

## MINUTES

### VILLAGE OF CHESTER PLANNING BOARD

JUNE 22, 2021

#### REGULAR MEETING

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

**ALSO PRESENT:** John ORR, Code Enforcement Officer  
Shawn ARNOTT, Planning Board Engineer  
Stephen HONAN, Esq., Planning Board Attorney

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

1. **Project # PB-21-02**      **Project Name: Advanced Auto Site Plan**  
Applicant/Owner:      Brookside Avenue Development, LLC / Catskill Hudson Bank  
Location:              93-95-97 Brookside Avenue (107-2-8.21, 9.2, 9.1 / B-2 Zone)  
Re:                      Proposed construction of an Advanced Auto Parts store.

Planning Board Chair Ramsdell gave an overview of the Public Hearing process. **\*MOTION** was made by Member LaSpina, second by Member Winters, to **OPEN THE PUBLIC HEARING** at 7:05 PM. Motion passed 5-0.

It was confirmed that the mailings were done and return receipts were turned into the Planning Board Secretary.

Mark Shattuck of Westlake Development provided an overview of the project:

- We are the developer who is proposing to develop an Advanced Auto store at 93-95-97 Brookside Avenue.
- What you see here is the latest site plan we've put forth. We originally put forth a site plan which was completely engineered, which had a complete detention facility in this area of the site. Since the last meeting I asked our engineers to explore whether there was any way that we could reduce the impact of our development on this site. Given the fact that we have a historic house that we're proposing to donate to the Village, we wanted to see if we could create some more area – some more green space to go along with that. In doing so, we were able to push the development to the northeast. We're proposing now, if this looks good, to take the storm retention system and put it under the parking lot. One of the comments from the County which is they wanted a waterfall unit to clean the stormwater before it went into the storm facility and into the stream. With this facility, we can accommodate a waterfall unit. We're going to capture the storm water under the parking lot and we've been able to reduce the impact on the site. We've also eliminated 2 parking spaces in order to give some more room to the house. Some more green space here. I know there were some comments that maybe this wasn't a very functional driveway. It's not on this site plan, but we do have more room now to deal with that so we can make sure cars can pull in, reverse, back up and go forward. So, I think now with this extra space we can accommodate that.
- Reviewed site plan submitted to the Planning Board.
- This is a 6,889 square foot building.

- In addition to the elevations that we originally presented, we've changed those, we've listened to some of the comments we've heard about wanting to try and make it look more like the surrounding buildings. The street scape plan was displayed on the screen. This is an elevation of what we're now proposing. This is Hardie Plank cement board, clapboard siding. More residential type windows with shutters. We've given a peak on the roof. We've eliminated that red sign box that was originally there and gone with individual channel letter signage. This is a new look that we've presented to the Board.
- Take a look at the street scape, you'll see that we've now shown this new building and how you'll see it as you drive down the road. As you can see here, it's hard to tell on an image like this, but there will be a berm here and that berm should... The building is set lower than the road. This berm will be higher than the sidewalk, so visually when you're driving by, you're really not going to be able to see the parking lot per se. It's going to visually appear more like this. We've done our best to reduce the impacts on the site, create a larger area to go along with the house we're proposing to donate and we've made our best effort to have the Advanced Auto store look more like the buildings that were left in place.
- I'd ask you to consider this and I appreciate you allowing us to present our project.

Public questioned / commented on the following:

- Clif Patrick, 119 Brookside Avenue: I have kind of a technical question on the parking area. As I said, I looked at the plan that was up – the one that he initially showed and I wondered about the truck they were going to come in with and so I looked at the one they did called option 2 that showed the tractor trailer coming into the site. If they could pull that up. It looks like.... I'm not sure I'm reading the other.... It looks like it shows the tractor trailer wheels going over the curb as it pulls into the site. I was wondering if I was reading that correctly. I would think that you'd want the wheels of the tractor trailer to stay on the pavement.
  - Chair Ramsdell: What else do you have Clif?
  - Clif Patrick: That was my question.
- David Stevenson, 16 Elm Street: I just wanted to make two quick comments. I just wanted to ask the Planning Board to evaluate this through the lens of the Comprehensive Plan. I know we've talked about the Comprehensive Plan a lot. A lot of people think that it's just an abstract, but it's actually not. It's an actual document that's a hundred and fifty pages long and we're at the finish line of a three-year process to adopt this and it's meant to be a template or a roadmap for the future of our Village. And one of the things that we want to do is establish a Historic District in that area. And in that corridor there, there are a number of new buildings – sorry, a number of new businesses including, for example, the Hudson Valley Credit Union where the Lobster Pier was. Lobster Pier was old, but it looked like a lobster shack. That was taken down and a new bank went up there that has a nice sort of I guess I'll call it a colonial feel to it so it sort of fits in with the Historic District. Orange County Trust also looks the same way. Even the Access Physical Therapy, which is right next door. Perfect Nails is still an old house. The VanDerMeulen's house. Cohen, Labarbera & Landrigan, which is the law firm and then Greenwald Law. It's a whole strip. I know some people can say but if you look across the street, you will see an ugly strip mall and that is absolutely true, but we're talking about this side of the street, which is the Historic District that we're talking about. I want the importance of the Comprehensive Plan, which is on the verge of being hopefully adopted by the Village Board to be the lens through which this project is viewed. I want to applaud the applicant's gesture of giving the, possibly donating the house to the Village. I think that's fantastic. I think you've done some great cosmetic work on the front of it also, but just so that you are aware of the community's feeling on this. I lived in Syracuse for about 5 years and I go up there like twice a year. What we're shooting for is we don't want it to look like Erie Boulevard if that makes any sense to you. It's a lot of sort of, what I call, light



industrial businesses one after another, which kind of destroys the historic character of a road or an avenue. So that just sort of gives you some context. I know a woman who works over at the headquarters for Mavis Tire and she is responsible for helping get new buildings – new sites up and running. I asked her how do you plan the look of your buildings and she says oh we have like three or four different styles and they figure out which one goes in best with that area and she said one of them, in fact, was called the colonial version and it has – it's beautiful. This is a picture of what it looks like over in Warwick (picture presented to the Planning Board) and this happens to be one with bays – with actual bays where they change tires and change oil and all that and look at that. It's nice, arched and everything. It does give you an idea of what is possible. This is Auto Zone (picture presented to the Planning Board) – this is another Auto Zone with gabled roofs. So, my point is that light industrial type stuff can still look very nice and very attractive. I think he's gone a long way to close this and, like I said, I really applaud the gesture. I'm hoping maybe he can go even a little further. When I saw the side – it looks like a flat thing. I don't know if it's possible to have windows in there just to kind of soften the warehouse look, but maybe that might be something to look at. So, that was the first point I wanted to make. The second one had to do with the Orange County Department of Planning letter that was received by you. It was a pretty serious letter and you can tell that they took a lot of time looking at this project and I'm just hoping you'll listen to their recommendations rather than trying to find a way to cobble together a super majority vote to ignore their expertise. I don't think that would necessarily be a good idea. They have no skin in the game other than they're just looking out for the best interest of the County and our Village. And they had several recommendations – the stream bank flooding, which I think you addressed that. I do have a question. If the tank is underneath all the macadam, will all the water then be running over asphalt or oil-based asphalt in there and then does it get collected? You don't have to answer, I'm just pitching the question. As opposed to it just running across grass as a different filtration. We talk about these hundred-year storms. Well, the hundred-year storms seem to be happening every ten years. We just had that sort of big tornado storm maybe a week ago and the Black Meadow flooded. It rose above its banks for a short time. Imagine if 60% of that lot now is covered by impermeable surface. That makes the runoff quite a different thing. That was a recommendation that the Orange County Department of Planning sent in. In addition to a recommendation, they actually had a requirement it seems in the very first part of that letter when they were talking about making sure that the sewer capacity was addressed and, in fact, they asked for the municipal board, your municipal board, to basically prove in writing that this project was not going to have an adverse effect on the sewer capacity and then the very last sentence of that paragraph says "the receipt of such information shall not constitute the agreement of the County of Orange or Orange County Sewer District # 1 of the information provided as factual". So, what they're basically saying is we want you to tell us what you're thinking, but we may not necessarily believe you. That's in a sense what they're saying. Which leads me to wonder if maybe they're doing some sort of sewer audit as well because they're obviously saying tell us what you think, but we may not necessarily believe you. Those were pretty strong words. We usually get these reviews of local planning actions from the Orange County that almost always just says local determination – local determination. We never get any (inaudible) and then this is a two-page single spaced letter with a lot of concerns, so I'm hoping that you will keep that in mind and pay attention to their concerns. Thank you.

- Chair Ramsdell: Thank you. Anyone else?
- Tracy Schuh, Town of Chester resident: I did also want to applaud the developer for some changes that are being made to reduce the impact because that's what I was coming here today to ask for. I was particularly concerned about the green space being lost and the parking for what was going to be donated, which is great that that house will be donated and that, itself could, you know, tourism on the rise, it's great to have something. We could have a

museum in there walkable to the community (inaudible) and that's good for your economy. I think it's important to enhance your character in the Village while you are accommodating new growth, so I think there's a lot of talk about the look of the building. I know visual impacts are subjective and some of you might think what's presented is fine while others might think that it's not and I think definitely looking at that strip of roadway, there's something that they all have in common, which is a porch and I don't know if something could be done over those windows – the big main windows there to give it – that would give it more of a peak that was similar to the other buildings along that strip. I'm not sure.... I'm not an architect, so I don't know, but surely you can consider more, you know.... Look at it and see what else is out there and what can be done hopefully that is consistent with the projects – economics of the project. I just don't want to see this building overshadow the other buildings there and I think what we heard tonight it's going to be lower, there's going to be a berm. Which brings me to trees and landscaping. I didn't see a landscaping plan, but things are changing on the fly now and I expect there would have been to kind of settle on the orientation of this building. What would be the best situated there, but you know trees obviously would make a big difference in the aesthetics, but also help with noise pollution, historic properties on either side perhaps you also could, depending on where you put trees, they help with energy costs. You know you got summer sun – you need shade in the parking lot and the building and if you have evergreens up they shield wind, so the trees have a lot of importance, so I was concerned when I saw the first plan where the site was clear cut, so that was disturbing. This new plan is something that's going to (inaudible) forward a lot of that green space and trees will remain – I don't know about everybody else, but that's good for the environment. I was going to come here today to talk about the stream buffer because it's important to have some sort of vegetative buffer, which I believe the County even talked about for soil erosion. I live in a neighborhood – just as a sidebar for a minute – I know my neighbor for fifty years lives along the stream, but I'm sure he had a side yard. Right now, it's down to about six feet from his foundation because over the years, the fifty years of storms has eroded that stream. So, it's important to protect the stream. You guys have that (inaudible) right through the Village and I was worried about having all that tree coverage taken away and all the soil that would erode over time. So, if that's, I'm hoping this new plan is where you're headed because, again, I want to see the least. I want you to pick a plan that's going to have the least environmental impact. In that, I was wondering is there going to be maybe perhaps where there is a corner where it does get close to the creek trees planted up there as the County had suggested? And also, perhaps a deed restriction maybe, a fifty-foot buffer. I mean other communities have stream buffers depending on the purpose, they're either twenty-five feet, fifty feet, something. New Paltz has 100-foot buffers to their streams, so it all depends on what you're trying to do to erosion or habitat, or whatever it is, but I'm hoping that perhaps there's going to be something here that will prohibit any development happening later in that area. My other question was about – oh, just as a matter of fact, I don't know if you guys have a landscape consultant. I know the Town of Chester does hire a consultant to come in to cover the types of – to take that time and works with the developer on what would be best for the site, the soil and what purposes the trees have. In that, if there are trees along the front of the building for aesthetic purposes, to shield the building, the Town of Chester makes those in perpetuity, so they're not – I don't know what your requirements are here to have at least the first planting season. Whatever your landscaping plan comes up with – whatever the cycles are, you should have all those things outlined as far as the first planting season they will die and we want them put back in (inaudible). And my other questions is about the environmental process. Sorry I'm taking a long time. I saw on the short EAF (Environmental Assessment Form) on the Village website listed. I may have missed if there was all those other pages that you're supposed to fill out, I guess, page 2.



- Shawn Arnott, Planning Board Engineer: Page 7 – Part 2. Part 2 and Part 3 don't have to be filled out until a determination has been made by the Board.
- Tracy Schuh: Ok, so that's what I was wondering how you were working through that because I know some towns that they forget that it's not the developer, but you guys, work through those evaluations as to what's the adverse effects and how to mitigate or first avoid them and then mitigate them, which a lot of it sounds like you worked towards that, but I didn't know there were things about 100 year floodplain, endangered species, archeology of the site, I didn't know if those things had to go to SHPO or DEC or the Town. I've seen them get reports back with recommendations or they review whatever (inaudible) test necessary. I don't know what's necessary or what your processes is when you do that. I just didn't see those things, so I was just curious. As for water and sewer usage numbers, I don't remember what was said about much water and sewer was expected to be used. I just called the Village of Goshen and asked since they have an Advanced Auto there. They do have sewer. I don't have my little post it note I wrote on, but I think they said they use about 2,000 gallons of water each quarter, but I would think that you maybe figure out other similar buildings and coming up with whatever you think this building would have. My question is, is this really going to be an Advanced Auto building? If I'm not confused, the middleman of the development. Is there a chance that this could get approved and Advanced Auto doesn't want to move in there like if somebody else moves in there and how is that usage figured out? By maximum building size? Or is it by what you think is going to be in there – by the use? So, I was just confused about that a little bit. And then, I had spoken to an environmental engineer because I saw the first plans and, again, I was very concerned about the storm water retention clearing there and one of the things I don't know if it's worth mentioning now unless you're going back to that plan, was that you mentioned that the DEC Standard and Specifications they required if it's going to drain into a water body within 100 feet, then there needed to be two rows of silt fence installed five feet apart during activities performed between November and April and I guess on these plans I didn't see any winter stabilization plans for that time frame. I don't know about it on the older plans, so again, I don't know if that's new now or not. Those are just notes I had taken from that. And my last thing I wanted to ask you – if the public hearing is closed or left open, I don't know what that's going to be, I was wondering if I could send you. I had two links to webinars that I thought might be helpful. One was from Randall Arendt; he's well known for coming up with cluster sub-divisions. He's got his new thing about some finer codes. His webinar though talks about trees. It talks about the local buildings. It gives you the whole thing all examples of other communities and includes one from Warwick – one of their buildings and how the gateway, how it's, makes it look better, nicer. So, I wanted to send that to you. It's worth a listen. And then there's also one from the Department of State, Division of Local Government Services. That was the one I spoke at during the (inaudible) regarding notices and in the webinar, he says that he's not supposed to give recommendations, but the one he does suggest is signage on the property for a public hearing on the property itself, so I wanted to send that to you so you can see those two webinars hopefully. Whether it applies to this project or for future projects, but I do want to send that off to you. That's it. Thank you.
- Chairman Ramsdell: Thank you
- Gordon Shehab, 68 High Street: I commend the developer on the changes that he's made. I think they made the building look a lot nicer. One thing that I hope that they could do. All the buildings along that road – the historic buildings and so forth are white and to sort of blend in with that historic atmosphere, would it be possible rather than tan if they could make the walls white so that it would sort of blend more into that historic area. Have less of an impact on the neighborhood. That's it.

- Chairman Ramsdell: Thank you
- Susan Bahren, 3103 Whispering Hills Drive: I have not been to a Planning Board meeting in ages, but I am happy to see also that the applicant has changed the front of the building and made it to be more like, as Mr. Shehab just said, I was going to ask.... I do applaud the applicant for the change in the front, but I too was gonna to ask if it could be done in a lighter color. I'm also curious and forgive me because I have not been here before, but I'm also curious as to what made the change or not the change, but why the parking can't be on the side and not on the street front. That is just my biggest question about it because it's less obvious on the side even if the berm is there, but I don't know what that does to all of Tracy's facts because I will never secede over Tracy at all, but I'm just wondering if there's any way to do it – to move the parking to the side to be less obvious. That's it. Thank you for your time.
  - Chairman Ramsdell: Thank you
- Leslie Smith, 117 Brookside Avenue: The only thing I wanted to do is to re-submit the pictures that I submitted back in 2017 when this project was here before. And I believe they're the same pictures probably that David already gave you.
  - Chair Ramsdell: Yes, some of them are expansive views.
  - Leslie Smith: Of Mavis Tire. They're all Warwick and I think they're much more towards what we, as a historical society, are looking for to go in that area so that we have a visual continuity along the street of a similar style with gables and not get a flat façade. That's it.
  - Chair Ramsdell: Thank you
- Chair Ramsdell: It's ok if you want to speak twice. No-one else? Ok. We typically leave a 15-day option at the end of a public hearing and we haven't moved that this be the end of the hearing, so we will be expecting to get some written comments in that period. I had a conversation with the applicant about it, so there's that in case any of you have thought of something else that you wanted to send to our attention. Does the Board feel like we could close the public hearing at this point?

**\*MOTION** made by Member Rappa, second by Member LaSpina, to **CLOSE THE PUBLIC HEARING.**

- Stephen Honan, Planning Board Attorney: Before we just go there, I just want to ask a couple of questions. This is the first time this map has been submitted to us. I see it was received June 18. When his was originally scheduled for public hearing last month, this was not the plan that was going to be presented, correct?
  - Chair Ramsdell: This was.
  - Stephen Honan: It was?
  - Chair Ramsdell: Yeah
  - Stephen Honan: Why does it say June 18<sup>th</sup>?
  - Chair Ramsdell: That's a new plan
  - Stephen Honan: Right. When you say this was. The one that was being presented tonight is last revised June 1, 2021.
  - Chair Ramsdell: Yeah, this slightly different. The applicant could point out the differences.
  - Stephen Honan: I'm just concerned now that the County Planning Department reviewed a plan. Which plan did they review and what's the date of their letter?
  - Shawn Arnott: Prior to this.



- Stephen Honan: Right, so now we have a completely different plan, different drainage, so I think this plan – this is a significantly different plan as far as I can tell. I believe this new plan has to go for GML review.
- CEO John Orr: In my opinion, this is less of an impact than the last plan.
- Stephen Honan: It very well may be.
- CEO John Orr: So, I don't know if....
- Member Winters: But it is a different plan.
- Stephen Honan: Right, I just want to know – it may be the concerns of the County Planning have been addressed by this new plan, so we wouldn't have to override things indicated in this new plan. It's a better plan, I think you're right, but it is markedly different. I'm just surprised to see the extent of changes in this new plan, particularly when the applicant indicated he would not change the plan we were reviewing in May 2021. I think it's a good thing, but I'm just afraid that if we move too quickly. I mean, it might be better to keep the public hearing open or continue the public hearing just because we have a new plan before us. I hate to delay a project, but this is the first time I'm seeing this new plan and I just don't want us to jump the gun and not have a proper review done by the GML reviewing interested and involved agencies.
- Chair Ramsdell: Typically, what happens from here going forward is that we wait the period for mail in comment and then the Planning Board Secretary will put all of the spoken words to paper and when that's done, it gets forwarded to the applicant and we expect to receive comments or answers for the questions that were asked and any other information they can offer and we'll move forward from there.
- Member Winters: Mr. Chairman. I think Stephen has a legitimate concern because we're voting on a different set of plans from what was originally presented and however, I would like to move forward on this, but these are different plans from the original.
- Member Rappa: We're not voting on that Gene. We're voting on closing the public hearing. We're not voting on the plan.
- Member Winters: Absolutely, but isn't this part of the hearing? Is the hearing and the project should not exactly be closed because it is a different project.
- Shawn Arnott: So, what I would offer is that this plan be re-referred to County Planning. Thirty days will have expired if it was sent tomorrow. Actually, we have until the 27<sup>th</sup> of June for the thirty days to expire if we re-send it to the County Planning for them to do another review, which could cover that base.
- Member Winters: I'd go along with that.
- Chair Ramsdell: I would like to wait and see what occurs after discussion to see if there are any other alterations but sending it off to County Planning is not going to be a mistake. It's just a question of how many times we want to end up doing it.
- CEO John Orr: I happen to have their letter in front of me and they had advisory comments on streambank stabilization, environmental constraints, which is the normal for the habitat because of the DEC and stormwater runoff contamination. Those are the only advisory comments they have. The only major comment they had was the sewer capacity, so the sewer capacity – design on the building isn't going to change that.
- Chair Ramsdell: I would – I'm quite confident that that's being done as we speak.
- It was confirmed the County Planning response was dated May 4, 2021.
- CEO John Orr: I mean the building itself is basically the same, it's just slid and, in my opinion, less impact because of the underground stormwater, which was their advisory

comment. The sewer we can still address. I already have that letter that we just have to make a motion on, but we can do that later.

- Chairman Ramsdell: A letter?
- CEO John Orr: We'll talk about it once we get out of public hearing. The sewer capacity letter I gave you last month.
- Chair Ramsdell: I have to get up to date. Ok, so we had a **\*MOTION** made by Member Rappa, second by Member LaSpina, to **CLOSE THE PUBLIC HEARING**. Motion passed 4-0. Roll Call:
 

Chairman Rick Ramsdell	Yes
Member Anthony LaSpina	Yes
Member Vincent Rappa	Yes
Member Gene Winters	Abstain
Member Simon Ziegler	Yes
- Chair Ramsdell: David, do you have another question?
- David Stevenson, 16 Elm Street: I had my hand raised before you closed it, but I just wanted to ask a real quick question.
  - Chair Ramsdell: I trust you. I believe you.
  - David Stevenson: I know at the last meeting the Building Inspector mentioned a letter that was his sort of review of the sewer capacity and I don't know if it's been sent in to the County yet, but I guess this is a question for the attorney, when that gets sent in, do you then expect a response from the County to his letter and to the sewer capacity issue or do they just want the letter sent in and then it just dies after that? Based on Orange County Department of Planning's letter, what is the next step that they want to take in terms of their level of involvement?
  - Chair Ramsdell: I don't know. I think if they had a plan in mind, they would have informed us. I'm sure it'll be coming if it's out there.
  - David Stevenson: If they're in receipt of the Building Inspector's letter and they agree with it, then that's great, but what happens if they don't? Do they leave it (inaudible)? Do they issue another one of these letters issuing another warning or something like that?
  - Chair Ramsdell: As I understand it, there's work going on presently to look for some background information about what the actual usage is and it is work that's being done as we speak, so we'll know more about it and I'm sure that it will be part of our conversation – the Village's conversation with County Planning.
  - David Stevenson: Thank you.
  - Chair Ramsdell: You're welcome.
- Chair Ramsdell: Anything else? We will open our regular meeting at this point.

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

Chairman Ramsdell opened the Regular Meeting at 7:45 PM.

#### **MINUTES**

Review Draft June 1, 2021 Planning Board Meeting Minutes. **\*MOTION** made by Member Rappa, second by Member Winters, to **ACCEPT THE MINUTES AS DRAFTED**. Motion passed 4-0 (Member LaSpina abstained as he was not at the June 1, 2021 meeting).



**CORRESPONDENCE**

Letter from Larry Torro, PE read into the record by Chair Ramsdell. The letter gave an update on project 21-03 - Chester Plaza Motel Site Plan and advised they hope to have more information by the July Planning Board meeting (copy attached).

**CODE ENFORCEMENT OFFICER REPORT**

Presented by John Orr (copy attached). The only other thing I want to bring up and I don't think we have any major projects coming in front of us, but just to keep in the back of our mind, if we do any major subdivisions specifically residential where there's storm water systems put in place, we have to look at those storm water systems 5-10 years down the road. I'm dealing with some stuff now where there were storm water systems put in place and never dedicated to the Village. Everybody is up in arms because nobody is maintaining them. Getting in between neighbor disputes because one's water is coming over to the other – there's a swale on the plan, but no maintenance going forward. That's something we need to look at as a Board as we get into if we end up with more subdivisions. I know we have a big chunk up on the hill that may end up coming our way that we have to look down the road. What the Town's done is they've created stormwater districts so that they're able collect money from the houses that are there to go in and repair or improve the storm water retention system after the developer leaves. Unfortunately, what I've heard from our attorneys – last set of attorneys, I have to double check with the new attorneys – Villages cannot make special districts like that, so it would be very hard for us to do it. It's something we need to keep in the back of our head and look at if we have subdivisions coming down the road with storm water retention.

- Chair Ramsdell: Has there been any people tying in their gutters into the sanitary?
  - CEO John Orr: No solid discoveries. We are talking about doing some discovery work on that. Like you said they're doing an INI study right now. They're actually doing camera work right now to see if there's any breaks in the sewer lines where we have a large infiltration after a storm. They have – and Shawn could probably talk to it better as he's been more involved in it, but we have numbers from our pump stations versus weather and they know the areas that are increasing during weather events, so they're the areas that we're – they're concentrating on now looking for broken sewer lines or infiltration in other ways. The Mayor and the engineer are in contact with the County and negotiating sewer issues at this point.
  - Chair Ramsdell: This is definitely issue one at this point. Anything else?
  - CEO John Orr: That's all I got.
  - Chair Ramsdell: Anybody have any questions for John?

**WORK SESSION REVIEW**

Planning Board Secretary reviewed the applicants that appeared at the June 3, 2021 Work Session were the Chester Agricultural Center Site Plan and NY Onnuli Evangelical Church Site Plan.

**PROJECTS FOR REVIEW**

- 2. Project # PB-21-01      Project Name: Chester Agricultural Center Site Plan**  
 Applicant/Owner:      Chester Agricultural Center  
 Location:      12 Greycourt Avenue (105-1-28; 105-1-29 / RA Zone)  
 Re:      Proposed construction of an agricultural building.

Member Ziegler recused himself from this project. He believes it is a conflict of interest since he is a lessee of the Chester Agricultural Center and will benefit from the approval of this application.

Nicholas Osenni, Engineering & Surveying Properties, PC, provided an overview of the project:

- Proposed project is construction of an 80' X 200' building.



- Applicant is also proposing a lot line change.
- Will this project need to be referred to the Zoning Board of Appeals for relief of the minimum front yard setback?
- The application requires a DEC permit for construction in the 100-year floodplain and a DEC permit for discharge.
- Stephen Honan, Planning Board Attorney asked with respect to the two lots, where is the roadway access?
  - Nicholas Osenni answered that there is currently one lot with road access and one lot without road access and they intend to keep it that way.
  - Shawn Arnott, Planning Board Engineer commented that the landlocked lot is completely black dirt with a restrictive covenant that they must be sold together. The property will never be built on and the lots will always have the same owner.
  - Stephen Honan, Planning Board Attorney commented that creating a new lot without road access it's an issue for the applicant.
  - CEO John Orr commented the applicant could give an easement for access.

McGoey, Hauser, Edsall's comments reviewed (copy attached).

**\*MOTION** was made by Member Rappa, second by Member LaSpina, to **DECLARE THIS A TYPE II ACTION UNDER SEQRA AS PROVIDED IN 6 NYCRR 617.5(c)(7), AND, THEREFORE, REQUIRES NO FURTHER ACTION UNDER SEQRA.** Motion passed 4-0 – Member Ziegler abstained.

Discussion was held regarding referring this project to Orange County Planning for GML review. The Planning Board determined they would wait for a determination from the Zoning Board of Appeals before sending to Orange County Planning for review.

**\*MOTION** was made by Member LaSpina, second by Member Rappa, to **CLASSIFYING THE APPLICATION INCOMPLETE AND REFERRING THEM TO THE ZBA FOR THE FRONTYARD SETBACK.** Motion passed 4-0 – Member Ziegler abstained.

CEO John Orr requested the applicant bring the site plan topography up to Greycourt Avenue.

Chair Ramsdell asked when the Zoning Board of Appeals would be submitted. Nicholas Osenni advised it would be submitted as soon as possible.

- 3. Project # PB-21-02      Project Name: Advanced Auto Site Plan**
- Applicant/Owner:      Brookside Avenue Development, LLC / Catskill Hudson Bank
- Location:              93-95-97 Brookside Avenue (107-2-8.21, 9.2, 9.1 / B-2 Zone)
- Re:                      Proposed construction of an Advanced Auto Parts store.

Mark Shattuck of Westlake Development provided a project overview during the Public Hearing. Discussion was held regarding:

- Member Ziegler asked the applicant to explain the new storm water management.
  - Mark Shattuck advised the water would be collected in a tank, go through a filtration system and then released into the environment.
- Chair Ramsdell asked the applicant to include the following in the plans:



- A list of drawings on page 1.
- Metes and bounds on the property lines.
- Include the building size and square feet.
- Parking Calculations.
- A site section from Brookside Avenue to the creek with the building showing grade.
- Zoning data chart on plan L3 needs more information (i.e., owner, SBL, etc.)
- Chair Ramsdell asked if the building is 83' X 83'?
  - Mark Shattuck confirmed the building is 83' X 83'.
- Chair Ramsdell asked what calculations the 25 parking spaces is based on.
  - Mark Shattuck advised he will show the parking calculations on the site plan.
- Chair Ramsdell asked if there would be storage in the building.
  - Mark Shattuck advised he will get a floor plan that shows storage space.
- Chair Ramsdell asked what the second lot line on page L2 of the site plan was for.
  - Mark Shattuck advised the applicant is proposing that as the new lot line and donate the rest of the lot to the Village.
- Mark Shattuck advised they will provide fully engineered plans but wanted to get the Board's feedback on the one page submitted for this meeting with the building in a new position. They're not going to be able to move the building to a 30' setback as there was issues with the grade and truck turnarounds. They can't change it – they can't make it work any differently – they can't get trucks in and out – they've got to maintain a certain grade to get in and out of the driveway, so this is the plan they will be asking the Board to vote on.
- CEO John Orr again reviewed the letter he submitted to the Planning Board on April 27, 2021 regarding sewer. Discussion was held regarding:
  - Orange County Planning is requiring a super majority vote from the Planning Board.
  - Usage – there would be two bathrooms (one men's and one women's room). Unlike a residence, the business won't be occupied 24 hours, there will be no bathtub or shower.
  - Sewer assessment - the combined sewer assessment of the 3 lots is currently 32 units. Per CEO John Orr, Advanced Auto would be assessed as follows: 95-97 Brookside Avenue would be assessed at 10 units and 93 Brookside Avenue would be assessed at 10 units for a combined assessment of 20 units, leaving a surplus of 12 units.
  - Employee count and floor plan.
  - Stephen Honan commented the Village would have to show the math to OCDP.
  - Shawn Arnott commented the Board would need the number of employees.
  - Stephen Honan advised the resolution should reflect how the Planning Board reached its conclusion – who they relied on for the information and showing the calculations.

**4. Project # PB-21-04      Project Name: NY Onnuli Evangelical Church Site Plan**

Applicant/Owner: NY Onnuli Evangelical Church  
 Location: 62 Main Street (104-5-11 / RS Zone)  
 Re: Proposed construction of a new church.

Brad Cleverley, PE MJS Engineering & Land Surveying, PC, provided an overview of the project:

- Applicant is proposing demolition of the existing church and construction of a new church with associated parking, landscaping and roadways.

- The proposed new church would be the same size, but with a new foundation.
- The driveway would be blacktop.
- The applicant is not proposing an increase in the impervious area and no new storm drains.
- The application should be reviewed by the Village of Chester's Street Superintendent.
- The applicant is proposing a trench drain in the driveway on Main Street.
  - Member LaSpina recommended more catch basins.
- The applicant is proposing entrance and exit off NYS Route 94 / High Street and enter only off Main Street.
  - Entrances and exits are not currently marked on site.
  - Member LaSpina asked if the drive could be widened to allow for in /out off Main Street.
  - Brad Cleverly said they could allow in / out off Main Street, but it would have to be widened from 20' to 24'.
  - Shawn Arnott, Planning Board Engineer commented that if there are changes to the in / out, the application should be reviewed by New York State Department of Transportation.
  - Member Winters commented the in/out on Route 94 / High Street is not currently utilized – with traffic the way it is on Route 94 / High Street and it's kind of on a blind turn – with the amount of speeding – the proposed in/out on Route 94 / High Street needs to be double checked. Left turns will be tricky.

Planning Board Engineer Shawn Arnott's comments reviewed (copy attached) and general discussion held:

- Parking calculations.
- Intent is to install a sprinkler system in the building.
- Stormwater plan shown on the site plan.
- Exterior dimensions of the building will be the same, but there will be a dry, usable basement.
- Same number of people in the congregation.
- It's a flat roof building with an area of almost 3400 square feet.
- There are currently 24 spaces in total – includes the residence that has 2 spaces and another 22 for the church, including the overflow onto the lawn.
- Property is in a residential zone, which would require a special use permit.
- Parking lot discussion:
  - Possible limiting in / out on Route 94 / High Street.
  - Specifications for fire access / emergency vehicle turn arounds.
- Would the applicant consider an in only off Route 94 / High Street?
  - Brad Cleverly advised they would consider it.
- The applicant commented it's not changing. They have the same congregation going there this Sunday that will be there year from Sunday, so there's no impact on the traffic flow. They just want a nicer building with a dry basement. They don't see the utility of a traffic study.
- The only exit now will be on Route 94 / High Street?
- Brad Cleverly commented that if the Board would prefer, as there seems to be a lot of discussion about – the reason this is kept as a one way is to primarily minimize the impact on the site because a two way in / out off of Main Street requires a 24' driveway, whereas a one way only requires a 20' driveway.



- Shawn Arnott asked if the applicant needs a 24' driveway since the congregation would essentially be arriving and leaving at the same time.
- Chair Ramsdell asked if there would be bingo.
  - Brad Cleverly indicated bingo would not conflict with Chester's Senior Center.
- Member Ziegler indicated he is still struggling with the driveway idea and asked instead of widening it, what about going the other extreme and eliminating the driveway down onto Main Street to keep traffic out of the Village, out of Main Street to eliminate a somewhat dangerous intersection with pedestrians to eliminate any risk of erosion.
- It was noted the concern was mainly traffic in and out of the site from Route 94 / High Street.
- Member Ziegler agreed and commented that could be re-assessed – the traffic volume and potential impact onto Route 94 / High Street. I'm just wondering how many people do leave or pull in from Main Street and if this section of the Village could be beautified a little bit.
- Brad Cleverly commented that if he were driving, he would probably go up off Main Street and pull in that way.
- CEO John Orr commented that if we spun this around and only had inlet from Route 94 / High Street and discharge on Main Street, we would eliminate having the cars coming out on Route 94 / High Street – only enter off of Route 94 / High Street. The cars are already in a control lane and then coming out onto Main Street you have the stop sign that they can deal with down the street to handle the traffic back on Route 94 / High Street.
- Brad Cleverly indicated it might be easier just to go two-way in both directions and then they can choose which way to go.
- CEO John Orr commented so now to throw one last wrench in it, I'd like you to take a look at this site and the New York State Fire Code for Fire Department access.
  - Brad Cleverly indicated that's why it is 20 feet wide to allow the fire access. Cause the Fire Department is here (indicated the FD location on the site plan).
  - CEO John Orr said he would send Brad the specs on their ladder truck and you can run that through this site along with an 18-foot spread on their jacks. I'm concerned about the access – ladder access off of the – not the parking lot, but the long side by the building. I don't know what North and West at this point. There's part of the code where you have to have ladder truck access and I don't think you're going to make it only with that back strip. So, I just need you to take a look at the Fire Code and tell me how you're going to address Fire Department access on the site. And, unfortunately, you can't say it's been this way because unfortunately when you take a building down, you're going to have to bring everything up to code.
  - Brad Cleverly will take a look at that.
- Member Rappa commented that he understands what Member Winters is saying. Gene, Anthony and myself come out of Elm Street with a blind spot multiple times a day and I know that's a hazard. But on the same token if you go about a mile towards Washingtonville, and you have cars coming out onto Route 94 with trucks and cars going by at 55 and 60 mph. We're talking about a 30-mph speed area. I don't see a problem with it.
- CEO John Orr asked if there have been any assessments to the current building to warrant its removal or is it the congregation saying we want something new – no disrespect to them?
  - Brad Cleverly indicated he would ask the architect about that, but I can see where they have a congregation with a 19<sup>th</sup> century building with 19<sup>th</sup> century oil use and so on where they'd want something more fuel efficient and so on.
- It was noted the congregation was formed in 1837 and the building was erected in 1851.

**\*MOTION** by Member Rappa, second by Member LaSpina to **DECLARE THE VILLAGE OF CHESTER PLANNING BOARD'S INTENT TO BE LEAD AGENCY FOR SEQRA**. Motion passed 5-0.

**\*MOTION** was made by Member Rappa, second by Member LaSpina, to **DECLARE THIS AN UNLISTED ACTION UNDER SEQR**. Motion passed 5-0.

**\*MOTION** was made by Member LaSpina, second by Member Rappa, to **REFER THIS APPLICATION TO ORANGE COUNTY PLANNING UNDER GENERAL MUNICIPAL LAW §239 M AND N**. Motion passed 4-0 (Member Winters left at 9 PM and was not present for this vote).

**\*MOTION** was made by Member Rappa, second by Member LaSpina, to **SCHEDULE THE PUBLIC HEARING FOR JULY 22, 2021**. Motion passed 4-0 (Member Winters left at 9 PM and was not present for this vote).

#### **GENERAL DISCUSSION**

Member Ziegler commented that at the last meeting, the Mayor was there, the Board proposed it would be a good idea to post the public hearing information on the property itself. Has that been brought up at the Village Board meeting already? Has there been any feedback?


- CEO John Orr advised it was brought up via public comment, but the Board has not taken any action on it yet. I think the attorney and I could look into some model legislation to see what's out there and propose it to you and maybe this Board could forward it to the Village.
- Stephen Honan, Planning Board Attorney advised the Village Board could either amend the Village Code and require it or they could leave it with the discretion of the Planning Board that on the proper case, the Planning Board can ask for posting and then you would indicate where on the property the applicant is to post it.

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

#### **ADJOURNMENT**

**\*MOTION** was made by Member Rappa, second by Member Ziegler, to **ADJOURN THE MEETING**. Motion passed 4-0 (Member Winters left at 9 PM and was not present for this vote). Meeting adjourned at 9:15 PM.

Respectfully Submitted,

  
Sandra VanRiper  
Planning Board Secretary



June 9, 2021

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

Ref: Extension Site Plan Approval  
Chester Shopping Plaza Motel  
Village of Chester: Section 110- Block 6-Lot 1.112

Dear Planning Board Members,

This is a follow up to our last appearance before the Planning Board and the comments received from the Village Engineer dated April 27, 2021. The owner/applicant for this project has been paying the New York State Department of Conservation's (NYSDEC) annual fee of \$110.00 since the original permits/SWPPP were obtained from the NYSDEC. It has been our previous experiences on other projects that if the SWPPP was not terminated the original plans/proposals were still valid. We have tried to reach out to NYSDEC for confirmation on this, but it seems they still are not back in the offices. At a minimum we have requested a new delineation of the wetland in the area of the project be completed. Once done we can locate the boundary for approval by the NYSDEC. We will continue to pursue obtaining an answer from NYSDEC regarding the issues associated with the original permit and SWPPP.

We would hope to have a more complete picture/answer regarding the Engineer's comments by the July PB Meeting.

Thank you.  
Sincerely,



Lawrence Torro, PE  
Project Engineer

**Civil Tec Engineering & Surveying P.C.**

139 Lafayette Avenue, 2<sup>nd</sup> Floor, Suffern, NY 10901 Tel 845.547.2241 Fax 845.547.2243  
55 Brookside Avenue, Chester, NY 10918 Tel 845.610.3621

[Civil-Tec.com](http://Civil-Tec.com)

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

June 22, 2021

Steris – Nucifora Blvd.

1– Site work & footings underway.

Shoprite

1- Work on the expansion of shop from home underway.

Clark- 5 Carpenter

1- Second story of addition underway.

Noble – 4 Chester Acres Blvd

1- Renovation continues.

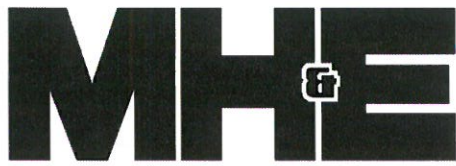
Issued numerous permits for pools, fenced and roofing over the last month.

Regards,



John S. Orr  
Building Code Official





**CONSULTING ENGINEERS, D.P.C.**

MICHAEL J. LAMOREAUX, P.E. (NY, NJ, PA, VT, VA & CT)  
MICHAEL W. WEEKS, P.E. (NY, NJ & PA)  
LYLE R. SHUTE, P.E., LEED-AP (NY, NJ, PA)  
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RICHARD D. MCGOEY, P.E. (NY & PA)

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

**PROJECT NAME:** CHESTER AGRICULTURAL CENTER SITE PLAN  
(VEGETABLE WASHING BUILDING)  
**PROJECT LOCATION:** 12 GREYCOURT AVENUE  
SECTION 105 – BLOCK 1 – LOTS 28 & 29  
**PROJECT NUMBER:** 21-01  
**DATE:** 22 JUNE 2021  
**CONSULTANT:** ENGINEERING PROPERTIES  
**PLAN DATE:** 9 JUNE 2021  
**DESCRIPTION:** THE APPLICATION PROPOSES THE CONSTRUCTION OF AN  
APPROXIMATELY 18,000-SQUARE FOOT AGRICULTURAL BLDG. FOR  
USE FOR THE WASHING OF VEGETABLES. THE APPLICATION WAS  
PREVIOUSLY BEFORE THE BOARD ON 27 APRIL 2021.

1. The Bulk Table appears to be correct for the required dimensions based on the zone and proposed use. The applicant should update the zoning requirements to include a justification for the off-street parking.
2. Indicated on the plans submitted and as a request by the applicant's representative, the front yard setback is not met for the proposed building and therefore will need to be referred to the Zoning Board of Appeals for a front yard setback variance. As such, it is my recommendation that the Board deem the application "incomplete", since the Board can take no action on this application until such time that all necessary variances are obtained.
3. In order to assist with the review of the application, our office offers the following:
  - The limits of the existing and proposed gravel driveway should be indicated on the plans.
  - The truck turning diagrams for each side of the building should be submitted for the Board's review.
  - The site plan indicates a proposed vegetable wash water discharge area. This should be submitted in more detail for the Board's review. Further, if the water is to be discharged to said location, correspondence with the NYSDEC should be received if this discharge will be regulated by their office. The applicant notes that the discharge of the vegetable discharge area is being worked on.

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**ACEC** Member

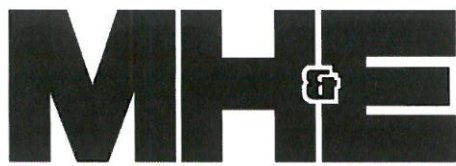
- With regards to the Bulk Table and the proposed lot line change, the Bulk Table indicates the proposed lot # with the assumed tax lot number to be reutilized. Since it is likely that the tax office will assign new tax numbers to each lot after said lot line change, our office suggests that the new lots be renamed (I.e.; Lot #1, Lot #2).
  - Since the proposed lot line change will isolate the rear lot with no road frontage, the Board's attorney should identify if said lot line change can occur. Our office reminds the Board that based on previous applications involving these lots, there is a restrictive covenant that the subject lots must be sold together.
  - A floodplain development permit will be necessary for the proposed work within the 100-year floodplain.
  - The proposed front yard setback building envelope does not appear to be correct.
4. As previously identified, this project is within 500-foot distance to the Heritage Trail, and as such, must be referred to the Orange County Planning Department as per NYS General Municipal Law (GML 239).
  5. This application is a Type II Action under SEQRA and therefore no further environmental review is necessary.

Respectfully Submitted,



Shawn E. Arnott, P.E.  
Engineer for the Planning Board  
SEA/dns





**CONSULTING ENGINEERS, D.P.C.**

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

**PROJECT NAME:** ADVANCED AUTO SITE PLAN  
**PROJECT LOCATION:** 93, 95 & 97 BROOKSIDE AVENUE  
SECTION 107 – BLOCK 02 – LOTS 08.21, 09.01 & 09.02  
**PROJECT NUMBER:** 21-02  
**DATE:** 22 JUNE 2021  
**CONSULTANT:** KEPLINGER, FREEMAN ASSOCIATES, LANDSCAPE ARCHITECTURE  
AND LAND PLANNING  
**PLAN DATE:** 16 JUNE 2021 (1 Sheet - L-2.00 Sketch Plan)  
**DESCRIPTION:** THE APPLICATION PROPOSES THE CONSTRUCTION OF A 6,889  
SQUARE FOOT ADVANCED AUTO PARTS STORE WITH ASSOCIATED  
PARKING AND STORMWATER FACILITIES. THE APPLICATION WAS  
PREVIOUSLY REVIEWED BY THE BOARD AT THE 27 APRIL 2021 AND 1  
JUNE 2021 PLANNING BOARD MEETINGS.

1. The applicant has submitted a revised grading and drainage plan indicating a revised stormwater facility to be under parking quantity attenuation. Our office assumes that quality treatment will be utilized via infiltration of the buried stormwater chambers, as such, the applicant is reminded that the Stormwater Design Manual includes the soil testing reports which should be utilized and included in the SWPPP for the basis of the quality and runoff reduction volume design.
2. Our office is still concerned with the turnaround as currently designed for the existing historic house.
3. The Board should discuss if the proposed location of the building is adequate for the site. Once the final location of the building is completed, the developer will be able to finalize the remaining aspects of the site.

Respectfully Submitted,

Shawn E. Arnott, P.E.  
Engineer for the Planning Board  
SEA/dns

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**ACEC**

Member

**Village of Chester  
Building Department**

# Memo

**To:** Village of Chester Planning Board

**From:** John Orr 

**Date:** April 27, 2021

**Re:** Sewer usage for Advanced Auto

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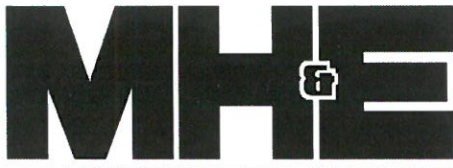
I have reviewed the proposed use at 93-97 Brookside Avenue for Advanced Auto and I have determined that adequate sewer capacity exists for this use per the following:

- 1- The new location has an existing connection to the sewer system.
- 2- Currently combined the 3 lots are assessed 32 units.
  - a. 93 Brookside Ave 17 units.
  - b. 95 Brookside Ave 15 units.
  - c. 97 Brookside Ave 0 units. (vacant land)
- 3- I anticipate the new use, 95-97 Brookside Avenue, to be assessed 10 units (Commercial use "small" 4 employees or less)
- 4- I anticipate 93 Brookside Avenue to be reduced to 10 units.
- 5- The above could potentially generate a surplus of capacity.

In considering the above stated reasons, I feel that Advanced Auto will not generate any additional capacity to the sewer system.

John Orr  
Code Enforcement Officer  
Village of Chester





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

**PROJECT NAME:** NY ONNULI EVANGELICAL CHURCH SP  
**PROJECT LOCATION:** 62 MAIN STREET  
SECTION 104 – BLOCK 5 – LOT 11  
**PROJECT NUMBER:** 21-04  
**DATE:** 22 JUNE 2021  
**CONSULTANT:** MJS ENGINEERING AND LAND SURVEYING  
**PLAN DATE:** 8 JUNE 2021  
**DESCRIPTION:** THE APPLICATION PROPOSES THE CONSTRUCTION OF AN APPROXIMATELY 6,700 SQUARE FOOT CHURCH TO REPLACE THE EXISTING CHURCH GENERALLY ON THE EXISTING FOOTPRINT. THE APPLICATION IS BEFORE THE BOARD FOR ITS INITIAL APPEARANCE THIS EVENING.

1. The property is located in the RS Zoning District in the Village. The use is allowed as a special permitted use #13 in the Bulk Table subject to site plan approval by the Planning Board.
2. The parking calculations should be updated to be in accordance with the Public Facility parking calculation. Further, the calculation does not include the necessary parking for the existing dwelling on the site.
3. The site improvements indicated include minor drainage utility improvements for the new building and the widening of the proposed thru-driveway from Main Street to High Street as well as some additional parking along High Street. Our office notes that there are no improvements indicated within the NYSDOT right-of-way.
4. The proposed water service and sewer service should be reviewed by the applicable jurisdictions.
5. Input from the Street Superintendent should be received on the proposed drainage improvements located along Main Street.
6. The applicant should be aware of the Village's ongoing sanitary sewer study. Our office suggests that the section of pipe to be televised between identified sanitary sewer manhole #138 and #337B reviewed prior to proposed driveway and improvements on the site.
7. The applicant has submitted an ADA parking space layout detail on Sheet C-5. Regarding said detail, the applicant should provide:

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**ACEC** Member

- All striping for the handicapped space must be blue. When a standard space adjoins a handicapped space, a double line should be installed, one blue, one white.
  - For the cross-hatched access lane near the "bottom" add painted text "NO PARKING" (also in blue).
8. The dimensions to each building corner from each lot line should be identified.
  9. A water service connection detail has been provided on Sheet C-6. However, our office notes that the proposed water service to serve the church is noted as 3-inch. The water service connection detail is noted as 3/4" copper.
  10. The type of proposed water service as well as the existing water located within Main Street should be identified on the plans.
  11. The size and type of existing sewer main should be identified on the plans.
  12. The applicant has proposed a grass-lined swale and footing drain to daylight along the southeast side of the site. Our office is concerned regarding potential erosion at the outlet of each of these point discharges.
  13. Regarding the proposed lighting plan, our office notes the following:
    - The foot candle reading should be run to zero on all sides of the property.
    - The proposed light levels on the northwesterly side of the site appear to be zero within existing parking spaces as well as in front of the two-story dwelling. Our office is concerned about safety for patrons using these parking spaces as well as approaching the dwelling.
    - Our office typically recommends less than 3,500K color temperature on all outdoor lights.
  14. The EAF identifies potential archeological sensitivity of the site. Therefore, our office suggests that SHPO be consulted for input for any potential effects on surrounding archeologically sensitive areas.
  15. This project is within a 500-foot distance from NYS Route 94 and, as such, must be referred to the Orange County Planning Department as per New York State General Municipal Law (GML 239).
  16. The application is an unlisted Action. Therefore, the Board should consider circulating for Lead Agency.
  17. The Planning Board should consider authorizing the mandatory Public Hearing for this Special Permit use, per the requirements of Section 98-25(B) of the Village Code.

Respectfully Submitted,



Shawn E. Arnott, P.E.  
Engineer for the Planning Board  
SEA/dns





WARWICK, NY

