it and you guys should consider it as it is. We're gonna make a change and do another Public Hearing? That's costing the builder money, bringing us all in this room to keep doing this on and on. I don't know if that leads to a quicker resolution or not. I just wanted to share that thought with you. Thank you.
  - Planning Board Chair Ramsdell: Thank you. Mark – More than a few things have gone on since June of last year. Maybe you could tell everybody that the traffic study and other things were done. And our first Public Hearing about this this year was when?
  - Mark Siemers, P.E.: In – I'm sorry, say that again.
  - Planning Board Chair Ramsdell: When was our first resumed Public Hearing this year?
  - Mark Siemers, P.E.: Our last Public Hearing was in June of 2019.
  - Planning Board Chair Ramsdell: Yes, but then you came back in February or March?
  - Mark Siemers, P.E.: For a regular Planning Board meeting, yes.
  - Planning Board Chair Ramsdell: Yeah.
- Mark Siemers, P.E.: Yes, we've attended multiple Workshop meetings and gone through some public comments with the Planning Board in the Workshop group. We've been in front of the Board to discuss some things. Like I said before, I tried to mention quickly we did contract with an archeologist who worked with OPRHP (Office of Parks, Recreation and Historical Preservation), which is the State agency on Historic Preservation. They did – OPRHP did sign off on the job with the stipulation of the grave site survey. We have Phil Greeley here who conducted the traffic update. Like I said, we also submitted the architecturals for the Boards consideration. Those are all things that have taken place with public comment and with the Planning Board's comments.
  - Planning Board Chair Ramsdell: Thank you. Anyone else?
- Patti Salerno, 11 Hambletonian Avenue: Can we hear anything about the traffic study?
  - Planning Board Chair Ramsdell: I think we will be. Could we....
  - Phil Greeley, Maser Consulting: Is it alright?
  - Planning Board Chair Ramsdell confirmed with Village Planning Board Attorney Harold Pressberg that the traffic study could be discussed during the Public Hearing.



- Philip Greely, Maser Consulting: Good evening. So, the traffic study that was done early in this year was an update. There was original detail traffic study done in 2013. The purpose of the update was to verify what changes have occurred in traffic. Just a quick recap. Back when we did the study in 2013, we had projected out through 2018. We did a 5 year projection, a certain growth factor per year that equated to about 7.5% growth on the 2013 traffic as well as adding in traffic from other projects in the area both in the Town and in the Village that were on the table at that time. So, the update earlier this year, the purpose was to see what changes have occurred in traffic. The counts were, as the gentleman pointed out, done in January of this year. There were good conditions. What was not brought up was that, as part of the update, we also look at New York State Department of Transportation (NYSDOT) historical data. So, the DOT collects data on their highways. And growth on that section of Route 94 and Main Street was relatively flat over the years. So, our projections that were done back in 2013 did not occur. The purpose of the update was there had also been some changes in the analysis program that DOT uses to evaluate intersections. So, the analysis was updated with that program. That's what's outlined in our March letter of this year. In terms of the operation of the intersection, that was evaluated with standard DOT criteria. It was found that the levels of service were going to be unchanged as a result of the traffic from this development. And one of the things I'll point out. In this study, even in the original study and the update, we looked at these units as regular units in terms of traffic generation. Senior units in terms of peak hours generate lower traffic than a typical unit. That's a given – that's standard procedures. Both DOT and the County uses what's called the Institute of Transportation Engineers in looking at trip generation. So, if we looked at it on a more conservative basis in terms of the amount of traffic that would be generated. In terms of recommendations, and tonight I'm hearing the recommendation about direct access to Main Street instead of coming out onto Elm Street. Way back, even before the 2013 study, that was looked at. It was looked at as a possibility. The DOT, at that time, was concerned that there wasn't enough width of various access roads to get in or out of the property and the recommendation was to come out East Main Street – uh, out onto Elm Street to get back to Main Street. That's the typical DOT standard if there's access to a public street that's not the State highway. Their procedures say to limit the number of curb cuts to a State highway. Now, I'm not saying that DOT wouldn't reconsider if there was an alternative. This was just brought up again tonight, so, I think that would be something we'd have to get a response back from DOT. If DOT and there was the possibility for that to occur, that's something that should be considered. But their standard policy is to limit the number of curb cuts to the State highway, and I think you would have to see what they come back with. We did have some other recommendations. In the original study, we looked at the possibility of signalization of the intersections and, for example, at Academy and Main, and it didn't satisfy the Department of Transportation warrants for signalization. So, there are a lot of – there's a lot more than just the traffic study update that was done in January. There's a long process that has gone on in looking at access and improvements. I think that's pretty much the sum of where we are right now.

  - Planning Board Chair Ramsdell: Thank you.
- Planning Board Member Gene Winters: Mr. Chairman I'd like to say one more thing. I agree, but I disagree to Mark, and my reasoning once again is things have changed, traffic has changed, the safety has changed. The fact that the curb cuts are there to go up into that area by Main Street Pizza, if I'm not mistaken, and there's also a curb cut in the area of the Chester Inn and the Vero Agency already exist. But I still think that we need more response from DOT because of that area and that's the main reason. Something new has come on the table. Remember, we can make a decision right now, and we'll be stuck with it for the rest of our lives. And I think it's very, very important not to beat a dead horse, but to make sure that we have satisfied everyone as much as we can. Mrs. Reilly has done an outstanding job of this idea and that creates parking, control that emptying out onto Main Street at that particular point is not a State highway. So, there's a lot of factors that still should be considered and I think that the hearing should remain open until these other avenues have been looked at, discussed and then end. We are that much closer, a little bit longer is not going to make, but it could change the future. And the most important thing is the capacity of the sewer. That's a pretty good amount of that we're already using on that system. I still believe there's a lot of details that have to be worked out before we close this Public Hearing.
- Leslie Smith, 117 Brookside Avenue: I just wanted to mention to everyone – I'm sure a lot of you are aware of it – that if you go onto the Village website, you're going to see links where you can access the survey. The Orange County Transportation Council, I think it is, is doing a survey on Transportation.



Traffic from Route 94 at the Firehouse down to the corner of Academy Avenue and out to Nucifora Boulevard and Clif and I did it yesterday. They are willing to consider people's ideas. They want to know what your experience is with the traffic in that area. What we think about it. What you think could be done about it. And it sounds like this is a big issue for a lot of people that are here. And I would just suggest that – go ahead, put all your ideas and problems and everything into their systems so they are aware.

- Planning Board Chair Ramsdell: Thank you.
- Village Trustee Elizabeth Reilly: At that meeting yesterday, the other alternative was by the Alan's Falafel. I don't want John to think it was just between his former property and his property. It was also sharing the going in by Main Street Pizza and then the left around, where there's already a working curb cut.
  - Planning Board Chair Ramsdell: I thought that was a little narrow and so I – my idea.
  - Village Trustee Elizabeth Reilly: Okay.
- Patti Salerno, 11 Hambletonian Avenue: I want to make this clear when I say it. Respectful of the study that was done – it was done in January. Anybody that walks the Village like I do, like on a regular basis, during the day, in the evening. Spring to Fall, there's a tremendous amount of traffic that flows through the Village throughout the whole day. The Spring, the Fall, the Summer there's extra traffic and a lot of extra traffic. So, as much as I appreciate the study being done, January is not the best time of year to do a traffic study for a street that comes out onto 94 where there is, as it's been discussed already, that it's a very difficult intersection to pull out and make a left hand turn on. I don't even want to cross the street on foot at that same intersection anytime of the day because it does have a lot of sight blocks so you can't see if cars are parked along the sidewalks there. So, I did want to mention that. It is a serious way of looking at it of not being in January and being in a different time of year. The volume of traffic in the Village is exponentially higher during the nicer weather.
  - Planning Board Chair Ramsdell: Thank you.
- Philip Greely, Maser Consulting: As I stated before, the update was done in January. The DOT's data covers different months of the year. The original studies were actually done in September and there was more pedestrian activity at that time, of course. But, again, it wasn't just – January happened to be the time when we were able to do it, but we did rely on DOT data that covers other months of the year in terms of the traffic flow and the important point is that our projections from the 2013 study – we had projected traffic at a much higher rate of increase and that was the point of the summary of our most recent study. That our original projections had not materialized. We were much higher – background growth factor, other developments that were occurring. So, the speaker is correct, January you're not going to have the pedestrian flows, but it was to just see how, and again using the DOT historical data, how traffic has increased. And there's been some increases, but not at the rate that we projected. We were very conservative in projecting what the future would be in the background without this project.
  - Planning Board Chair Ramsdell: Thank you.
- Michele Deshler, 95 Main Street: The amount of traffic going down Main Street has absolutely increased exponentially, and I don't know if anyone has noticed, but on Sunday afternoons when 17 East gets backed up, they now come down Hambletonian Avenue and they come down Main Street. They don't respect the 30 mile an hour speed limit. I've seen times where they're backed up from Cumberland Farms down Main Street. Academy Avenue is backed up. I don't think anybody else going to exit onto Main Street is in any way, shape or form a great idea. And especially with the parking. You're pulling out – you're backing out of my driveway or you're pulling out of Main or Elm, you can't see what's coming from one direction or the next. So, I just hope that's taken into consideration.
  - Planning Board Chair Ramsdell: Thank you.
- Erin Moore, 98 Main Street: Also, the minister at the First Presbyterian Church at 94-96 Main Street. I share that because it's a connected drive to my house. I sit on my porch and I can tell you during the pandemic, traffic did slow down and then it got way worse than it ever was prior. Not only has it gotten worse, but people come off of Academy Avenue, and they speed. They're doing at least 40 if not 50 down that road and when there's cars parked along the side, it makes it extremely dangerous to pull out of the church drive, which is the only way I can leave, to leave my residence. I'll cross, directly across from Elm Street, which means that anybody pulling out of Elm Street or doing illegal U-turns at Elm Street, which I can tell you is at least 10 a day and that's a conservative figure makes it more dangerous. So, you're going to add more traffic onto Elm Street when there's already illegal turns



happening that's not being done making it – and there's too much traffic on the road coming. The other day we sat there for probably 5 minutes if not 10 waiting to pull out of Main Street. And this is becoming an increased issue just to be able to leave my house to go do routine activities.

- Gordon Shehab, 68 High Street: I'd like to bring up a point that may not seem related, but actually is. When Meadow Hill started, there was, I think, supposed to be about 15 single family homes or something like that. It exploded into 109 apartments, which up to this time, I didn't know we had a problem without sewage. But I would guess that that project was what threw us over the top in terms of sewage. That was by the same developer as the Elmwood project. Now, I know that this has been dragging on for a long time, and I know Meadow Hill dragged on for a long time, but even with all the precautions that we took with Meadow Hill, that could have been the reason why our sewage is over capacity. So, I agree with Mr. Winters that we still don't want to rush this. There seems to be a lot of unresolved questions with this project – traffic and sewage and everything else, so we really have to get all our – all of the issues resolved before we finally approve this, in my opinion. Thank you.
  - Planning Board Chair Ramsdell: I agree.
- Planning Board Chair Ramsdell: Alright, well, I think we're going to be getting back to this in another month or so, so.... Is there nothing else?
- Ronald Kossar, Attorney for the Applicant: Can I just make one comment?
  - Planning Board Chair Ramsdell: Sure.
  - Ronald Kossar, Attorney for the Applicant: There's something that really disturbed me in the very beginning of this meeting. I found out for the first time all the luminaries of the Village of Chester, all the luminaries of Orange County gathered on my client's property without asking us or inviting us, either the owner or the representative, to be part of that meeting. I would have thought that would be called for as a matter of equity and fairness. And we would sincerely appreciate it if you ever have any onsite meeting to let us know and let us participate because being there first-hand.... A picture is worth a thousand words, and we were deprived of that ability to attend, listen, possibly comment and get the big picture. I don't think it was fair. That's all I'm saying. I mean, it was done – there's nothing we can do about it, but I would think a meeting of that scope would have warranted not only a request to enter the site, but also an invitation for the developer and/or his representative. That's all I have to say on that.
  - Planning Board Chair Ramsdell: Well....
  - Ronald Kossar, Attorney for the Applicant: Really, really raised my eyebrow in the very beginning of this meeting.
  - Planning Board Chair Ramsdell: Alright. Let me say that, at no point yesterday when we were having this meeting, did anyone in that – who was attending that get together, was on your client's property.
  - Ronald Kossar, Attorney for the Applicant: Well, I heard contrary in the very beginning that various people were observing and walking the property. Even so – even if you had an offsite meeting, I would think that the developer and/or his representative should have been invited to participate and attend. Even if just to listen. We were denied that. We don't know what was said. We, you know, I got some substance of the flavor of the meeting. I think that was a seminal meeting, and we should have been invited. That's all. And request whether it was onsite or offsite, I heard onsite, but.... If I heard wrong, so be it. So, I'm just saying in the future, if that situation should occur and you want to have a meeting, we would respectfully request that you invite either the owner and/or his representatives to attend.
  - Planning Board Chair Ramsdell: Thank you.
  - Village Trustee Elizabeth Reilly: Excuse me sir, that would be me, and I apologize.
  - Ronald Kossar, Attorney for the Applicant: Thank you.
  - Village Trustee Elizabeth Reilly: You're welcome.
  - Alex Patane, 11 Kerner Drive: With all due respect, since I do pay taxes in this town, from now on, whenever there's a survey done, I want to be there. Whenever anything is measured, I want to be there. When the lights come on, I want to be there. And I still feel that there is a separation of Church and State here sort to speak. They are representing the Town and they can do whatever they wish, and you can come here and meet here just like the rest of us and that's the way it usually is done. So, I don't think you have to infringe on how they do it, but I'm telling you how I would like to do it from now on. So, you invite me, and they'll invite you.



- Ronald Kossar, Attorney for the Applicant: I'll leave your statement to speak for itself sir. We stand by what we said.
- Planning Board Chair Ramsdell: I understand and, just so everybody understands, we're not the Town, we are the Village.
- Alex Patane, 11 Kerner Drive: Right.
- Patti Salerno, 11 Hambletonian Avenue: Also, I want to state that last June when that – we also discussed the possibility of alternative entrances and exits during that meeting and, I'm pretty sure you'll be able to find it there cause I remember us talking about it. That it was something we strongly felt as a community to have a different entrance and exit to that property. That's all.
- Planning Board Chair Ramsdell: That's why we're still working on it.
- Planning Board Chair Ramsdell: We'll close this session and get the Applicant's response.
- Village Planning Board Attorney Pressberg: Well, we're not closing the Public Hearing
- Planning Board Chair Ramsdell: No, we're not closing – just adjourning.

**\*MOTION** by Member Winters, second by Member Rappa to **ADJOURN THE PUBLIC HEARING**. Motion passed 5-0.

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

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

### **MINUTES**

Review August 25, 2020 Draft Planning Board Meeting Minutes. **\*MOTION** made by Member Rappa, second by Member Jankelunas, to **ACCEPT THE MINUTES AS DRAFTED**. Motion passed 4–0–1 (Member LaSpina abstained as he was not at the August Planning Board meeting)

### **CORRESPONDENCE**

Letter from Al Fusco, PE requesting an extension for Project # 02-07 – Chester Plaza Motel read into the record by Planning Board Chair Ramsdell (copy attached). Discussion was held regarding:

- Current extension expires September of 2021.
- How long ago SEQRA was done.
- The age of the original application.
- A variance was granted.
- Previously granted extensions.
- Too many changes to let this project receive an extension without providing updated plans and updated SEQRA determination.

**\*MOTION** made by Member Rappa, second by Member LaSpina, to **DENY THE REQUEST FOR EXTENSION AT THIS TIME AND REQUEST THE APPLICANT SUBMIT A NEW APPLICATION TO THE PLANNING BOARD**. Motion passed 5–0

### **CODE ENFORCEMENT OFFICER REPORT**

Presented by John Orr (copy attached)

### **WORK SESSION REVIEW**

Presented by Planning Board Secretary

09/03/2020 Work Session: Chester Plaza Motel; Chester Agricultural; Elmwood Park Apartments

### **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

Lawrence Marshall, PE provided an overview of the project during the Public Hearing.



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

- The only open issue is the Orange and Rockland response.
  - Larry Marshall advised Orange and Rockland wanted clarification, standard notes added to the site plan, curbing added by their equipment and lighting. Applicant is waiting for the second round of comments from Orange and Rockland. Larry Marshall also advised the applicant will comply with the requests from Orange and Rockland.
- Planning Board Member LaSpina asked about where stormwater discharges.
  - Larry Marshall advised they believe it drains to a not well-maintained drain on private property adjoining Beer World, but they cannot confirm exactly where the drainage comes out on that property. They will contact the adjoining property owner and request permission to blow out the line to find where it discharges, but confirmed the existing drainage is adequate for stormwater.

**\*MOTION** was made by Member Jankelunas, second by Member LaSpina, to **DECLARE A NEGATIVE DECLARATION UNDER SEQR AS THE ACTION WILL NOT RESULT IN ANY POTENTIALLY SIGNIFICANT ADVERSE ENVIRONMENTAL IMPACT.** Motion passed 5-0.

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

1. **ORANGE AND ROCKLAND REQUIREMENTS SATISFIED.**
2. **NOTE ON THE PLAN REQUIRING THAT DURING CONSTRUCTION, AN AS-BUILT OF THE DRAINAGE WILL BE SUPPLIED TO CODE ENFORCEMENT OFFICER AT THE ISSUANCE OF THE CERTIFICATE OF OCCUPANCY.**
3. **CHANGE IN THE NOTE REGARDING THE DATUM.**
4. **CHANGE IN TITLE TO "BEER WORLD".**
5. **FINAL SITE PLAN APPROVAL BY MCGOEY, HAUSER AND EDSALL.**
6. **PAYMENT OF ALL FEES.** Motion passed 5-0

2. **Project # PB-20-08**      **Project Name: Chester Agricultural Center Site Plan**  
 Applicant/Owner:      Gina Stafford, Meadow Blue Coffee / Chester Agricultural Center  
 Location:                8 Greycourt Avenue (SBL 105-1-8 / B1 Zone)  
 Re:                        Proposed change of use

Eric Rogge, P.E., provided an overview of the project:

- Existing Meadow Blues Coffee House on Greycourt Avenue.
- Meadow Blues resides in a leased part of a larger commercial building / parcel.
- They utilize part of the rear outdoor area.
- They are proposing to extend their operating hours and add live outdoor entertainment.
- Parking detail and calculations have been added to the site plan.
- Existing property is shared with Agricultural uses but does not overlap the Agricultural uses.
- There are currently 8 paved parking spaces in the front of the building.
- There is approximately 20.2 feet for cars to back up and maneuver in the parking lot.
  - Per Planning Board Engineer Mark Edsall, the typical is 24 feet.
  - Code Enforcement Officer John Orr advised the 24 feet is to allow for larger vehicles.
- Parking calculations show more than 9 spaces are needed. Applicant is proposing a gravel area for additional spaces with cones that can be moved for flexible parking in shared spaces.
- There is a total of 4 lots with one use over the 4 existing lots.
  - The applicant was advised that they either need an easement for the shared parking or they can merge the 4 existing lots into one, which will alleviate the need for an easement.

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

- Current hours of operation are Monday through Saturday 7 AM – 5 PM and Sunday 8 AM to 2 PM. Applicant would like to change them to Monday through Saturday 7 AM – 9 PM and Sunday 8 AM – 5 PM with music in the afternoon on weekends.



- CEO John Orr advised the applicant to remove the notation regarding the Chester Agricultural Center use. CEO also advised this is a new use and a Public Hearing should be held.
- Location of garbage containers.
  - Applicant advised they have garbage cans (no dumpsters) on the west side of the building.

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

**\*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 Jankelunas, second by Member Rappa, to **WAIVE THE REQUIREMENT OF A PUBLIC HEARING.** Motion passed 4-1.

- 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

Mark Siemers, Engineer provided an overview of the project during the Public Hearing. Discussion held regarding:

- Mark Siemers advised they will respond to the comments when they receive the minutes.
- Planning Board Attorney Harold Pressberg advised, in his opinion, the outstanding issues are:
  - Response to Orange County Department of Public Works.
  - Response to the Sewer District.
  - Coverage percentage – calculated as overall project or by zone?
  - Applicant will have to discuss the sewer issue with the Village Board.
- Planning Board Member Robert Jankelunas requested clarification regarding how traffic isn't an issue as he sees it all the time.
  - Philip Greely, Maser Consulting advised:
    - Updated traffic study utilized NYS DOT's numbers as well.
    - There are traffic delays at peak times.
    - To improve traffic, you can signalize the intersection, but NYSDOT is not in favor of that.
    - Parking spaces along Main Street can be removed to increase sight distance.
    - This project adds little increase to the existing traffic.

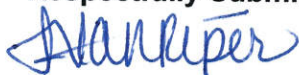
### **GENERAL DISCUSSION**

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

### **ADJOURNMENT**

**\*MOTION** was made by Member Jankelunas, second by Member LaSpina, to **ADJOURN THE MEETING.** Motion passed 5-0. Meeting adjourned at 10:15 PM.

Respectfully Submitted,



Sandra VanRiper  
Planning Board Secretary



**PLANNING BOARD**  
**VILLAGE OF CHESTER, NEW YORK**  
**PUBLIC HEARING**  
**SEPTEMBER 22, 2020**

NOTICE IS HEREBY GIVEN, that the Planning Board of the Village of Chester, New York, will hold a Public Hearing in the Town of Chester at the **Chester Senior Center, 81 Laroe Road, Chester, NY 10918**, on September 22, 2020 at 7:00 P.M., or as soon thereafter as the matter can be heard, concerning the application of SD Chester, LLC for Site Plan Amendment approval for a project known as Beer World Site Plan Amendment involving the renovation and expansion of an existing commercial building.

The property is located in the Village of Chester, New York, at 39 Brookside Avenue and is listed on the Village Tax Map as Section 114, Block 1, Lot 7.1 in a B2 Zone.

The Planning Board of the Village of Chester, New York, will hear all persons interested at the aforementioned time and place.

BY: ORDER OF THE PLANNING BOARD  
VILLAGE OF CHESTER, NEW YORK

RICHARD RAMSDELL, CHAIRMAN



**PLANNING BOARD**  
**VILLAGE OF CHESTER, NEW YORK**  
**PUBLIC HEARING**  
**SEPTEMBER 22, 2020**

NOTICE IS HEREBY GIVEN, that the Planning Board of the Village of Chester, New York, will continue a Public Hearing in the Town of Chester at the **Chester Senior Center, 81 Laroe Road, Chester, NY 10918**, on September 22, 2020 at 7:00 P.M., or as soon thereafter as the matter can be heard, concerning the application of John Sorrentino for Site Plan approval and a Special Use Permit for a project known as Elmwood Park Apartments involving the construction of a 20-unit Senior apartment complex. This hearing will be the continuance of a Public Hearing commenced on June 25, 2019.

The property is located in the Village of Chester, New York, on Elm Street and is listed on the Village Tax Map as Section 111, Block 2, Lot 7.1 in a B1 Zone and Section 111, Block 2, Lot 3 in a RS Zone.

The Planning Board of the Village of Chester, New York, will hear all persons interested at the aforementioned time and place.

BY: ORDER OF THE PLANNING BOARD  
VILLAGE OF CHESTER, NEW YORK

RICHARD RAMSDELL, CHAIRMAN





**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)  
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WILLIAM J. HAUSER, P.E. (NY, NJ & PA)

**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:** 22 SEPTEMBER 2020  
**CONSULTANT:** MNTM ENGINEERING & SURVEYING  
**PLAN DATE:** Rev. 4 dated 9-10-20 (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,  
28 JULY 2020 AND 25 AUGUST 2020 PLANNING BOARD MEETINGS.  
THE APPLICATION IS BEFORE THE BOARD FOR A PUBLIC HEARING AT  
THIS MEETING.

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. On our previous comments it was noted that only a couple minor items remained. The status update is as follows:
  - Orange & Rockland Utilities - we previously received a copy of a letter dated July 12, 2020 from Eric Grumm of O&R which required revisions to the plans. The applicant's engineer should advise of the status of the O&R approval. We will need confirming correspondence from O&R.
  - Curbing – The curbing at the northwest corner of the site (at entrance near pylon sign) has been added as requested.



- Handicapped Parking Detail – The handicapped parking detail has been revised as requested.
  - Survey/Elevation datum – The Board asked for further explanation of the elevation datum for values shown on the plans. Note 3 on sheet 2 notes the value is “arbitrary”.
  - Propane Filling Station – at the previous meeting the Board asked that additional protection be provided for the above-ground propane facilities. The latest plans provide bollards around the propane filling station, as well as the front of the dumpster.
3. The Board should discuss status of the following:
    - SEQRA
    - GML 239 referral to Orange County Planning Department
  4. If any concerns are noted as part of the public hearing, we will be pleased to assist the Board with any further reviews, as deemed appropriate by the Board.

Respectfully Submitted,

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

MJE/st  
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Steven M. Neuhaus  
County Executive

## ORANGE COUNTY DEPARTMENT OF PUBLIC WORKS

Erik Denega, P.E., P.M.P.  
Commissioner

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September 22, 2020

Richard Ramsdell  
Chairman, Village of Chester Planning Board  
47 Main Street  
Chester, New York 10918

**Re: Village of Chester Sewer Allocation**

Chairman Ramsdell:

I am the Commissioner of the Orange County Department of Public Works, and the Administrative Head of Orange County Sewer District No. 1 ("the District"). As you may be aware, the District and the Village of Chester entered into an Inter-Municipal Agreement<sup>1</sup> dated September 8, 1978 (modified in 1988 and 1995), which permitted the Village of Chester to discharge 347,000 gallons per day ("gpd") of sewage to the Harriman Wastewater Treatment Plant ("Harriman WWTP").

The Village of Chester is currently exceeding its 347,000 gpd allocation, as is demonstrated by the enclosed sewer flow reports. Similar reports indicate that the Village has continuously exceeded its allocation for several years. The Village of Chester is not permitted to utilize any sewage capacity over its 347,000 gpd allocation, as such capacity is reserved for use by District ratepayers. Unfortunately, the District is unable to sell additional capacity at this time, so the amount of sewage discharged by the Village to the Harriman WWTP must be reduced to 347,000 gpd.

Moreover, the Village of Chester does not have sewage capacity for any project that seeks to increase the amount of sewage discharged from the Village of Chester to the Harriman WWTP. Given the Village of Chester's absence of any sewer capacity, a site plan approval for projects which will cause increased sewer usage should address how the related sewer capacity for such project will be met consistent with the existing Moodna/Orange County Sewer District # 1 agreement.

Thank you in advance for your attention to the above concerns.

Sincerely,

Erik Denega, P.E., P.M.P.  
Commissioner Orange County Department of Public Works

cc: Robert J. Gray, Deputy Commissioner  
Anthony R. Griffin, P.E., Principal Sanitary Engineer  
Langdon C. Chapman, County Attorney  
Joseph F. Mahoney, Senior Assistant County Attorney  
John T. Bell, Mayor Village of Chester  
Mark Edsall, P.E., Planning Board Consultant, McGoe, Hauser and Edsall Consulting Engineers, D.P.C.  
Harold Pressburg, Planning Board Attorney

<sup>1</sup> The Town of Chester, the Town of Monroe, the Town of Woodbury and the Town of Blooming Grove were also parties to this agreement.



ORANGE COUNTY DEPARTMENT OF PUBLIC WORKS -  
DIVISION OF ENVIRONMENTAL FACILITIES AND SERVICES  
EXISTING FLOW INTO THE 6.0 MGD  
HARRIMAN SEWAGE TREATMENT PLANT  
REPORT DATE OF January 31, 2020

	2019 FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	NOV	DEC	2020 JAN	12 MONTH AVG.		REMAINING PRESENT AVAILABLE LIMIT	BALANCE
													Total	ENDING 31-Jan-20		
RAIN IN INCHES	2.66	3.52	4.30	5.58	3.48	3.80	3.38	0.99	6.57	3.51	6.62	2.16	46.57			
VILLAGE OF CHESTER	416,970	385,469	338,257	423,141	416,155	386,968	341,392	320,746	314,701	400,885	486,614	402,897	336,183	347,000	(39,183)	
TOWN OF CHESTER	528,847	321,963	296,905	343,410	289,516	260,913	249,756	237,728	245,413	288,460	371,827	293,951	294,041	410,000	115,959	
TOWN OF MONROE	208,554	210,867	207,648	213,462	198,418	195,210	192,672	190,133	196,535	208,097	220,673	204,893	203,814	133,000	(70,814)	
V. OF S. BLOOMING GROVE	369,529	368,745	357,800	381,423	312,967	257,745	255,003	221,600	257,358	309,267	423,971	318,874	319,524	490,000	170,477	
VILLAGE OF WOODBURY	1,063,357	1,058,666	991,550	1,086,059	830,143	696,900	668,502	596,901	700,419	882,119	1,165,295	899,217	888,259	1,030,000	141,741	
MOODNA TOTAL	2,387,257	2,345,710	2,192,160	2,447,475	2,066,999	1,795,756	1,707,325	1,567,108	1,714,426	2,089,428	2,668,380	2,119,832	2,091,820	2,410,000	318,180	
OCSD#1	3,037,743	3,001,290	3,036,840	3,351,525	2,768,001	2,358,264	2,222,675	2,177,892	2,305,574	2,540,572	3,347,620	2,655,168	2,753,597	3,590,000	856,403	
HSTP TOTAL	5,425,000	5,347,000	5,229,000	5,799,000	4,835,000	4,154,000	3,930,000	3,745,000	4,020,000	4,630,000	6,016,000	4,775,000	4,825,417	6,000,000	1,174,583	

Village of South Blooming Grove = Village of South Blooming Grove PS + Unmetered Service Area (40,100 gpd).  
Village of Woodbury = Smith Cove PS + Woodbury Junction PS#3 + Woodbury Commons Premium Outlet PS + Unmetered Service Area (15,811 gpd).  
Town of Chester = Sunny Meadows PS + Walton Lake Estates PS + Lake Hill Farms PS + King Tract PS + Sugar Loaf PS#1 + Unmetered Oxford Heights Service Area (41 Units @ 400 gpd/unit = 16,400 gpd).  
Village of Chester = 3A PS - Sunny Meadows PS - Sugar Loaf PS#1 - Unmetered Oxford Heights Service Area (41 Units @ 400 gpd/unit = 16,400 gpd).  
Town of Monroe = Monroe Hills PS + Unmetered Walton Lake Service Area (400 Units @ 400 gpd/unit = 160,000 gpd) + Unmetered Seven Oaks Road Service Area (24 Units @ 400 gpd/unit = 9,600 gpd).  
Village of Woodbury = 30,400 GPD of treatment capacity leased by Village of Woodbury from OCSD#1's allocation.



ORANGE COUNTY DEPARTMENT OF PUBLIC WORKS -  
DIVISION OF ENVIRONMENTAL FACILITIES AND SERVICES  
EXISTING FLOW INTO THE 6.0 MGD  
HARRIMAN SEWAGE TREATMENT PLANT  
REPORT DATE OF February 29, 2020

	2019 MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	NOV	DEC	2020 JAN	FEB	Total	12 MONTH AVG. ENDING 29-Feb-20	PRESENT LIMIT	REMAINING AVAILABLE BALANCE
RAIN IN INCHES	3.52	4.30	5.58	3.48	3.80	3.38	0.99	6.37	3.51	6.62	2.16	1.98	45.89			
VILLAGE OF CHESTER	385,469	338,257	423,141	416,155	386,968	341,392	320,746	314,701	400,885	486,614	402,897	407,611		385,405	347,000	(58,405)
TOWN OF CHESTER	321,963	296,905	343,410	289,316	260,913	249,756	237,728	245,413	288,460	371,827	295,951	283,725		290,281	410,000	119,719
TOWN OF MONROE	210,867	207,648	213,462	198,418	193,210	192,672	190,133	196,535	208,697	220,673	204,893	204,093		205,442	133,000	(70,442)
V. OF S. BLOOMING GROVE	368,745	357,800	381,423	312,967	257,745	255,003	221,600	257,358	309,267	423,971	318,874	330,824		316,298	490,000	173,702
VILLAGE OF WOODBURY	1,058,666	991,550	1,086,059	850,143	696,900	668,502	596,901	700,419	882,119	1,165,295	913,799	891,154		875,124	1,030,000	154,876
MOODNA TOTAL	2,345,710	2,192,160	2,447,475	2,066,999	1,795,736	1,707,325	1,567,108	1,714,426	2,089,428	2,668,380	2,134,414	2,117,407		2,070,547	2,410,000	339,453
OCSD#1	3,001,290	3,036,840	3,351,525	2,768,001	2,358,264	2,222,675	2,177,892	2,305,574	2,540,572	3,347,620	2,640,586	2,295,593		2,670,556	3,590,000	919,464
HSTP TOTAL	5,347,000	5,229,000	5,799,000	4,835,000	4,154,000	3,930,000	3,745,000	4,020,000	4,630,000	6,016,000	4,775,000	4,413,000		4,741,083	6,000,000	1,258,917

Village of South Blooming Grove = Village of South Blooming Grove PS + Unmetered Service Area (40,100 gpd).  
Village of Woodbury = Smith Cove PS + Woodbury Junction PS#3 + Woodbury Commons Premium Outlet PS + Unmetered Service Area (15,811 gpd).  
Town of Chester = Sunny Meadows PS + Walton Lake Estates PS + Lake Hill Farms PS + King Tract PS + Sugar Loaf PS#1 + Unmetered Oxford Heights Service Area (41 Units @ 400 gpd/unit = 16,400 gpd).  
Village of Chester = 3A PS - Sunny Meadows PS - Sugar Loaf PS#1 - Unmetered Oxford Heights Service Area (41 Units @ 400 gpd/unit = 16,400 gpd).  
Town of Monroe = Monroe Hills PS + Unmetered Walton Lake Service Area (400 Units @ 400 gpd/unit = 160,000 gpd) + Unmetered Seven Oaks Road Service Area (24 Units @ 400 gpd/unit = 9,600 gpd).  
Village of Woodbury = 30,400 GPD of treatment capacity leased by Village of Woodbury from OCSD#1's allocation.



ORANGE COUNTY DEPARTMENT OF PUBLIC WORKS -  
DIVISION OF ENVIRONMENTAL FACILITIES AND SERVICES  
EXISTING FLOW INTO THE 6.0 MGD  
HARRIMAN SEWAGE TREATMENT PLANT  
REPORT DATE OF March 31, 2020

	2019 APR	MAY	JUN	JUL	AUG	SEP	OCT	NOV	DEC	2020 JAN	FEB	MAR	Total	12 MONTH AVG. ENDING 31-Mar-20	REMAINING	
															PRESENT LIMIT	AVAILABLE BALANCE
RAIN IN INCHES	4.30	5.58	3.48	3.80	3.38	0.99	6.57	3.51	6.62	2.16	1.98	2.83	45.20			
VILLAGE OF CHESTER	338,257	423,141	416,155	386,968	341,392	320,746	314,701	400,885	486,614	402,897	407,611	388,896		385,689	347,000	(38,689)
TOWN OF CHESTER	296,905	343,410	289,316	260,913	249,756	237,728	245,413	288,460	371,827	295,951	283,725	285,937		287,278	410,000	122,722
TOWN OF MONROE	207,648	213,462	198,418	193,210	192,672	190,133	196,535	208,697	220,673	204,893	204,093	205,443		202,990	133,000	(69,990)
V. OF S. BLOOMING GROVE	357,800	381,423	312,967	257,745	255,003	221,600	257,538	309,267	423,971	318,874	330,824	326,003		312,736	490,000	177,264
VILLAGE OF WOODBURY	991,550	1,086,039	850,143	696,900	668,502	596,901	700,419	882,119	1,165,295	913,799	907,477	859,149		859,838	1,030,000	170,142
MOODNA TOTAL	2,192,160	2,447,475	2,066,999	1,795,736	1,707,325	1,567,108	1,714,436	2,089,428	2,668,380	2,134,414	2,133,730	2,065,428		2,048,551	2,410,000	361,449
OCSD#1	3,036,840	3,351,525	2,768,001	2,348,264	2,222,675	2,177,892	2,305,574	2,540,572	3,347,620	2,640,386	2,279,270	2,332,572		2,615,449	3,590,000	976,551
HSTP TOTAL	5,229,000	5,799,000	4,835,000	4,154,000	3,930,000	3,745,000	4,020,000	4,630,000	6,016,000	4,775,000	4,413,000	4,398,000		4,662,000	6,000,000	1,338,000

Village of South Blooming Grove = Village of South Blooming Grove PS + Unmetered Service Area (40,100 gpd).  
Village of Woodbury = Smith Cove PS + Woodbury Junction PS#3 + Woodbury Commons Premium Outlet PS + Unmetered Service Area (15,811 gpd).  
Town of Chester = Sunny Meadows PS + Walton Lake Estates PS + Lake Hill Farms PS + King Tract PS + Sugar Loaf PS#1 + Unmetered Oxford Heights Service Area (41 Units @ 400 gpd/unit = 16,400 gpd).  
Village of Chester = 3A PS - Sunny Meadows PS - Sugar Loaf PS#1 - Unmetered Oxford Heights Service Area (41 Units @ 400 gpd/unit = 16,400 gpd).  
Town of Monroe = Monroe Hills PS + Unmetered Walton Lake Service Area (400 Units @ 400 gpd/unit = 160,000 gpd) + Unmetered Seven Oaks Road Service Area (24 Units @ 400 gpd/unit = 9,600 gpd).  
Village of Woodbury = 30,400 GPD of treatment capacity leased by Village of Woodbury from OCSD#1's allocation.



ORANGE COUNTY DEPARTMENT OF PUBLIC WORKS -  
DIVISION OF ENVIRONMENTAL FACILITIES AND SERVICES  
EXISTING FLOW INTO THE 6.0 MGD  
HARRIMAN SEWAGE TREATMENT PLANT  
REPORT DATE OF April 30, 2020

	MAY	JUN	JUL	AUG	SEP	OCT	NOV	DEC	JAN	FEB	MAR	APR	Total	12 MONTH AVG.		REMAINING
														ENDING 30-Apr-20	PRESENT LIMIT	AVAILABLE BALANCE
RAIN IN INCHES	5.58	3.48	3.80	3.38	0.99	6.57	3.51	6.62	2.16	1.98	2.83	4.84	45.74			
VILLAGE OF CHESTER	423,141	416,155	386,968	341,392	320,746	314,701	400,885	486,614	402,897	407,611	388,896	415,449	592,121	347,000	(45,121)	
TOWN OF CHESTER	543,410	289,316	260,913	249,756	237,728	245,413	288,460	371,827	293,951	283,725	285,937	317,376	288,984	410,000	121,016	
TOWN OF MONROE	215,462	198,418	193,210	192,672	190,133	196,535	208,697	220,673	204,893	204,093	203,443	214,127	203,530	133,000	(70,530)	
V. OF S. BLOOMING GROVE	381,423	312,967	257,745	255,003	221,600	257,358	309,267	423,971	318,874	330,824	326,003	369,700	\$13,728	490,000	176,272	
VILLAGE OF WOODBURY	1,086,039	850,143	696,900	668,502	596,901	700,419	882,119	1,165,295	913,799	907,477	895,406	969,987	\$61,082	1,030,000	168,918	
MOODNA TOTAL	2,447,475	2,066,999	1,795,736	1,707,325	1,567,108	1,714,426	2,089,428	2,668,380	2,134,414	2,133,730	2,101,685	2,286,659	2,059,445	2,410,000	350,555	
OCSD#1	3,351,525	2,768,001	2,338,264	2,222,675	2,177,892	2,305,574	2,540,572	3,347,620	2,640,586	2,279,270	2,296,315	2,770,361	2,588,221	3,590,000	1,001,779	
HSTP TOTAL	5,799,000	4,835,000	4,134,000	3,930,000	3,745,000	4,020,000	4,630,000	6,016,000	4,775,000	4,413,000	4,398,000	5,057,000	4,647,667	6,000,000	1,352,333	

Village of South Blooming Grove = Village of South Blooming Grove PS + Unmetered Service Area (40,100 gpd).  
Village of Woodbury = Smith Cove PS + Woodbury Junction PS/3 + Woodbury Commons Premium Outlet PS + Unmetered Service Area (15,811 gpd).  
Town of Chester = Surry Meadows PS + Walton Lake Estates PS + Lake Hill Farms PS + King Tract PS + Sugar Leaf PS#1 + Unmetered Oxford Heights Service Area (41 Units @ 400 gpd/unit = 16,400 gpd).  
Village of Chester = 3A PS - Surry Meadows PS - Sugar Leaf PS#1 - Unmetered Oxford Heights Service Area (41 Units @ 400 gpd/unit = 16,400 gpd).  
Town of Monroe = Monroe Hills PS + Unmetered Walton Lake Service Area (400 Units @ 400 gpd/unit = 160,000 gpd) + Unmetered Seven Oaks Road Service Area (24 Units @ 400 gpd/unit = 9,600 gpd).  
Village of Woodbury - 30,400 GPD of treatment capacity leased by Village of Woodbury from OCSD#1's allocation.



ORANGE COUNTY DEPARTMENT OF PUBLIC WORKS -  
DIVISION OF ENVIRONMENTAL FACILITIES AND SERVICES  
EXISTING FLOW INTO THE 6.0 MGD  
HARRIMAN SEWAGE TREATMENT PLANT  
REPORT DATE OF May 31, 2020

	2019 JUN	JUL	AUG	SEP	OCT	NOV	DEC	JAN	FEB	MAR	APR	MAY	Total	12 MONTH AVG. ENDING 31-May-20	REMAINING PRESENT AVAILABLE LIMIT BALANCE	
RAIN IN INCHES	3.48	3.80	3.38	0.99	6.57	3.51	6.62	2.16	1.98	2.83	4.84	2.11	42.27			
VILLAGE OF CHESTER	416,155	386,968	341,392	320,746	314,701	400,885	486,614	402,897	407,611	388,896	415,449	406,923		390,770	347,000	(43,770)
TOWN OF CHESTER	289,516	260,913	249,756	237,728	245,413	288,460	371,827	293,951	283,725	285,937	317,376	285,843		284,187	410,000	125,813
TOWN OF MONROE	198,418	193,210	192,672	190,133	196,535	208,697	220,673	204,893	204,093	205,443	214,127	207,988		202,999	135,000	(69,999)
V. OF S. BLOOMING GROVE	312,967	257,745	255,003	221,000	257,358	309,267	423,971	318,874	330,824	336,003	369,700	343,229		310,545	490,000	179,455
VILLAGE OF WOODBURY	850,143	696,900	668,502	596,901	700,419	882,119	1,165,295	913,799	907,477	895,406	1,020,106	953,780		854,237	1,030,000	175,763
MOONDA TOTAL	2,066,999	1,795,736	1,707,325	1,567,108	1,714,426	2,089,428	2,668,380	2,134,414	2,133,730	2,101,685	2,356,758	2,196,863		2,042,738	2,410,000	367,262
OCSD#1	2,768,001	2,358,264	2,222,675	2,177,892	2,305,574	2,540,572	3,347,620	2,640,586	2,279,270	2,296,315	2,720,242	3,389,137		2,587,179	3,590,000	1,002,821
HSTP TOTAL	4,835,000	4,154,000	3,930,000	3,745,000	4,020,000	4,630,000	6,016,000	4,775,000	4,413,000	4,398,000	5,057,000	5,586,000		4,629,917	6,000,000	1,370,083

Village of South Blooming Grove = Village of South Blooming Grove PS + Unmetered Service Area (40,100 gpd).  
Village of Woodbury = Smith Cleave PS + Woodbury Junction PS#9 + Woodbury Commons Premium Outlet PS + Unmetered Service Area (15,811 gpd).  
Town of Chester = Surry Meadows PS + Walton Lake Estates PS + Lake Hill Farms PS + King Tract PS + Sugar Loaf PS#1 + Unmetered Oxford Heights Service Area (41 Units @ 400 gpd/unit = 16,400 gpd).  
Village of Chester = 3A PS - Surry Meadows PS - Sugar Loaf PS#1 - Unmetered Oxford Heights Service Area (41 Units @ 400 gpd/unit = 16,400 gpd).  
Town of Monroe = Monroe Hills PS + Unmetered Walton Lake Service Area (400 Units @ 400 gpd/unit = 160,000 gpd) + Unmetered Seven Oaks Road Service Area (24 Units @ 400 gpd/unit = 9,600 gpd).  
Village of Woodbury - 30,400 GPD of treatment capacity leased by Village of Woodbury from OCSD#1's allocation.



ORANGE COUNTY DEPARTMENT OF PUBLIC WORKS -  
DIVISION OF ENVIRONMENTAL FACILITIES AND SERVICES  
EXISTING FLOW INTO THE 6.0 MGD  
HARRIMAN SEWAGE TREATMENT PLANT  
REPORT DATE OF June 30, 2020

	2019 JUL	AUG	SEP	OCT	NOV	DEC	JAN	FEB	MAR	APR	MAY	JUN	Total	12 MONTH AVG. ENDING 30-Jun-20		REMAINING PRESENT AVAILABLE LIMIT	BALANCE
RAIN IN INCHES	3.80	3.38	0.99	6.57	3.51	6.62	2.16	1.98	2.83	4.84	2.11	3.84	42.63				
VILLAGE OF CHESTER	386,968	341,392	320,746	314,701	400,885	486,614	402,897	407,611	388,896	415,449	406,923	355,442		385,710	347,000		(38,710)
TOWN OF CHESTER	260,913	249,756	237,728	245,413	288,460	371,827	205,951	283,725	285,937	317,376	285,843	231,746		279,390	410,000		130,610
TOWN OF MONROE	193,210	192,672	190,133	196,535	208,697	220,673	204,893	204,093	205,443	214,127	207,058	194,542		202,676	133,000		(69,676)
V. OF S. BLOOMING GROVE	257,745	255,003	221,600	257,338	309,267	423,971	318,874	330,824	326,003	369,700	343,229	253,667		303,603	490,000		184,397
VILLAGE OF WOODBURY	696,900	668,502	596,901	700,419	882,119	1,165,295	913,799	907,477	895,406	1,020,106	953,780	669,484		839,182	1,030,000		190,818
MOODNA TOTAL	1,795,756	1,707,325	1,567,108	1,714,426	2,089,428	2,668,380	2,134,414	2,133,730	2,101,685	2,336,738	2,196,863	1,704,881		2,012,561	2,410,000		397,439
OCSD#1	2,388,264	2,222,675	2,177,892	2,305,574	2,540,572	3,347,620	2,640,586	2,279,270	2,296,315	2,720,242	3,389,137	2,283,119		2,516,772	3,590,000		1,045,228
HSTP TOTAL	4,184,000	3,930,000	3,745,000	4,020,000	4,630,000	6,016,000	4,775,000	4,413,000	4,398,000	5,057,000	5,586,000	3,988,000		4,559,333	6,000,000		1,440,667

Village of South Blooming Grove = Village of South Blooming Grove PS + Unmetered Service Area (40,100 gpd).  
Village of Woodbury = Smith Clove PS + Woodbury Junction PS#3 + Woodbury Commons Premium Outlet PS + Unmetered Service Area (15,811 gpd).  
Town of Chester = Surry Meadows PS + Walton Lake Estates PS + King Tract PS + Sugar Loaf PS#1 + Unmetered Oxford Heights Service Area (41 Units @ 400 gpd/unit = 16,400 gpd).  
Village of Chester = 3A PS - Surry Meadows PS - Sugar Loaf PS#1 - Unmetered Oxford Heights Service Area (41 Units @ 400 gpd/unit = 16,400 gpd).  
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Village of Woodbury - 30,400 GPD of treatment capacity leased by Village of Woodbury from OCSD#1's allocation.



ORANGE COUNTY DEPARTMENT OF PUBLIC WORKS -  
DIVISION OF ENVIRONMENTAL FACILITIES AND SERVICES  
EXISTING FLOW INTO THE 6.0 MGD  
HARRIMAN SEWAGE TREATMENT PLANT  
REPORT DATE OF JULY 31, 2020

	2019 AUG	SEP	OCT	NOV	DEC	JAN	FEB	MAR	APR	MAY	JUN	JUL	Total	12 MONTH AVG. ENDING 31-Jul-20	REMAINING PRESENT AVAILABLE LIMIT BALANCE	
															LIMIT	BALANCE
RAIN IN INCHES	3.38	0.99	6.57	3.51	6.62	2.16	1.98	2.83	4.84	2.11	3.84	3.84	42.67			
VILLAGE OF CHESTER	341,392	320,746	314,701	400,885	486,614	402,897	407,611	388,896	415,449	406,923	355,442	355,442		382,083	347,000	(36,083)
TOWN OF CHESTER	249,756	257,728	245,413	288,460	371,827	293,951	283,725	283,937	317,376	285,843	231,746	231,746		276,959	410,000	133,041
TOWN OF MONROE	192,672	190,133	196,535	208,697	220,673	204,893	204,093	205,443	214,127	207,088	194,542	194,542		202,787	133,000	(69,787)
V. OF S. BLOOMING GROVE	255,003	221,600	257,358	309,267	423,971	318,874	330,824	326,003	369,700	343,229	253,667	253,667		305,264	490,000	184,736
VILLAGE OF WOODBURY	668,502	596,901	700,419	882,119	1,165,295	913,799	907,477	895,406	1,020,106	953,780	669,484	669,484		836,898	1,030,000	193,102
MOODNA TOTAL	1,707,525	1,567,108	1,714,426	2,089,428	2,668,380	2,134,414	2,133,750	2,101,685	2,336,788	2,196,863	1,704,881	1,704,881		2,004,990	2,410,000	405,010
OCSD#1	2,222,675	2,177,892	2,305,574	2,540,572	3,347,620	2,640,586	2,279,270	2,296,315	2,720,242	3,389,137	2,283,119	2,283,119		2,540,510	5,590,000	1,049,490
HSTP TOTAL	3,930,000	3,745,000	4,020,000	4,630,000	6,016,000	4,775,000	4,413,000	4,398,000	5,057,000	5,586,000	3,988,000	3,988,000		4,545,500	6,000,000	1,454,500

Village of South Blooming Grove = Village of South Blooming Grove PS + Unmetered Service Area (40,100 gpd).  
Village of Woodbury = Smith Grove PS + Woodbury Junction PS#3 + Woodbury Commons Premium Outlet PS + Unmetered Service Area (15,811 gpd).  
Town of Chester = Sunny Meadows PS + Walton Lake Estates PS + Lake Hill Farms PS + King Tract PS + Sugar Loaf PS#1 + Unmetered Oxford Heights Service Area (41 Units @ 400 gpd/unit = 16,400 gpd).  
Village of Chester = 3A PS - Sunny Meadows PS - Sugar Loaf PS#1 - Unmetered Oxford Heights Service Area (41 Units @ 400 gpd/unit = 16,400 gpd).  
Town of Monroe = Monroe Hills PS + Unmetered Walton Lake Service Area (400 Units @ 400 gpd/unit = 160,000 gpd) + Unmetered Seven Oaks Road Service Area (24 Units @ 400 gpd/unit = 9,600 gpd).  
Village of Woodbury = 30,400 GPD of treatment capacity leased by Village of Woodbury from OCSD#1's allocation.



I read through the letters and all the comments and responses to the Public hearing of June 25th 2019 with great interest and was very disappointed with most of the responses. The overall tone, in general, I feel was dismissive of many of the concerns and issues that were brought forward.

Twenty two people spoke at that public hearing (some more than once).

Five people brought up the issue of impervious % on the residentially zoned lot.

Six people commented on the proposed drive/road that will result from paving the residential lot.

So about half the people expressed concerns with paving the residential lot at 8 Elm Street. I would conclude this is an important issue.

So I noticed the response to Mr. Patrick's letter which pertains to the correctness of the applicants answers to the full EAF, where, in reference to 98-23.1(F)(c) of The Senior Housing section, which reads:

“ Maximum impervious surface area. Impervious surface area shall not cover more than 75% of the lot area in the RM, B-1, and B-2 districts and shall not cover more than 50% of the lot area in the RS, RMH districts. Impervious surface area shall include all buildings, structures and parking areas.”

Mr. Patrick had calculated 42% of the entire project ( $1.1 \div 2.6$ ) but roughly 60% of the residential lot area at 8 Elm Street was to be paved, and the zoning regulation specifies impervious surface shall not cover more than 50% of the lot area in the RS zone.

The consultant's response: “Impervious surface coverage was calculated for the entire property of 2.6 acres, which is 41.2%. This calculation was agreed to at a previous workshop with the Planning Board.”

This does not comply with the code because the lot area in the RS zone is not to be paved more than 50%. No matter the size of the entire property, the area in RS is not to be more than 50% impervious coverage.



Elmwood Public Hearing    September 22. 2020

Planning Board Workshops are an informal meeting of the applicant with the Planning Board Chairperson, Planning Board Attorney, Engineer and Code Officer.

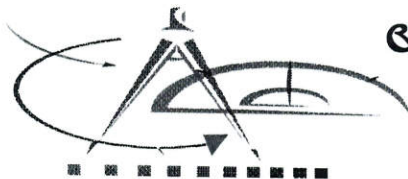
The % of impervious surface issue is important. In this case it affects the lives of all who reside in the Elm Street neighborhood now and those who will reside there in the future. It confirms whether the road can or cannot be built for access into the larger B-1 area, lowering the quality of life for current and future Elm Street residents. It makes a big difference for the future of the oldest planned and intact neighborhood in the village.

It is an issue that could have been taken on independently by the full Planning Board or referred to the ZBA for interpretation. It must not be decided with the developer or his representative involved in the decision making process.

Leslie Smith  
117 Brookside Avenue  
Chester NY 10918



*FUSCO ENGINEERING  
& LAND SURVEYING, P.C.*  
*Consulting Engineers*



*Alfred A. Fusco, Jr., P.E., Principal*

*Alfred A. Fusco, III, General Manager*

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September 11, 2020

Richard Ramsdell, Planning Board Chairman  
Village of Chester  
47 Main Street  
Chester, New York 10918

RE: Quickway Plaza  
Herman Linziger  
Section 110, Block 2, Lot 5

Dear Chairman Ramsdell,

Thank you for the opportunity to discuss the hotel on Quickway Plaza. We know the approval expires in 1 year.

The project has been delayed due to the 2008 real estate crash and Covid-19 issues, as well as drainage.

We respectfully request a 3-year extension in order to get this project ready for the betterment of the community.

Please consider and place us on an agenda. Thank you.

Very truly yours,

Alfred A. Fusco, Jr., P.E.  
FUSCO ENGINEERING &  
LAND SURVEYING, P.C.  
AAF/cam





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

September 22, 2020

Steris – Nucifora Blvd.

- 1– Current work is for the concrete plant relocation.

Shoprite

- 1- Work underway on renovation of store.
- 2- Work underway on new addition for bottle return and inclosing alcove.

Issued permits for 3 basement renovations:

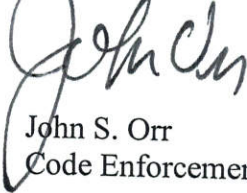
- 1- 17 Elm Street
- 2- 31 Grand View
- 3- 11 June Road.

Lowes

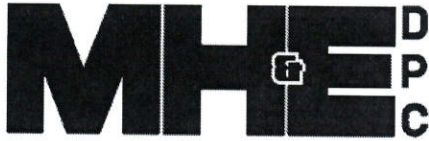
- 1- Issued permit for replacement of sprinkler system piping.

Several other permits for sheds, pools and roof replacement. \*

Regards,



John S. Orr  
Code Enforcement Officer



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**VILLAGE OF CHESTER  
PLANNING BOARD  
REVIEW COMMENTS**

**PROJECT NAME:** CHESTER AGRICULTURAL CENTER SITE PLAN  
(MEADOW BLUES COFFEE HOUSE)  
**PROJECT LOCATION:** 8 GREYCOURT AVENUE  
SECTION 105 – BLOCK 1 – LOT 8  
**PROJECT NUMBER:** 20-08  
**DATE:** 22 SEPTEMBER 2020  
**CONSULTANT:** HUDSON LAND DESIGN  
**PLAN DATE:** Revision 1 dated 9/10/20 (single sheet)  
**DESCRIPTION:** THE APPLICATION PROPOSES USE OF A PORTION OF THE  
AGRICULTURAL BUILDING FOR A CAFÉ ESTABLISHMENT. THE  
APPLICATION WAS REVIEWED ON A CONCEPT BASIS ONLY.

1. The property is located in the B-1 Zoning District of the Village. This is a proposed change in use of the existing area of the building for use as a café. In addition to the interior space outdoor gathering areas (seating and tables) are provided.
2. We note the following regarding our conceptual review of the application:
  - The Board should discuss the proposed use, both interior and exterior. Hours of operation, and potential introduction of noise generation (outdoor music or bands) should be considered.
  - The board should review the basis of the parking requirements as noted in the “Parking Notes” on the plan.
  - The plan appears to indicate that there is just over 20 feet from the back of the front parking spaces to the edge of the roadway pavement of Greycourt Avenue. This configuration would result in the vehicles backing out into the Village roadway, which is not permitted by Village Code. We don’t agree with the conclusion noted in Parking Note #2 in this regard.



- The plan should be clear that the parking in front of the café is intended to be paved. Provide a detail for the paving.
  - “Overflow” parking is provided in a gravel area at the easterly corner of the existing gravel area. These spaces are not delineated in any way. To provide some “guidance” to the users we suggest wheel stops or some other method of markings to designate spaces. Further, we suggest a sign conceptually stating “These parking spaces for Meadow Blues Customers” so patrons have some way of knowing the intent.
  - For the handicapped parking spaces, where a standard space adjoins a handicapped space, two stripes shall be provided, one blue, one white.
  - There is no indication with regard to any site lighting near parking. This should be discussed.
  - The plan should have an approval box above the title block, in the right hand corner (fold) of the plan. The project number (V-Chester PB No. 20-08) should appear just within the box.
  - As per Section 98-30.2 of the Village Zoning Code, the Applicant should indicate a reasonable anticipated completion date for the project on the plan.
3. The Board should discuss the SEQRA actions which may be appropriate with the Attorney for the Board.
  4. A referral to the Orange County Department of Planning may be needed based on the proximity to the Orange County Heritage Trail and Agricultural District.
  5. The Planning Board should determine, for the record, if a Public Hearing will be required for this Site Plan, per its discretionary judgment under Section 98-28 (B) of the Village Code.
  6. We will continue our review as new information is submitted, and the Board’s concerns/comments are received.

Respectfully Submitted,

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

MJE/st  
Ches20-08-22Sept2020-Meadow Blue SP.doc



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

**PROJECT NAME:** ELMWOOD APARTMENTS SITE PLAN & SPECIAL PERMIT  
(SENIOR HOUSING PROPOSAL)  
**PROJECT LOCATION:** OFF MAIN STREET and ELM STREET  
SECTION 111 – BLOCK 2 – LOTS 7.1 & 3  
**PROJECT NUMBER:** 13-08  
**MEETING DATE:** 22 SEPTEMBER 2020  
**CONSULTANT:** PIETRZAK & PFAU  
**PLAN DATE:** No New Drawings for this meeting  
**DESCRIPTION:** THE APPLICATION PROPOSES A MULTI-FAMILY SENIOR HOUSING  
RESIDENTIAL SITE PLAN WITH 20 UNITS ON THE 2.6 +/- ACRE SITE.  
THE PLAN WAS PREVIOUSLY REVIEWED AT THE 23 JULY 2013,  
22 JULY 2014, 24 FEBRUARY 2015, 28 JULY 2015, 25 AUG 2015,  
29 SEPT 2015, 27 OCTOBER 2015, 15 DEC 2015, 26 APRIL 2016,  
27 SEPT 2016, 13 DECEMBER 2016, 26 FEBRUARY 2019, 23 APRIL 2019,  
28 MAY 2019 AND 25 AUGUST 2020 PLANNING BOARD MEETINGS.  
THE APPLICATION IS BEFORE THE BOARD FOR A CONTINUATION OF  
THE PUBLIC HEARING AT THIS MEETING.

1. The applicant has submitted additional information as requested by the Board. *It is our understanding that the intent of this meeting is to receive additional comments with regard to the additional submittal information.*
2. Once the Public Hearing is closed we will continue our review and (in addition) review concerns and comments of the Planning Board.

Respectfully Submitted,

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

MJE/st  
Ches13-08-22Sept2020-Elmwood.doc



**Clifton Patrick**

117 Brookside Ave

Chester, NY 10918

Phone/fax 845-469-7645 e-mail: clifpatrick@optimum.net

Planning Board

Village of Chester

47 Main St.

Chester, New York 10918

Tuesday, September 22, 2020

(Comments in blue)

Public Hearing of June 24, 2019 for Project # 13-08 Elmwood Park Apartments  
Mark Siemers, Engineer, Pietrzak & Pfau, 13-08-Elmwood-Park-Apts-PH-  
Comments-Response-2020-07-06.pdf - Response 14: Responses to EAF  
comments are as follows: -in red.

Dear Chairman Ramsdell and Board Members:

I believe there are material errors and omissions in the Full Environmental Assessment Form as presented for this project that need correction.

**D.1. Proposed and Potential Development**

h. Does the proposed action include construction or other activities that will result in the impoundment of any liquids, such as creation of a water supply, reservoir, pond, lake, waste lagoon or other storage?

*No is checked.* But is not the Storm water retention pond- aka Proposed Dry Pond, just such a structure meant to impound water for temporary storage and gradual release to avoid downslope damage?

D.1.h.: Stormwater ponds or other facilities are not considered impoundments. Village Engineer can verify.

**D.2. Project Operations**

e. Will the proposed action disturb more than one acre and create stormwater runoff, either from new point sources (i.e. ditches, pipes, swales, curbs, gutters or other concentrated flows of stormwater) or non-point source (i.e. sheet flow) during *Yes is checked.* ...

ii. Describe types of new point sources. *Outlet pipes from stormwater retention/ detention ponds.*

Where does on-site stormwater management system ultimately discharge to? Chester's black dirt meadows perhaps, which is currently a FEMA designated Special Flood Hazard Area (SFHA) with one outlet under the former Erie RR Mainline behind 51 Greycourt Ave?

- If to surface waters, identify receiving water bodies or wetlands: *N/A*

If the stormwater runoff ultimately discharges to Chester's black dirt meadows, how can this answer be "N/A?" The plans on sheet 5/12 states: "Stormwater pond to be used as a sediment trap." I've heard that once wetlands indicator vegetation grows EPA restrictions prevent excavation of the sediment. If this is true here, how will the pond be maintained as it is filled by trapped sediment? Should the sediment flow in the Village's drainage system, it would create a future liability for the Village.

D.2.e.: Stormwater is treated and attenuated in onsite stormwater dry pond. Stormwater is released from the pond with direct connection into existing Village storm drainage in Elm Street. There is no discharge to surface waters. Also, with regard to the sediment trap, the SWPPP requires weekly inspection and after every significant rain event during construction. Part of these inspections include maintenance and operation of sediment traps. These reports will be submitted to the Village Engineer as well.

**Response did not answer the question: Where is the stormwater ultimately discharge to?**

I. Hours of operation. Answer all items which apply.

i. During Construction:

- Monday - Friday: 6 a.m. to 6 p.m.
- Saturday: 7 a.m. to 6 p.m.

A 6 a.m. construction start time will be too disruptive to the very close by residential neighbors!

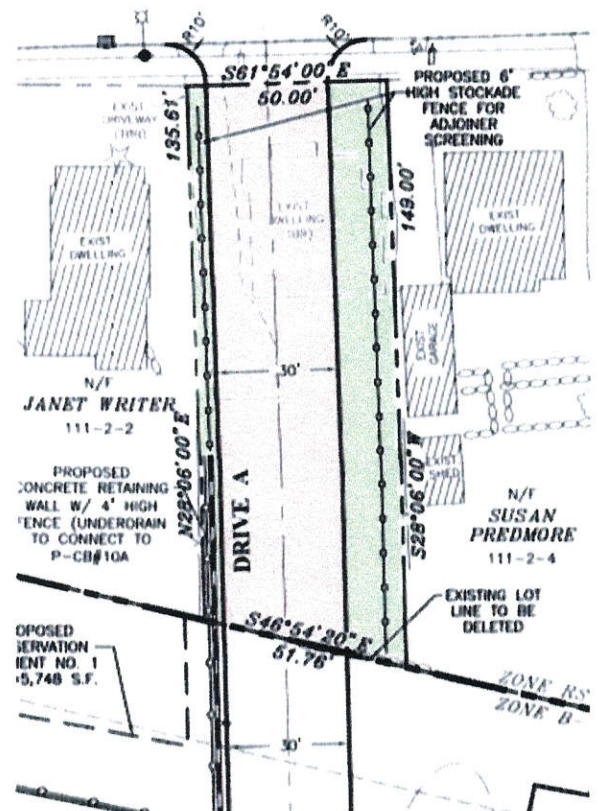
m. Will the proposed action produce noise that will exceed existing ambient noise levels during construction, operation, or both? *No is checked.*

Really? This construction activity will not raise the ambient noise level to the neighboring residences, especially at 6 in the morning?

r. Will the proposed action (commercial or industrial projects only) involve or require the management or disposal of solid waste (excluding hazardous materials)? *Not answered!*

Will the regrading, such as for Building #1 result in a net removal of waste soil from the site?

D.2.I.: Hours of operation are proposed. Any changes requested by the Planning Board will be adhered to if reasonable.





D.2.m.: This project, along with all others, must meet the Village noise ordinance. Any violation would be addressed by Code Enforcement.

**What Village noise ordinance? I found nothing in code about noise especially with respect to construction.**

D.2.r.: This question is for commercial and industrial projects only. As this is a residential project, the question has been left blank.

**E.1. Land uses on and surrounding the project site**

b. Land uses and cover types on the project site.

- Roads, buildings, and other paved or impervious surfaces ...1.1 acres after.

This is 42% of total (1.1÷2.6), but roughly 60% of the lot in single family residential zone (RS).

**§ 98-23.1 Senior citizen housing special use permit.**

**F. Lot and bulk requirements.**

(c) **Maximum impervious surface area. Impervious surface area shall not cover more than 75% of the lot area in the RM, B-1, and B-2 Districts and shall not cover more than 50% of the lot area in the RS, RMH Districts. Impervious surface area will include all buildings, structures, and parking areas.**

E.1.b.: Impervious surface coverage was calculated for the entire property of 2.6 acres, which is 41.2%. This calculation was agreed to at a previous workshop with the Planning Board.

**Village code, above is very clear, and this calculation would, if built, create an obvious violation, and therefore is not allowed.**

**E.3. Designated Public Resources On or Near Project Site**

e. Does the project site contain, or is it substantially contiguous to, a building, archaeological site, or district which is listed on the National or State Register of Historic Places, or that has been determined by the Commissioner of the NYS Office of Parks, Recreation and Historic Preservation to be eligible for listing on the State Register of Historic Places? *Yes is checked.*

If Yes:

i. Nature of historic/archaeological resource: *Neither Archaeological Site nor Historic Building or District is checked.*

Note: Townshend is an early eighteenth century and earlier alternate spelling of Townsend.

ii. Name: Eligible property: *TOWNSHEND HOMESTEAD, Eligible property: House, Yelverton Inn and Store, First Presbyterian Church of...*

iii. Brief description of attributes on which listing is based: *Blank!*

At the colonial center of Chester, reputed company store and marshaling yard for Townsend's Sterling Iron Works. The nation has reaped inestimable benefits from Mr. Peter Townsend and his firm, Noble Townsend & Co. Thomas Pickering, Adjutant General of the Continental Army and Peter Townsend negotiated first modern military procurement contract, supplanting the highly corruptible Quarter Master method. It was subsequently signed by Hugh Hughes, Deputy Quarter Master General with Townsend at his Chester residence on February 2, 1778. It is the model still used to this day for military procurement. Townsend's firm cast the first anchors in this country and used by the United States Government on the Constitution, the Constellation, and the Congress, and later on all the ships of war. This firm's iron was made into other articles critical to the revolutionary war effort. The third, and the only successful, chain across the Hudson kept the British from splitting and perhaps defeating the Colonies. According to research by Kenneth Lifshitz, the links to this chain were brought here before continuing on to New Windsor to be assembled on the shores of the Hudson River and deployed at West Point. It stopped British from splitting industrial New England from the other Colonies. Had this effort failed, the British would have likely defeated the Colonies.

E.3.c.: This question is answered automatically by the NYSDEC EAF Mapper. The answer to the question is no, not yes. As such, no other parts of the question require addressing.

**You state the NYSDEC EAF Mapper automatically answered 'yes', and given the history of the site as noted above, yes is valid, requiring those issues not addressed.**

g. Have additional archaeological or historic site(s) or resources been identified on the project site? *No is checked.*

E.3.g.: This issue is being finalized with SHPO, who must sign-off on the project prior to any approval.

**The archaeological report recommends careful subsurface soil examination to definitively define the scope of the paupers graveyard. I have no documentary evidence of the graveyard boundaries other than oral reports that is in the northwestern corner of the property, therefore making the soil examination very important in documenting the actual extent of the burials.**



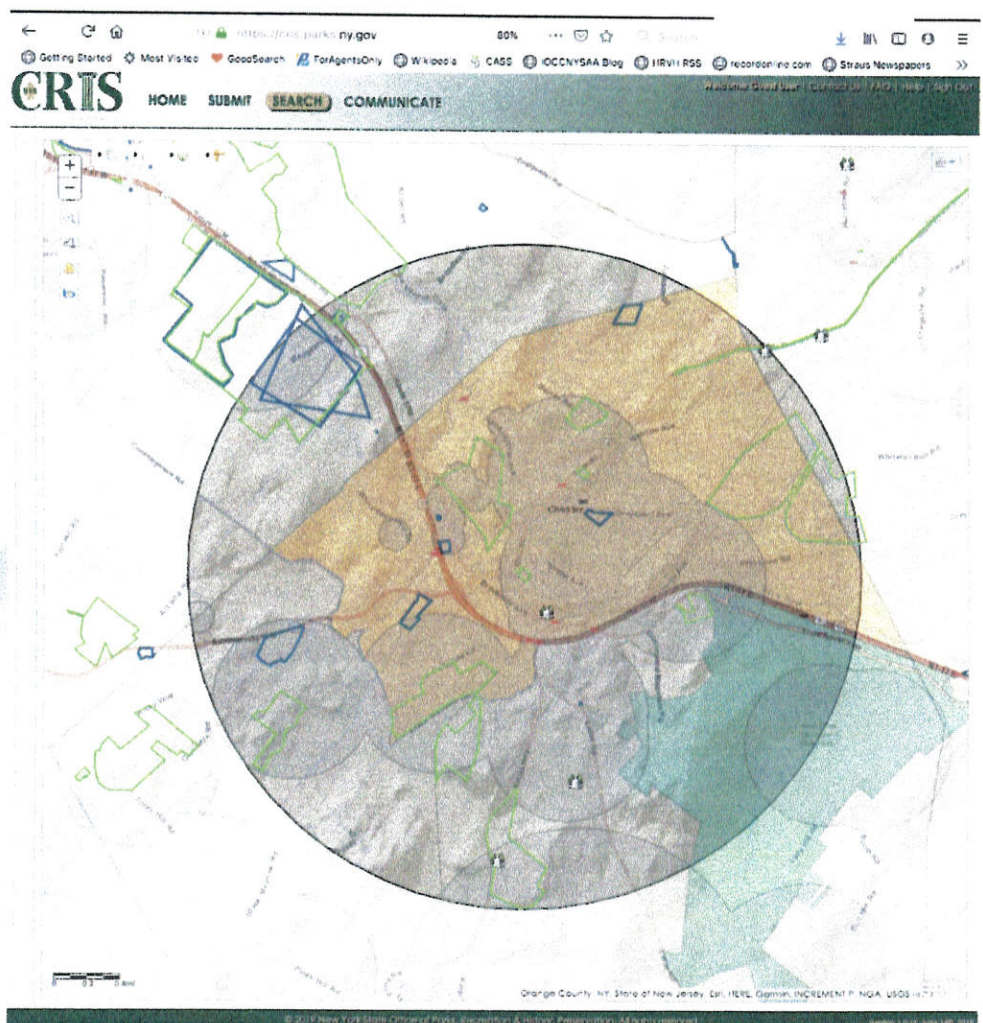
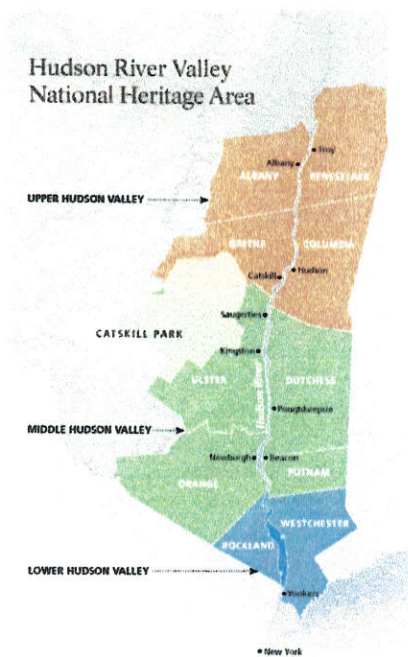
If they chose not to list the Chain and other contributions to the Revolution in the preceding paragraph they could have disclosed it here.

**Not addressed.**

h. Is the project site within five miles of any officially designated and publicly accessible federal, state, or local scenic or aesthetic resource? No is checked.

They should have checked yes and identified: the Orange County Heritage Trail, Goosepond Mtn State Park, Sugar Loaf Mountain, etc. See New York Historic Preservation Office Cultural Resource Information System screenshot showing many additional officially designated features in the five mile radius:

Plus, the entire county is in the Hudson River Valley National Heritage Area. It includes the counties of Albany, Rensselaer, Columbia, Greene, Ulster, Dutchess, Orange, Putnam, Westchester, and Rockland and the Village of Waterford in Saratoga County."



E.3.h.: We have revised the EAF to include the referenced scenic or aesthetic resources within five (5) miles of the project site.

**New State Environmental Quality Review Act (SEQR):**

...

If an agency makes an improper decision or allows a project that is subject to SEQRA to start, and fails to undertake a proper review, citizens or groups who can demonstrate that they may be harmed by this failure may take legal action against the agency under Article 78 of the New York State Civil Practice Law and Rules. Project approvals may be rescinded by a court and a new review required under SEQRA. New York State's court system has consistently ruled in favor of strong compliance with the provisions of SEQRA."

This board must make sure the errors and omissions are corrected and that this **Full Environmental Assessment Form** is as accurate and as complete as possible before accepting it and making it the official position of the Village of Chester Planning Board.

**End Public Hearing of June 24, 2019 responses.**

A long time ago, the applicant agree to memorialize the history of the site along with the burial with signage, the exact wordage to be determined later, but I see no indication on the site plan for that signage! I expected to see a roadside historical marker located at the pedestrian entrance on Main Street, durable indication of locating the former Townsend burials, and signage for the paupers' burial ground.

Respectfully submitted,

