

## MINUTES

### VILLAGE OF CHESTER PLANNING BOARD

JULY 27, 2021

### PUBLIC HEARING / REGULAR MEETING

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

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

**NOT PRESENT:** Shawn ARNOTT, Planning Board Engineer

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

**1. 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

Planning Board Chair Ramsdell read the Notice of Public Hearing (copy attached) into the record and 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 the mailings were done and return receipts were turned into the Planning Board.

Public questioned / commented on the following:

- **Anna Mahmood, 9 High Street**, which is right across the street from the church. I have to start off by saying they seem like wonderful people, real peaceful, quiet people. They really take great care of the property and beautified it so much, like with the flowers. Really appreciate it. So, I have no issue with the group. They seem like lovely people. I just want to make sure to preface with that. So, at first when I got this, my biggest reaction was wait a minute, this is a historical church. I thought that it would be protected from demolition, but I'm not really sure on zonings and all that good stuff, but I thought there would be something that would help protect the site from demolition and complete obliteration. I'm not certain, but I'm pretty sure there's even a connection with the underground railroad. I know that there's been mention in The Chronicle a few years back about the home on 15 High Street. So, anyway, that's one issue. I know in the notice I received, it said generally replacing the current church, so I don't know what that meant, if it's going to be larger, which I question. As I said, I live across the street, I could see quite clearly that there's really not that many people going in and out of this church. Generally, maybe on a Sunday you might see up to 8 cars or so in the parking area, so if it is for a bigger church, I'm just questioning that also. Why is there a need for that? I have concern about how it's going to be handled for the entrance and exits. Right now, I look out my windows and sometimes see very near misses with cars that are coming around the turn speeding, which they shouldn't be, so I'm worried about that. How's that going to operate? And then what will happen to the home that's on the property and the existing parking area. And then besides that, I was also wondering is this going to be a church that is planning to serve the greater community of Chester or is it more like only a



certain group? Just questioning that also because I would like to see maybe if they are planning to expand, maybe they would advertise. I never see advertisements in The Chronicle or the Times Herald Record. I'm sure there are other avenues like Facebook, so that's something I also wondered. Thank you

- Chair Ramsdell: Thank you

- **Clif Patrick, 119 Brookside Avenue:** I see a lot of people here we haven't seen before when the project has been described. I think it might be appropriate for the representative / applicant to describe the project for the people that haven't been here before. Thank you

- Chair Ramsdell: Thank you. Would the applicant like to do that?

- Brad Cleverly, PE: Yes, I certainly would.

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

- The proposed site plan of the church includes a new church structure in essentially the same footprint as the old church.
- With that will be a new paved parking lot, new lighting and new water and sewer connections.
- The applicant will maintain the entrance of High Street as well as the entrance on Main Street. There will be a widening of that driveway – that would be the major change there.
- The site plan was displayed for the public and Mr. Cleverly noted the existing site and where the proposed new church will be is essentially in the same place and same dimensions as the old church, which would necessitate the removal of the existing structure.
- Along with that, there will be drainage improvements, which involve bringing the water around the church and also installing a French drain along Main Street which would minimize stormwater runoff and reduce the amount of water running into Main Street.
- Standard erosion and sediment control – there's not a lot of disturbance at the site.
- Landscaping will be improved around the church. The intent is that the existing flowers and such will be reused along the southern side of the church.
- There will be new sidewalks to allow egress for the church.
- There will be new light poles installed around the parking lot.

David Lee, Architect at Create Space Design, provided an overview of the proposed new church:

- Mr. Lee is a member and holds the position of elder in the NY Onnuli Evangelical Church and is part of the congregation to build the new church.
- The existing church has been there for many, many years and they know it's historical, but because the building's structure is not in great shape, they'd like to build a new church rather than keeping the existing one.
- The church does not currently have a large congregation, but they are planning for future membership growth.
- They plan to dig down for a basement addition in the proposed new church, which is another reason why they want to build a new church.
- The basement will be used for a fellowship hall and classroom and the main floor will have the sanctuary and an office.
- The proposed building will be a new modern, simple design with stone and stucco walls in neutral earth tone colors.
- The proposed building will be approximately 16' high with the cross / steeple measuring 30' high and facing High Street.
- The main entrance will face the parking area.
- They are proposing a new small sign.

- **Susan Bahren, 3103 Whispering Hills Drive:** I'm a 65-year resident – lifelong resident of the Village. First and foremost, this is in no way a statement regarding a religious organization's right to build or to worship. This is strictly about the preservation of a longtime



historic building, although not rated historic. As the Village Board has yet to approve the new Village Comprehensive Plan, I'm very concerned that this will lead to the destruction of this and other buildings in the Village that have so much history to them and maintain the character of the Village. I would believe that there must be a way for this building or this type of building to be preserved and re-built or renovated for the need of the users or the congregation. I did have a comment about the drainage, which I am still going to read. I would also like to make a comment concerning the drainage. I believe that a question was raised about this last month and I'm curious to know whether it was addressed and has the Street Superintendent Charlie Bono made any comments regarding the same. I don't believe that there is adequate retention or catch basins at the bottom of this driveway and it has been known to cause icing in the wintertime and extreme runoff in rainstorms. That water then just rolls down to Vadala Lane to be sent only to the first group of ditches on the side of the road. So now that I've seen the plan, now that I've seen the actual rendering because there was no rendering on the Planning Board's, on the website. Is that correct?

- Planning Board Secretary advised that is not correct.
- Susan Bahren: Ok. I didn't see the rendering.
- Planning Board Secretary advised that as soon as the rendering was received, it was put on the website.
- Susan Bahren: I apologize, but I didn't see it. I was looking for it. So, no offense to anybody in the room, including the architect and the engineer, but this in no way represents the character of the Village of Chester. I strongly believe that this congregation could and possibly should consider building the building. If they need to take it down because it's not good for renovation, it's not in good sound state, I don't mind that, but what I do mind is putting a new century building in the middle of what to me looks like the County building. That's why when you walked up here and I went oh god. I did go oh god because I meant that because I think that this represents what they put in the middle of Goshen that everybody hollered about for years. And this, ladies and gentlemen, does not belong in the middle of the Village of Chester. I'm very sorry. I don't, again, this is not about your right to worship or your right to congregate. It is about the rights of the rest of us in the Village and what we would look at and see, which is obscure to everything else that surrounds it. And that's my statement. Thank you. I also wanted to talk about the sight distance on High Street because the sight distance on High Street coming out of High Street. Now the grade might be something that you're considering doing something different with. I don't know, but currently the sight distance on High Street coming from the firehouse, coming from the intersection of Main and High Street is really bad and Anna is correct that there could be and there have been close calls there, but it is bad. So even if they had to do it, they could make High Street the in and Main Street the out to make it a lot easier. Cause the sight distance on Main Street is much better for an egress and then High Street could be the ingress. That was the other thing. Sorry. Thank you.
- Chair Ramsdell: We did have some conversation about that at our last meeting and it seems like it would fit with what you have just described. An in....
- Susan Bahren: But he had it two way – he has it two-way.
- Chair Ramsdell: Brad
- Brad Cleverley, PE: Yes, the intent at this point is to make their existing entrance on High Street. The intent at this point is to maintain that existing entrance and not disturb them.
- Susan Bahren: But you also have an arrow going out of High Street.
- Brad Cleverley, PE: Yes. As it is today, it's a two-way entrance on High Street.
- Susan Bahren: I understand that, but no time like the present to make the change.
- Chair Ramsdell: Thank you.
- Susan Bahren: Thank you



- **Dr. Richard Hull, former history Professor, Warwick resident:** I have been part of Chester for most of life and I think what is so extraordinary about the Chester Village is when you drive down Main Street, it's like going into a time warp. Main Street downtown here is just about what it was when I was a child in terms of its architecture, its interest, its diversity, its vitality. There isn't really frankly another village that I can think of in Orange County that gives that feeling. And people increasingly are beginning to appreciate that. And you can see that because downtown Main Street Chester is reviving. It's coming back. And just walk down that street and look at the buildings and look at the stores and it really you feel like you're going back into history into time. And I think that, uh, I welcome the congregation. I think it's wonderful and I'm very pleased that we have a vibrant religious congregation settling here in our community. I think it's really great, but I do agree, I think it's not the appropriate, not the right place to put that building and I think that many of our shopkeepers and people here are seeing this revival and are excited by it. And I think that a building of this nature and architecture. Yes, I think we could benefit from a building like this, but I'm just not sure that is the right place. That building, that old Methodist Church, dates back to the 1850's and even earlier as a congregation and it's a unique example of Greek revival temple architecture. It's the only building of its kind actually in Chester. Look around, it's the only building architecturally of that kind. It's very similar to the Sugarloaf sister Methodist church because both of them were built within a few years apart, but it speaks tremendously about our heritage, our history, our sense of place, our pride in the community and I don't think we want to destroy that. I don't think we do. I think we are unique here in Chester. We really are unique and I'm proud of that and I think we all should be proud of that. So, that's all I want to say. I'm a professor of history. I've studied local history here for many years and written about it and my roots are here as well. I'm very proud saying that this is a remarkable community and we want to keep it that way. Thanks
  - Chair Ramsdell: Anyone else?
- **Cindy Becker, 9 Sanford Avenue:** I welcome you to the community. I am very happy that my former church is being used again, so I'm very, very happy about that. I would hope that all avenues have been looked at as far as trying to use the structure that's there. Again, because of its historical value and also because the cost of everything today. You see the prices of lumber and utility, just plumbing supplies and everything. You have a wonderful, strong structure there. Perhaps the basement isn't what is needed for there, but maybe by taking the church down, cleaning it all up, taking it down maybe to the studs and re-building it as it was. Maybe that could meet your needs. I just hate to see it go myself. It brings back many, many good memories and it really changed a lot of things about me thinking about religion and made me appreciate a lot of things. So, I just hope that all avenues were looked at and checked out and cost effectiveness. Maybe this isn't a cost-effective way to do things. I certainly think that this is more of a commercial looking building than what's there now like everybody has said and it will definitely change the character of the area and I hope you just listen to what was said tonight and take that to heart because we are happy. I mean, I personally am very happy that I see that somebody is there in that church and it's not empty. Makes me very, very happy. So, that's all I'd like to say. Thank you
  - Chair Ramsdell: Anyone else?
- **Nancy George, 22 Potter Lane:** The current church was built in the summer of 1852 and, like everyone else here, I'm delighted you're here. But that structure is really an integral part of what makes Chester Chester and once we chip away, chip away, chip away pretty soon we're just a community everybody drives through to get where they want to go and I just think that things don't stay the same, but we need to be very mindful when we change the landscape of a community. Thank you.
  - Chair Ramsdell: Yes, Clif



- **Clif Patrick, 119 Brookside Avenue:** As everyone is saying, I'm also glad to see that there's a vital use for this property, but the proposed building in form and taste, I just don't think it's appropriate for that context. It doesn't fit. It doesn't fit, as a lot of other people have said. I did a quick search on the internet before I came here and I found a number of firms that specialize in renovating old church structures to make them energy efficient. LEED, I think it's called LEED, is it L-E-E-D. There are others that also specialize in adapting them to more modern uses as they indicated they want to change the interior space a little bit. I searched for grants and there are a number of grants and funding to help renovate older churches specifically, so I think there's a lot of opportunities that maybe worthwhile to check with the people who specialize in this kind of activity and maybe they'll give them some good guidance in using this building and making it, bringing it into more of what they'd like to function as. That's all I wanted to add. Thank you.
  - Chair Ramsdell: Thank you.
- **Tracy Schuh, Town of Chester resident:** I didn't come prepared with written comments. I was hoping to send them in after tonight. I wanted to hear what people had to say and I certainly can't say it as well as what I've already heard. But I did want to just throw out a couple of things. The congregation may not be aware of the Village's draft Comprehensive Plan. It's on their Village website. It's something you might want to read so that you can see there's at least 3 or 4 pages dedicated to talking about preserving the history and historical structures and the goal and the vision of where Chester is headed with trying to preserve historical structures and the community character. So, I thought that may be something of interest to you being part of the community. I also wanted to say I didn't know if this has been referred to the State's Historic Preservation Office for any recommendations. I know there's also there's grants available out there if there is a way to renovate rather than demolish. So, I have some sentiments that I did want to say today. I did just want to throw one thing out just as a procedural thing. Even though the draft Comprehensive Plan is not adopted yet, there are authorities this Board has under SEQRA in making your determination of significance and there is § 617.7(c)(1)(v) that says that you have to consider the impairment of the character or quality of important historical, archeological, architectural, or aesthetic resources or of existing community or neighborhood character, so, for that reason you may have grounds for denial. In some cases, even though you don't have applicable code or ordinance that applies and that section does not necessarily require the structure to be listed as an historical listing. So, I just wanted to put that out there as you proceed as planned. I'll defer to some more written comments hopefully in some deadline or timeframe that you provide. Thank you.
  - Chair Ramsdell: Thank you
- **Anthony Quinn, 77 Main Street:** I live across the street from the church. I've watched Peter risk life and limb repairing the church that's there. He definitely had some divine protection. I watched you on that roof. I watched you put the siding and the roof in at the same time. Half a miracle watching you do all that. I know their mission is to spread the good news of Jesus Christ and I respect that as much or more than anybody and I know that's their intentions. I'll make that note as a neighbor. I know that's their intentions with this place regardless of what ends up happening with it. What I'm afraid of is that they're doing this with the hope of bringing more people into the church and then something will happen that maybe the new building isn't all that you want or expect it to be. The concern I have with the existing site is I know I remember I did the parking lot for you guys and we did some digging and I know there are springs under there and I know you want to use a basement. I would just encourage you to really make sure that this plan that you want to do with the multi floors because I know that's why they're doing it they want more space, is going to work out and be cost effective. I would hate to see you guys tear this building down and then spend more money creating something new. I agree that it doesn't necessarily fit in the neighborhood. It's historic downtown Chester and we keep tearing down old buildings and replacing them with new



ones. It's not ideal. I'm not looking at your books, I don't know what the expenses are for repairing versus new, but I would just encourage them and encourage the Planning Board to help guide them through to make sure that it doesn't get torn down and they end up with a building that doesn't give them 100% what they want. I'm worried about a basement staying dry over there, just from what I've seen, and being cost effective as opposed to doing maybe an addition on the existing building. I think you would have a lot of support for a variance if you needed it, if you were keeping the building. With that in mind, I don't know where the exact coding rules are as far as when they can start tearing it down. I'll talk to my neighbors and the Planning Board with that. I don't think the building should be torn down until they are 100% sure they can build what they want to build because I would hate to see it torn down and levelled and then find out something isn't working out as planned. If it does go as planned, or even if it doesn't with regard to lighting, I want the Board and the Village as a whole to encourage down lighting. It's not going to affect me across the street so much, but just overall when we're talking about lighting up a parking lot in the middle of the Village, I think we should try to be conscious of neighbors that are right next door with the lights. I live next to the Water Department, the police station. I got a lot of things going on and it's pretty bright outside sometimes. I don't think your parking lot is going to get to me. Just something to consider. I wish you guys all the luck in whatever you're doing. You've been great neighbors, but again, I just hope you're really looking over everything and keep in mind the downtown historic Chester where you bought this property, even if there's a way of making that building that you have. If that what it comes down to – that building is happening, try to maybe put a little flair to it to make it look a little bit more conducive with the historic structures. I heard someone mention something about a grant. I am the furthest thing from a grant expert, but I think there are grants available for fixing old buildings. I'm not sure if the Community Block Grant can be applied for from a church standpoint, but it's all things considered because once you tear it down, it's gone. It's gone. And Peter, I watched your blood and sweat go into that building and I know there's going to be a little tear coming out of you about when that comes down. You put a lot of heart in that. I watched you on that ladder. You've got a lot of guts. That's all I'm gonna say.

- Chair Ramsdell: Thank you. We're only 35 minutes into this. Anybody else? Alright.
- **Clif Patrick, 119 Brookside Avenue:** Will written comments be accepted after?
- Chair Ramsdell: Yes, I was just going to explain that. Yes, there will be a 15-day period after the close of the Public Hearing to submit written comment. Send them to the Planning Board Secretary on Main Street.

**\*MOTION** made by Member Rappa, second by Member LaSpina, to **CLOSE THE PUBLIC HEARING WITH A 15-DAY SUBMISSION PERIOD FOR WRITTEN COMMENTS.**  
Motion passed 5-0.

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

Planning Board Chair Ramsdell opened the Regular Meeting at 7:41 PM.

### MINUTES

Review Draft June 22, 2021 Planning Board Meeting Minutes. **\*MOTION** made by Member Winters, second by Member Ziegler, to **TABLE THE MINUTES TO THE NEXT MEETING.**  
Motion passed 5-0

### CORRESPONDENCE

Letter from Leslie Smith re: Advanced Auto Site Plan (copy attached).  
Letter from Clif Patrick re: Advanced Auto Site Plan (copy attached).



Letter from The Preservation Collective re: Advanced Auto Site Plan (copy attached).  
 E-Mail from Helen Musumeci re: Onnuli Evangelical Church Site Plan (copy attached).  
 Lead Agency response from OC Dept of Health re: NY Onnuli Evangelical Church (copy attached).  
 GML 239 Response from OC Dept of Planning re: Advanced Auto Site Plan (copy attached).

All correspondence except the Letter from The Preservation Collective was read into the record by Planning Board Chair Ramsdell.

## **CODE ENFORCEMENT OFFICER REPORT**

Presented by John Orr (copy attached).

## **WORK SESSION REVIEW**

As there were no new requests, the July 1, 2021 Work Session was cancelled.

## **PROJECTS FOR REVIEW**

- 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.

Mark Shattuck of Westlake Development provided a project update / discussion was held:

- I have your comments from the Village Engineer
- The plans that the Village Engineer reviewed were the ones that – so, at the last Planning Board meeting I presented a revised site plan and, at that time, it was just a rough draft. Subsequently, I submitted a complete set of engineered plans, which incorporated that site plan. The Village Engineer is now reviewed that and made his comments, which I now have those comments. So, I have those and I've reviewed those comments. I think what I'd like to talk about is what the process is going to be to get this to a SEQRA determination and a vote. I intent now is to clean up these drawings. I have the comments. I don't see any of them as too substantial. My intent is to clean up these site plans per the engineer's comments and re-submit those. If I get to the point where we have a set of plans that have satisfied the Village Engineer's comments, I would love to know from the Village Attorney, what is the process from here to take this from satisfying engineering comments to a vote.
  - Chair Ramsdell: You have both the comments that were made at our last meeting.
  - Mark Shattuck: The comments, you mean in the minutes?
  - Chair Ramsdell: Yes
  - Mark Shattuck: Yes, I do
  - Chair Ramsdell: The minutes of June 22<sup>nd</sup>
  - Mark Shattuck: I have the minutes and I have the engineer's comments.
  - Chair Ramsdell: Ok, so, those two things will need your response, so you need to go through the comments that were made at the public hearing and answer any questions or provide additional information, whatever is necessary.
  - Mark Shattuck: So, the comments I have from the public hearing and the written comments I have. Those comments are addressed to the Planning Board as I understand it and I would expect that if those comments are going to be considered by the Planning Board, that they would be reflected in the Village Engineer's comments to the plans that I plan to submit.
  - Chair Ramsdell: We've never done that
  - Mark Shattuck: That's what I'm used to seeing. At this point, I am going to be submitting the site plan and the building elevations, the architectural elevations that I had previously presented and that is what I'm presenting for a vote to the Board. So, I'm not going to



modify my site plan and I'm not going to modify my elevations any more than I've already done. I've come a long way since we started this process. So, that is where I'm at. So, my intent is to address the engineer's concerns and submit those plans and I'd like those plans to be considered for a vote.

- Chair Ramsdell: You must also respond to the comments that were made at the public hearing.
- Mark Shattuck: I'll respond, but I'm not going to change what I'm submitting based on those comments. I believe that I have an approvable set of drawings that meet the criteria of the Village. That's what I'm submitting and that what I'm going to ask be voted on.
- Chair Ramsdell: Well, we have comments from the public.
- Mark Shattuck: Understood
- Chair Ramsdell: They can't just be thrown in the trash
- Mark Shattuck: I'm not throwing them in the trash. What I'm saying is I understand those comments, but relative to my site plan, I'm not changing them. I am submitting to you the drawings that the engineer reviewed. I'm going to satisfy his comments and I'm going to ask the Board to vote on those.
- Planning Board Attorney Stephen Honan: I think that's understood, but the Chair is asking you or this Board is asking you to take each comment that was made by the public and respond to it on behalf of the applicant and do the same with all the written comments that were accepted by this Board so that the Board can assess whether the comments were adequately addressed by the applicant.
- Mark Shattuck: That's fine. I can do that.
- Planning Board Attorney Stephen Honan: The next step is, if you're saying right now that you're not going to change anything, we don't know if anything needs to be changed. Let's take it one step at a time. Let's take your response to all the comments so this Board can assess them.
- Mark Shattuck: So, assuming we do that, I address the comments, I satisfy the engineer's concerns with my engineered drawings. What's the next step? I would just like to know what the process is going to be. Are we done? Do we get to that point and then you review SEQRA and vote? Is that how the process is going to take place?
- Chair Ramsdell: Yes, in a short, condensed plan, but I had asked to see a section through the site and it hasn't been added to the drawings yet.
- Mark Shattuck: Ok, so I didn't receive the minutes to the last meeting until after I had submitted these drawings, so there was no way I would be able to do that.
- Chair Ramsdell: So, are you saying there is no way you'll be able to do that?
- Mark Shattuck: That is part of the Village Engineer's comments. I just got those today and I didn't have the minutes to the meetings until last Thursday. I submitted these plans 2 weeks ago, so there's no way I could have addressed any of those things until I had that information. That's why it's not on the drawings right now and that's why it's reflected in the engineer's comments. I will address that now although I've never been asked to do that before. There are existing and proposed grades on the drawings.
- Chair Ramsdell: You were at the public hearing and I made that comment, I made that request for the section.
- Mark Shattuck: Many things were said. I can only respond to what I get in writing. That's the way I do it. I'm not going to sit here and scribble notes at a meeting and try to respond to that. I don't think that's an appropriate way to go. I can add a section, that's fine, but I don't understand why it's necessary. There are existing and proposed grades on the drawing, so if you want to determine.
- Chair Ramsdell: There were existing buildings on that site.
- Mark Shattuck: There are existing and proposed grades on the grading plan.



- Chair Ramsdell: There were existing buildings on that site that were demolished and we need to be quite sure that your new building is going to be satisfactorily installed over the buried remains of earlier buildings.
- Mark Shattuck: We did a geotechnical report. We did significant explorations with test pits. So, the geotechnical report is what determines how I build the building and design the foundations.
- Chair Ramsdell: Test pits 4 and 5 are indicated on your L1 plan. Was there a 1, 2, 3?
- Mark Shattuck: There is a geotechnical report. I'd be happy to show it to you. I'd be happy to submit it. It's not usually part of the site plan approval process. It's part of the structural design of the building process. It typically has nothing to do with site plan approval. It's not part of this process typically.
- Chair Ramsdell: It always has been.
- Mark Shattuck: It's part of the structural engineering of the building itself. That's where you determine the size, the depth, everything about your foundations. That report has been done. Those issues will be adequately addressed. That has nothing to do with this site plan approval in my opinion. Although, I'll be happy to provide you with the geotechnical report if you want to review it.
- Chair Ramsdell: We have always gotten that.
- Mark Shattuck: Then I'll provide it. It has not been a comment or request in any of the information I've received to date, so I'll be happy to provide it, but your engineer has not requested it.
- Chair Ramsdell: Test pit 4 and 5 are shown on the plan.
- Mark Shattuck: The geotechnical report has a test pit map.
- Chair Ramsdell: Showing 1, 2 and 3?
- Mark Shattuck: Yes, all the test pits.
- Chair Ramsdell: Showing 1, 2 and 3 and 6 and 7?
- Mark Shattuck: It shows all the test pits. I don't remember how many there were, but yes, it will show every test pit that was taken.
- Chair Ramsdell: And there's a drawing
- Mark Shattuck: Yes, there is.
- Chair Ramsdell: A diagram of the test pits showing the type of material and the depths?
- Mark Shattuck: Yes, the soil profile and boring logs.
- Chair Ramsdell: Good
- Mark Shattuck: I'm happy to provide it. I understand. I know where I'm headed with my project and the next step is going to be I'm going to resubmit these drawings based on the comments I've received. As I understand it, that's where we're at.
- Chair Ramsdell: Responses to the public hearing comments and the engineer's comments.
- Mark Shattuck: Yes
- Chair Ramsdell: Thank you.
- Mark Shattuck: Thank you.
- Chair Ramsdell: Anyone have anything else?

Shawn Arnott's letter to the Orange County Commissioner of Public Works regarding the sewer capacity was reviewed (copy attached) and **\*MOTION** made by Member Winters, second by Member Rappa, that **THE PLANNING BOARD HAS REVIEWED THE LETTER PREPARED BY SHAWN ARNOTT, PE DATED JULY 27, 2021 REGARDING THE SEWER CAPACITY AND FIND IT ACCEPTABLE TO FORWARD TO ORANGE COUNTY DPW.** Motion passed 5-0



- 2. 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 during the public hearing. Discussion was held regarding:

- The applicant is waiting to hear back from SHPO (State Historic Preservation Office).
- No record of any cemeteries on site.
- The applicant will respond to the engineer's comments and public hearing comments.
- The applicant will provide the Planning Board with a paper copy of the rendering shown at tonight's meeting.
- Member Ziegler just a few questions that came up last time. The driveway issue – have you changed the plans, have you widened it or will it remain the same?
  - Brad Cleverly, PE: I think what I want to do with that is to keep it – change it to 2 lanes, 24 feet, going through the site. Primary access to the site will be on Main Street, which is how I expect most of the congregation will enter the facility, but no changes are planned for the High Street entrance. It also allows for a fire truck to go through the site if needed.
  - Member Ziegler: Have you reached out to the fire department.
  - Brad Cleverly, PE: No, I have not yet. I was waiting until this meeting was over to do that.
  - CEO John Orr: I have the specs on the Chester Fire Department ladder truck, which is the worst-case scenario. I'll send them to you.
  - Member Ziegler: What about the Highway Superintendent Charlie Bono because there were some questions about the drains or maybe a fire hydrant nearby.
  - Brad Cleverly, PE: We haven't addressed that yet. I was waiting for the public hearing to address them all at once.
  - CEO John Orr: I did speak to Charlie and he's ok with their last presentation, which was a curtain drain across the driveway before it gets to the sidewalk and going into a storm drain that's right there or very close.
  - Member Ziegler: Tie into it?
  - CEO John Orr: Correct. And that would eliminate a lot of the washout problems that we've had over the years coming down through there.
  - Brad Cleverly, PE: That essentially would be a trench drain there to catch whatever is running down the driveway, which will essentially remain about the same, will get picked up by that trench drain and go into the system and not into the street and then into the system. That will largely alleviate that.
- Member Winters: I have one question and it's DOT. Has anything been sent to DOT as far as the in and out on High Street?
  - Brad Cleverly, PE: No and I don't intend to because there's no change to that entrance.
  - Member Winters: DOT involvement should be looked at for now and the long term with increased traffic and potential liability for the Village.
- CEO John Orr asked the applicant to look again at the drainage to determine if one drain will be enough or if it makes sense to stagger them on the hill to catch some of the water coming from the church building.

## **GENERAL DISCUSSION**

Member Ziegler asked the Board about working on a long-term plan to summarize project being presented to the Board. To note what the applicant is required to provide to the Board and what is just a comment for the applicant to consider - weed out comments versus requirements



Brad Cleverly, PE: For the next meeting, I'll be responding once I get the public hearing comments and I also have to wait for the 15 days to elapse to receive the written comments. Then I will be responding to those. Maybe not every single comment because some were very similar, but then I will be responding to those comments and also responding to the engineering comments as well. And provide the elevations of the building.

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

**ADJOURNMENT**

**\*MOTION** was made by Member LaSpina, second by Member Rappa, to **ADJOURN THE MEETING**. Motion passed 5-0. Meeting adjourned at 8:41 PM.

**Respectfully Submitted,**



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



**PLANNING BOARD**  
**VILLAGE OF CHESTER, NEW YORK**  
**PUBLIC HEARING**  
**JULY 27, 2021**

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 July 27, 2021 at 7:00 P.M., or as soon thereafter as the matter can be heard, concerning the application of NY Onnuli Evangelical Church for a permit authorizing a Special Permitted Use and Site Plan approval for a project known as NY Onnuli Evangelical Church for Site Plan involving the construction of an approximately 6,700 square foot church to replace the existing church generally on the existing footprint..

The property is located in the Village of Chester, New York, at 62 Main Street and is listed on the Village Tax Map as Section 104, Block 5, Lot 11 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



Leslie Smith  
117 Brookside Avenue  
Chester, NY 10918

June 28, 2021

Dear Chairman Ramsdell and Planning Board Members,

What stands out to me about this project is the fact that in June of 2017 in response to a previous Advance Auto proposal on the same site, the Village Board voted to create its first Village of Chester Comprehensive Plan.

The final draft of that Comprehensive Plan has been completed and is now in process to be approved by the Village Board.

I appreciate the fact, that as the current project has evolved, the small house at 93 Brookside Avenue is no longer slated for demolition. That factor alone however, does not change the importance of the visual impact of the structure they are proposing to construct in what is a proposed historic overlay district.

After four years of working on a Comprehensive Plan which recommends four historic overlay districts with the purpose of preserving community character and the structures and sites that remain of historic significance in our Village; I felt sure that the Village Mayor and Trustees, as members of the Comprehensive Plan Committee were in favor of the policies proposed in the draft that they worked on as members of the Comprehensive Plan Committee. I do not recall protestations from Board members when our planner included these proposals.

*During the public outreach phase of creating the Comprehensive Plan, it became clear that the overwhelming majority of residents and stakeholders saw Chester's historic resources as one of its greatest assets. From providing educational opportunities, to establishing neighborhood character, to drawing tourism, the Villages historic resources and their preservation drew the most consistent interest. (p. 32 Comprehensive Plan)*

As part of the public input portion of creating that plan, a S.W.O.T. (Strengths, Weaknesses, Opportunities, Threats) analysis was conducted by Megan Tennermann of the O.C. Planning Department. A highly rated strength was the integrity of our historic building stock. Aesthetics was listed in the weakness category.

The Comprehensive Plan is an expression of goals and a series of policies and recommendations to reach those goals. It is a document to guide the development of the village over the next several years. Its policies and recommendations pertain to government, land use, housing, transportation issues, economic trends, historic preservation, community character, aesthetics, agriculture, recreation, sustainability/resiliency and more. It contains an implementation chapter (Chapter 11) which describes when and by whom the recommendations and policies are to be carried out.

Changes to zoning or new zoning and local laws are to be guided by the comprehensive plan, enabling public and private agencies to plan their activities in harmony with the Village's goals.

Advance Auto's developer came here with a proposal to put a "modern" low budget design in an area proposed for a historic overlay district; those parcels once being owned by a significant local personage and first President of the Village, William A. Lawrence. The three oldest buildings on those parcels being Lawrence's residence and those of members of his family. The Advance Auto plan could very well



meet the requirements of our current zoning. However, their plan should be considered with the intentions of the draft Comprehensive Plan in mind. The Planning Board still has full power and authority "relating to the planning and the development of the Village as it seems desirable" according to Chapter 17, section 17-1-(A) of the Village of Chester code.

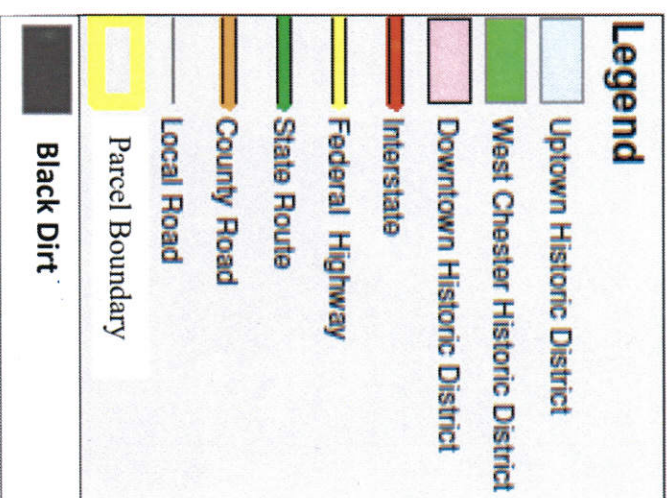
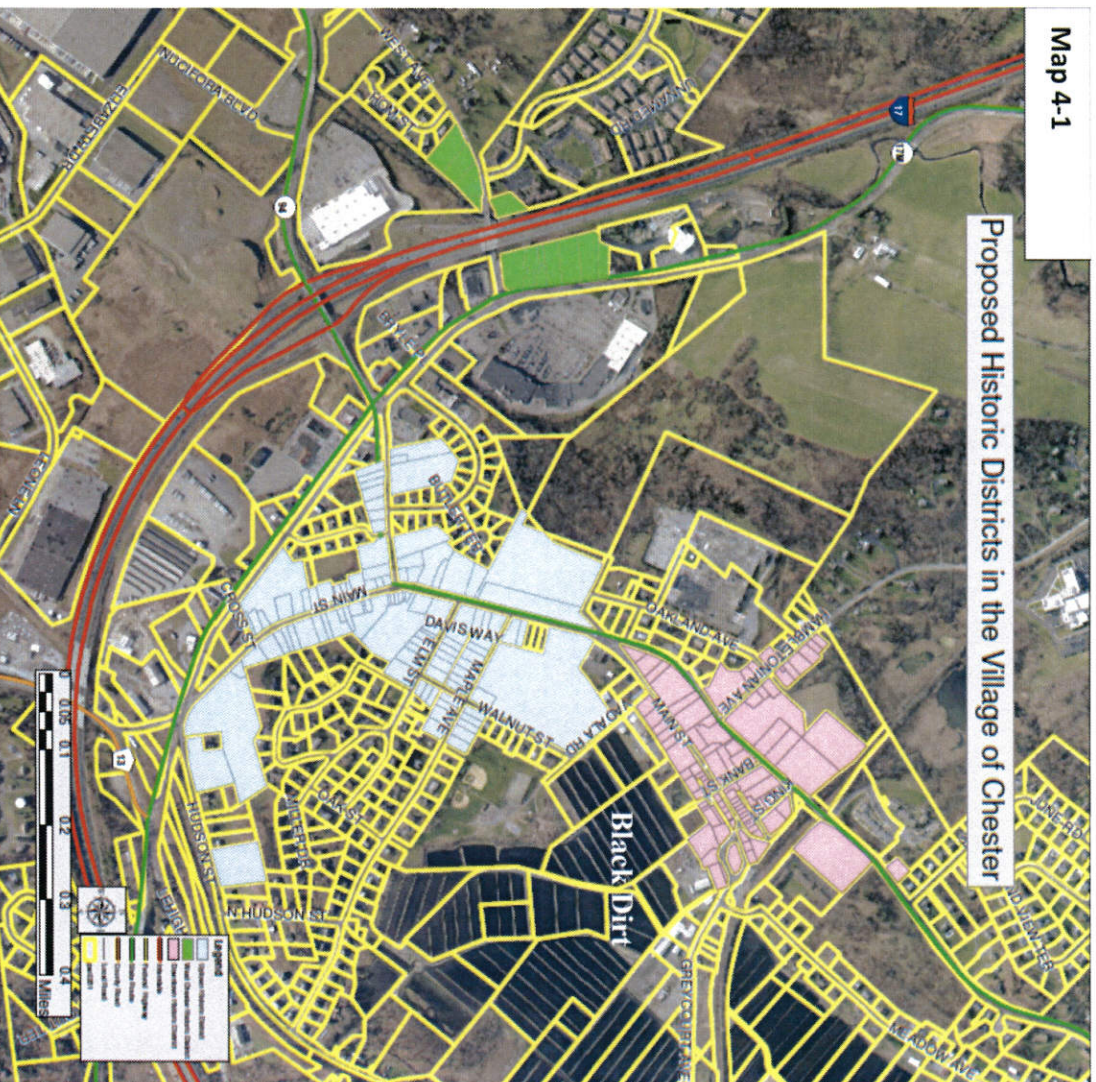
The following are some policies/recommendations from the draft Comprehensive Plan which should demonstrate the direction the comprehensive plan committee (which included all trustees and the Mayor) was taking; especially in regard to historic preservation and aesthetics:

- ◆ #83 Enhance the image of the Rte 17M corridor, plan the transformation of the B-2 zoned Brookside Avenue (17M) into a pedestrian friendly, walkable and attractive corridor.
- ◆ #155 Clearly communicate the Village's land use goals, requirements and law standards to developers and the public.
- ◆ p. 113, 10.3 The commercial corridors represent a major economic investment. They also provide an opportunity for the introduction of new buildings or the rehabilitation of existing structures on developed sites. The shape of new development will shape the future character of the Village.
- ◆ p. 110 The NYS Rte 17M lies, in part, within the B-2 zoning district, this corridor consists of an eclectic mix of commercial and light industrial uses. This plan recommends the adoption of design guidelines for this corridor so that new infill development results in an aesthetically pleasing walkable and functional mixed use corridor.
- ◆ #123 Facilitate well designed development within the Village's business districts.
- ◆ #157 Consider compatibility of development with surrounding uses.
- ◆ p. 114 Design guidelines in conjunction with a historic Preservation Commission or Architectural Review Board is recommended for historic districts.
- ◆ p.114 The Architectural Review Board is also needed to reshape future development along the NYS Rte 17M corridor. This plan encourages redevelopment along the corridor that results in a more aesthetically pleasing, walkable, vibrant and mixed use development pattern.
- ◆ #41 Create four Historic Overlay districts to be consistent with State and National Register Districts. (Map 4-1)
- ◆ p.33 Goal 5: This plan recommends the establishment of four (4) distinct State and National Register historic districts within the Village to 1) recognize the concentration of historically significant buildings, parcels and uses, and 2) designate them for special conservation, attention and initiatives. These districts should be 1) the Downtown Historic District, 2) the Uptown Historic District, 3) the West Chester Historic District and 4) the Black Dirt Historic District. These proposed districts are displayed on map 4-1.



### Historic District Recommendations

Map 4-1





- ◆ p. 114 A Form Based Code is a land development regulation that fosters predictable built results in a high quality public realm by using physical form (rather than separation of uses) as the organizing principle for the code. Form based codes address the relationship between building facades and the public realm, the form and mass of buildings in relation to one another, and the scale and types of streets and blocks.
- ◆ p. 114 The regulations and standards in Form Based Codes are presented in both words and clearly drawn diagrams and other visuals. They are keyed to a regulating plan that designates appropriate form and scale (and therefor character) of development, rather than only distinctions of land use.
- ◆ p. 115 A form based code would provide greater predictability in the form of new infill buildings in order to ensure they better define Chester's sense of place and complement its historic character. Design guidelines in conjunction with a Historic Preservation Commission or Architectural Review Board is recommended for historic districts. The Architectural Review Board is also needed to reshape future development along Route 17M . This plan encourages redevelopment along the corridor that results in a more aesthetically pleasing, walkable, vibrant and cohesive mixed use development pattern.
- ◆ p. 115 The use of Form Based Code is recommended for the West Chester Historic District so that new development is in keeping with the architecture of the historic properties in this area of the Village of Chester.
- ◆ p. 118 Develop a form based code that articulates a vision for the form of new infill buildings on vacant lots in the proposed Uptown, Downtown and West Chester Historic Districts.
- ◆ #37 Support nominations for individual listing of properties on the National Register of Historic Places.
- ◆ #39 p. 122 Seek grants to research, survey, document and rehabilitate historic resources in Chester.
- ◆ #40 Maintain accurate inventories of eligible historic properties in the Village so that they can be considered in planning and development actions.
- ◆ #38 Provide support letters to individuals or organizations that seek grant funding for historic preservation through the NYS Office of Parks, Recreation and Historic Preservation.

I strongly suggest that both Mr. Shattuck and all planning board members not familiar with the draft Comprehensive Plan to read Chapter 11; more if possible. It can be found at [villageofchester.org](http://villageofchester.org). There are links on the home page to the plan. Village Comprehensive Plan Condensed (Chapter 11) gives all the policies and recommendations and is a good place to start.

I have resubmitted the 2017 photos taken in Warwick of similar automobile related business structures which may be visually acceptable for a project such as this to the Planning Board; and I am not opposed to an Advance Auto business being established in the Village of Chester; but *any new project* proposed for a historic overlay district in my opinion, needs to consider visual continuity, and complement the existing historic character/architecture as well as being consistent with our draft Comprehensive plan.

Sincerely,





**Clifton Patrick**  
**Town of Chester Historian**

119 Brookside Ave

Chester, NY 10918

Phone/fax 845-469-7645 e-mail: [historian@thetownofchester.org](mailto:historian@thetownofchester.org)

June 26, 2021

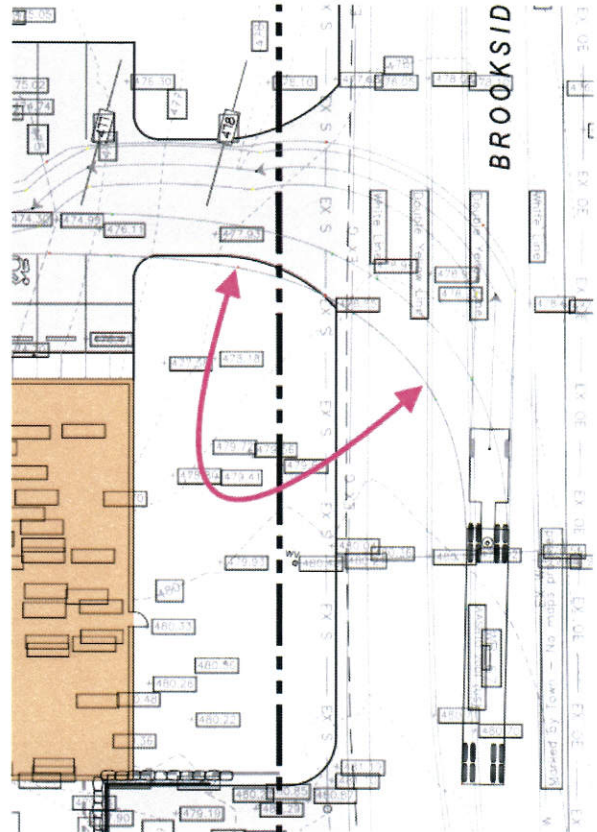
Richard A. Ramsdell  
Planning Board Chairman  
Village of Chester  
47 Main Street  
Chester, NY 10918

**Westlake Development - Advanced Auto Project #21-02**

Dear Chairman Ramsdell and Planning Board Members,

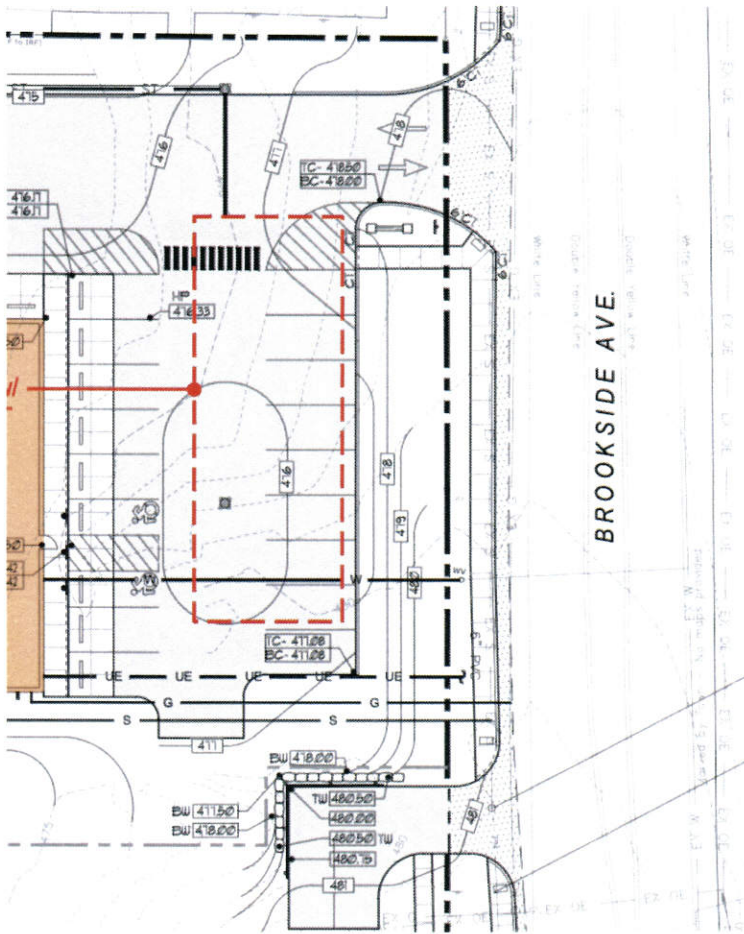
The parking lot proposed on the site plan shown at the June Public hearing is smaller than that shown of the 21-02-Advanced-Auto-Site-Plan-Site-Plan-2021-04-15-Option-2-Site.pdf, the one with the movements of the delivery truck shown:

- First question: Mark Shattuck, the applicant, stated that approximately 15 employees would be on the site to unload the truck. Where would these employees park their cars (up to fifteen), and how would the depicted 80'± truck maneuver in this smaller parking lot and avoid those employee cars?
- Second: Although the neither 21-02-Advanced-Auto-Site-Plan-Site-Plan-2021-04-15-Option-2-Site.pdf. nor 21-02-Advanced-Auto-Site-Plan-Site-Plan-2021-06-16-Revised.pdf are dimensioned, scaling from the parking spots, it appears that the site entrances are about the same (24' wide) in both site plans. If I interpret the Option-2 drawing correctly, it shows the truck's left side tires tracking over the curb onto the lawn upon entering the site. (Marked with magenta arrows) Can this be? Please show entire truck path - entry, delivery, and exit (with cars parked to service the delivery). There should be some extra room provided to allow for less than perfect execution these maneuvers for it is not realistic to expect perfection every time for the truck drivers. They are human, after all.





At the June 22nd meeting, I believe I heard the applicant state that there would be a raised berm between Brookside Ave and the parking lot, that would partially obscure the parked vehicles from the view passers by. According to his "Grading, Drainage and Utilities Sketch Plan dated 6-16-21, the elevation at south west corner is 481' (edge of Brookside Ave.). The elevations depicted decrease as one travels westerly onto the site. - That hardly seems to be a "raised berm." The front parking lot is at a nominal elevation of 476 feet - two to five feet below the western edge of Brookside Ave. The stated goal to obscure the parked vehicles from the view of people passing the site does not appear to be achieved by this plan.



I haven't seen on these site plans depictions of the structures on adjacent properties, as required by Village of Chester, NY Code § 98-28-F.(1):

Subject lots and all structures on adjacent properties within 100 feet of the lot lines of subject lots, plans and elevations of all proposed outdoor signs, floor plans and plans for exterior elevations of all existing and proposed structures and any other such building plans and elevations as the Planning Board may require.

Along with the general lack of important dimensions, where are the metes and bounds of the existing and proposed parcel boundaries?

Respectfully yours,

Cc: Sandy VanRiper , Village of Chester Planning Board Secretary Sandy VanRiper



July 6, 2021

Village of Chester Planning Board  
47 Main Street  
Chester NY 10918

**Re: Public Hearing: Advance Auto**

To Planning Board members:

This letter is being submitted for the public hearing on the proposed Advance Auto Parts store site plan.

The Preservation Collective is a non-profit organization that supports the public interest in seeing the protection of the scenic, historic and natural resources from the negative impacts of new development. The information and educational resources we provide are intended to help in your decision making process and to raise awareness about areas of public concern.

We recognize that the project applicant and the Planning Board are making a concerted effort to address the impacts of new development planned in a sensitive environmental area. The applicant's donation of one of the existing structures to the Village of Chester will help enhance the historic, architectural and aesthetic character and preserve more green space in the Village. In addition, the applicant has improved access and parking to such building and reduced ground disturbance as a whole for the site. With modifications in the look of the new building, it can be compatible in the surrounding area as well. All of the above are an indication to the value of the planning review process when all parties take the time to work together to deliberate on how best to avoid and/or mitigate environmental impacts for the betterment of the community.

Note, Part 1 of the short EAF submitted by the applicant shown the project site is either in or near a sensitive archeological site, regulated waterbody, threatened and endangered species habitat, and 100 year floodplain. It is our understanding that the properties involved may also be eligible for listing on the State Register of Historic Places. Please review our following comments:

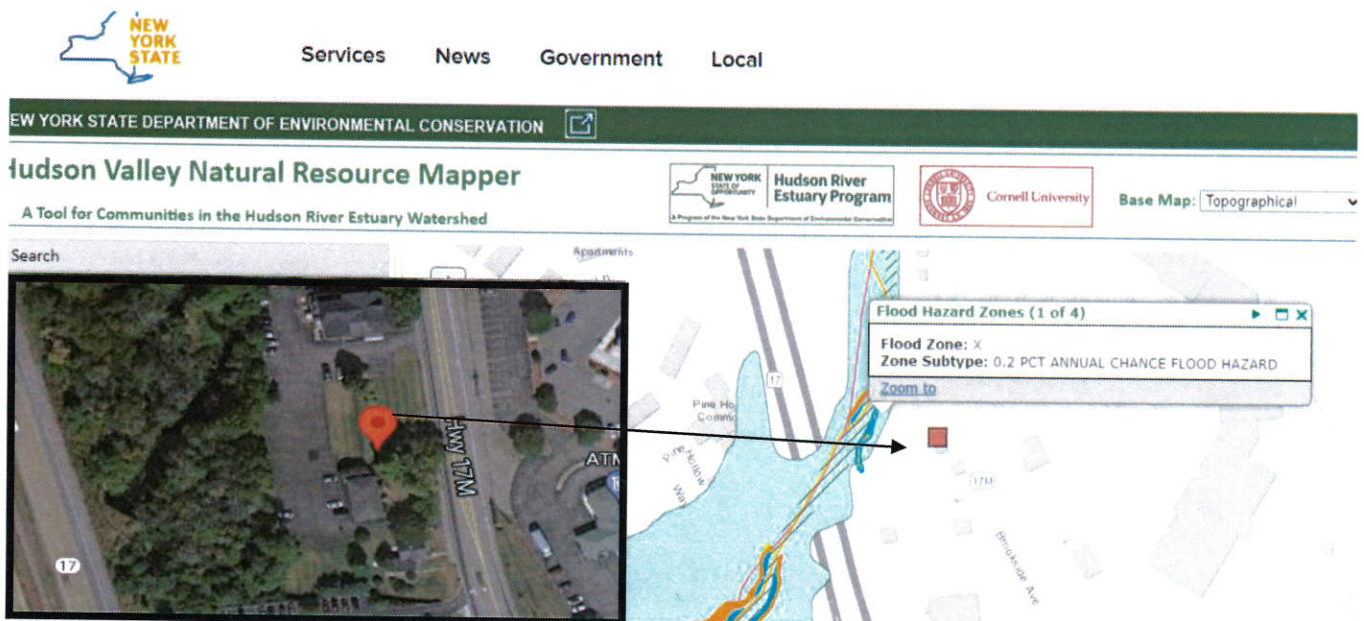
### **Riparian Stream Buffer**

As you know, the area of the proposed development is adjacent to Black Meadow Creek. There are two site plans presented to the public, one preferably proposes less impact on the stream. Without knowing which plan likely to be approved, we wanted to raise awareness of the importance of limiting disturbance near streambanks and preserving riparian buffers. Vegetation will help with flooding and water quality by decreasing pollution and controlling erosion, as well as shade stream to maintain temperature for aquatic organisms to protect the health of the stream into the future.

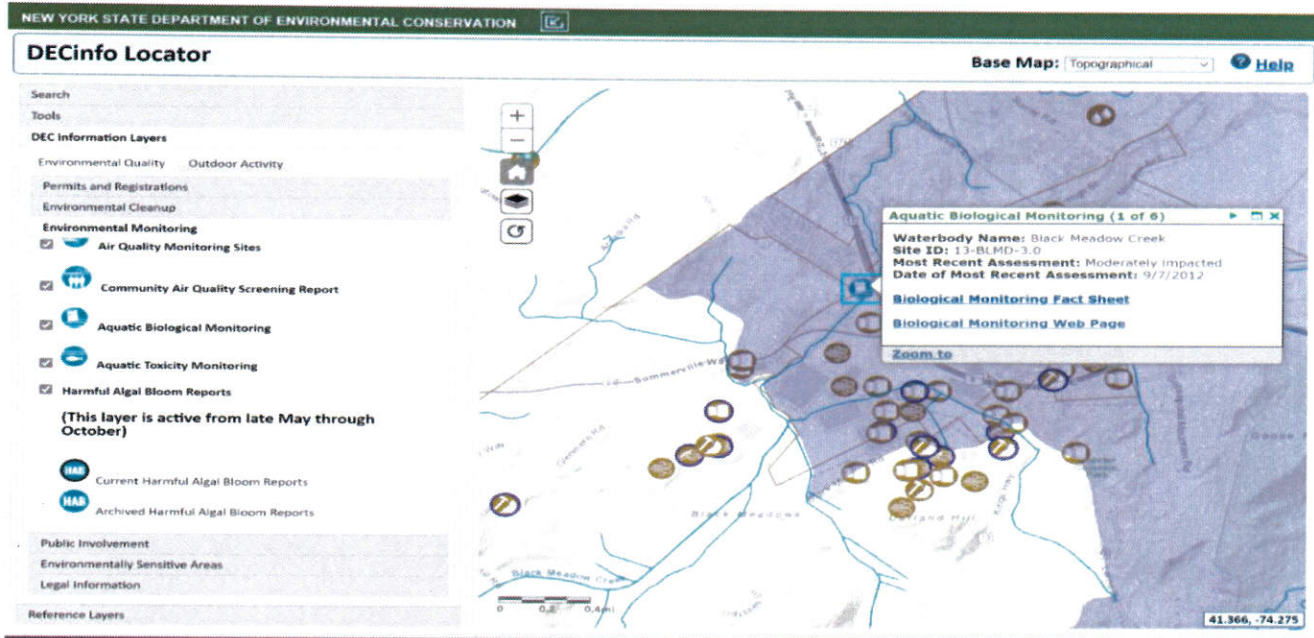
To learn more, we have included a link to an informative pre-recorded 4 part webinar series by the Hudson River Watershed Alliance on Stream Buffers and Protection. The series include two case studies sharing options at a local level as well a review protection laws, land acquisition and conservation easements. See link: [Stream & Buffer Protection Webinar Series - Hudson River Watershed Alliance \(hudsonwatershed.org\)](http://Stream&BufferProtectionWebinarSeries-HudsonRiverWatershedAlliance(hudsonwatershed.org)) The Village might want to make a condition of approval a protective easement to limit disturbance in a specified buffer. As an example, the Town Code of Chester requires buffers to streams (whether intermittent or perennial) and specifically mentions Black Meadow Creek in their Comprehensive Plan.



Below is a screen shot of the site in relation to sensitive environmental areas. In the future, it can be helpful if applications superimpose the site plans with an aerial map to give perspective of existing conditions to be impacted.



See link: [Interactive Maps - NYS Dept. of Environmental Conservation](#)



See link: [DECinfo Locator \(ny.gov\)](#)

The Black Meadow Creek was on the NYDEC list of threatened streams which should heighten attention to protect it from development impacts. Attached is a document of NYDEC determination previously gathered when this was reported locally as per article as reference: [Streams put on threatened list \(chroniclenewspaper.com\)](#)



**Stormwater Management**

Is the site in question technically a redevelopment project and meeting the NYSDEC runoff reduction volume (RRv) only encouraged, not required? We offer the following observations and comments after a brief review of the Advance Auto site plan dated 5/13/21 and SWPPP to assist in seeing protective measures in place prior to development near the stream.

The NYS DEC standards and specifications for erosion and sediment control require disturbed areas that drain to a waterbody within 100 feet require two rows of silt fence installed five feet apart along the ground contour during construction activities performed between November 15 and April 1. Based on the site plan, the disturbance goes almost to the banks of Black Meadow Creek and silt fence is proposed about 20 feet away, making this design criteria all the more important. Please note, the erosion and sediment control plan does not contain winter stabilization control practices if construction is to occur between November 15 and April 1, as required (see attached).

We understand that pocket ponds are often the preferred method to stormwater management, however, given concerns of site disturbance raised by County Planning and the Village Planning Board engineer, it appears another method will be explored with the latest site plan submitted by the applicant.

**Landscaping Plans**

Mature trees along Brookside will be removed. The site plan dated 5/13/21 also had extensive amount of tree clearing to accommodate the stormwater pond. Mowing up to the streambank can encourage erosion, bank failure and land loss. In contrast, the roots of native plants will grow deep and hold the stream bank in place, even in heavy rain events. Note, "One large tree can capture and filter up to 36,500 gallons of water per year" - AmericanForests.org

New plantings incorporated around any site and new building will help with stormwater management as well as provide aesthetic benefits, provide air and noise pollution abatement, and reduce energy costs depending on location and types of trees. For instance, deciduous trees (trees that lose all of their leaves each fall) save energy in summer by shading houses and paved areas while evergreens save energy by slowing cold winds in the winter.

We hope there will be more shrubs along the building and ornamental trees added between the law office and entrance to site. Also, the northwestern corner of the building if possible. This could help enhance streetscape particularly softening the look of the expansive view at the entrance to parking lot along Brookside after passing by law office (see attached pictures).

If not already included, the landscaping plan should have specific notes on a planting guarantee and other planting requirements of the Board for example, they should replace any dead or dying vegetation after the first planting season. We have included the following resources to assist Planning Board members in decision making and/or questions you might want to raise with your landscape consultant:

- Reviewing Stormwater Management in Site Design: A Guide for Planning Board Members: [http://www.lhccd.net/uploads/7/7/6/5/7765286/planning\\_board\\_sw\\_guide\\_version1\\_2014.pdf](http://www.lhccd.net/uploads/7/7/6/5/7765286/planning_board_sw_guide_version1_2014.pdf)
- New York State Stormwater Management Design Manual (DEC, 2015): <https://www.dec.ny.gov/chemical/29072.html> Appendix H of the Design Manual discusses landscaping guidance and plant lists for ponds and wetlands
- Additional resources on plants you can choose that are pollution, drought and road salt tolerant: <https://townofbrighton.org/DocumentCenter/View/5404/Landscaping-with-New-York-State-Native-Plants?bidId=>



**Lighting**

Landscaping can also help to mitigate new lighting impacts since the current area has minimal glare from light sources with existing businesses. Is the Advance Auto Part building sign to be similar to Walgreens in size and illumination or similar to the Orange Trust Bank spot lighting? (see attached pictures). Please note, the Town of Chester recently adopted a new lighting ordinance that might be of interest to the Village to pursue. The Town determined that new lighting technology has produced lights that are extremely powerful and when improperly installed, these lights create problems of excessive glare, light trespass and increased energy usage. Excessive glare may cause safety issues and light trespass reduces privacy and results in higher energy costs. Notable sections of the Town code places limits on heights of fixtures, LED intensity and also requires the following: *"All non-essential lighting shall be designed to be turned off after business hours, leaving only the necessary lighting for site security, which shall be reduced to the minimal intensity level necessary. Non-essential can apply to display, aesthetic, parking and sign lighting. Motion-sensor security lighting is recommended to promote safety and reduce the amount of night lighting in the Town as determined by the Planning Board."*

See link: [Recently Adopted Local Laws | The Town of Chester, Orange County New York \(chester-ny.gov\)](https://www.chesterny.gov/Recently-Adopted-Local-Laws).

**Historic Significance**

Preserving local history as well as places of interest enhances community pride and inspires more efforts to protect important resources that make your community a distinctive place to visit, work and live.

As roadside development make more and more places look the same, it becomes important for communities to keep their identities intact. Even one or two striking historic buildings can help define a community. Due to their increased land value and strategic locations, the most threatened areas are the ones that are unfortunately located in old historical areas. There is a need to protect these environments because they symbolize an important stage in the development in the history of the Village.

It is our understanding the design of a new building is still under review. We hope the applicant and Planning Board have come up with creative solutions with the new construction, which are compatible with the established character of the area.

Given the location of the new building between two historic buildings, the rendering could include features that reinforces the basic visual and characteristics of the other buildings. When these design variables are arranged in a new building to be similar to those seen traditionally in the area, visual compatibility results. In the future, you can refer to other municipalities that have design criteria for their historic districts to assist in techniques and guidelines as well as consult with the State Historic Preservation Office for recommendations in the future.

**Site/Field visits**

Does the Board get written permission as part of review procedure for field visits by Planning Board members/consultants on any property under review? Site visits can prove useful in your analysis especially when the proposed entrance, building location and clearing limits are marked in the field. We believe in the importance of Board members getting firsthand knowledge of the existing site conditions and nearby features in relation to the proposed development disturbance to better evaluate the potential environmental impacts. This could allow for additional improvements in the design and layout that otherwise might not have been thought of without a closer look.



**Additional Educational Resources**

While the pandemic may have put in-person continuing education on hold, it also opened up the opportunity for many other sources to watch training webinars from home in order to meet the yearly NY State requirements for Board members as well as to enhance planning knowledge in general. We have included several recent archived recordings that we found informative for the newly elected and appointed public officials as well as for long time board members. See links below:

- Planning and Zoning - The course provides a basic overview of the functions of planning boards and zoning boards of appeal and the land use tools they work with, the role of the comprehensive plan, procedures for holding meetings and hearings, and the enforcement of the boards' decision.  
<https://www.youtube.com/watch?v=B4rmyUkx0AA>

Note, attached is example of public hearing signage recommended by Department of State.

- Simplify the Code – Speaker Randall Arendt; an expert on the topic of preservation of rural land and character and well known for Conservation Subdivision Design. This webinar shows many real life examples of new construction designs blending into existing streetscapes including the Town of Warwick.  
<https://www.youtube.com/watch?v=-xQwFGEkWhA>
- Conservation and Land Use Webinars - NYS Dept. of Environmental Conservation  
<https://www.dec.ny.gov/lands/120539.html>
- Department of State – Division of Local Government Services  
[https://video.dos.ny.gov/lg/onlinetraining/planning\\_board\\_overview\\_courseoutline.html](https://video.dos.ny.gov/lg/onlinetraining/planning_board_overview_courseoutline.html)

The NYS-DEC SEQR handbook document is also helpful in navigating the review process for example, see page 188 on archeological and historic resources:

[https://www.dec.ny.gov/docs/permits\\_ej\\_operations\\_pdf/seqrhandbook.pdf](https://www.dec.ny.gov/docs/permits_ej_operations_pdf/seqrhandbook.pdf).

We realize that the Planning Board has such an important role in local government to achieve sound and orderly development within its community. The Planning Board has broad responsibilities for long range planning but also more specific duties in reviewing, deciding and making recommendations on development proposals and regulations. We hope the information provided in this letter proves useful in your decision making process with this application as well as future projects to protect the environment from any new development that leads to its degradation.

Thank you for your attention.

Sincerely,

Tracy Schuh  
President  
TPC, Inc.

Attachments (5)

Cc: Village Board of Trustees



**Otter Kill/Black Meadow Creek and tribs ( 1303-0025)****Threatened****Waterbody Location Information**

Revised: 04/16/2008

<b>Water Index No:</b>	H- 89-20	<b>Str Class:</b>	C*	<b>Drain Basin:</b>	Lower Hudson River
<b>Hydro Unit Code:</b>				<b>Reg/County:</b>	/ Co. ()
<b>Waterbody Type:</b>	River			<b>Quad Map:</b>	MAYBROOK (P-24-1)
<b>Waterbody Size:</b>	99.1 Miles				
<b>Seg Description:</b>	entire stream and tribs				

**Water Quality Problem/Issue Information** (CAPS indicate MAJOR Use Impacts/Pollutants/Sources)

Use(s) Impacted	Severity	Problem Documentation
Habitat/Hydrolgy	Threatened	Known

**Type of Pollutant(s)**

Known: ---  
Suspected: WATER LEVEL/FLOW, THERMAL CHANGES  
Possible: Silt/Sediment

**Source(s) of Pollutant(s)**

Known: ---  
Suspected: CONSTRUCTION, HABITAT MODIFICATION  
Possible: ---

**Resolution/Management Information**

<b>Issue Resolvability:</b>	1 (Needs Verification/Study (see STATUS))	
<b>Verification Status:</b>	4 (Source Identified, Strategy Needed)	
<b>Lead Agency/Office:</b>	ext/WQCC	<b>Resolution Potential:</b> Medium
<b>TMDL/303d Status:</b>	n/a	

**Further Details**

Overview Hydrologic/habitat uses in Otter Kill/Black Meadow Creek are known to experience threats due to impacts to habitat from increasing development.

Water Quality Sampling Biological (macroinvertebrate) assessments of Black Meadow Creek were conducted at various sites by the Orange County Water Authority in 2004 and 2005. The results of this sampling indicated slightly to moderately impacted water quality conditions. However the more significant (moderate) impacts were likely influenced by low stream gradient and poor sampling habitat. Initial result suggested septic inputs were contributing to impacts, but these indication were likely to have been significantly influenced by impoundment conditions in the wetlands. (DEC/DOW, BWAM/SBU, March 2008)

Habitat Issues The Metropolitan Conservation Alliance of the Wildlife Conservation Society issued a Biodiversity Plan for the Southern Wallkill area, including this watershed. The plan identified Otter Creek as a biodiversity hub that is host to significant biodiversity. The plan noted that portions of the habitat system are at risk from dense residential development. The watershed also includes Purgatory Swamp, a diverse wetland system that provides important wildlife

habitat for state-listed declining and rare amphibians, reptiles and birds. Protection measures in this watershed would yield significant conservation benefits. (MCA/WCS, 2005)

Segment Description This segment includes the entire stream and all tribs. The waters of the stream are Class C. Tribs to this reach/segment, including Black Meadow Creek (above trib. 20 of Otter Kill is named Black Meadow Creek), are primarily Class C; with small portions of tribs designated Class A.



## FOLLOW UP TO DISCUSSION ON FUTURE ADDITIONAL PUBLIC HEARING NOTIFICATION

Hi tracy schuh,

Thank you for attending Planning and Zoning - An Introduction.

**COURSE CREDIT:** As mentioned during the webinar, Board members may be eligible for 2.5 hours of required training credits for attending this course. Code enforcement officials may apply to use these credits towards their professional development electives.

This email serves as your certificate of attendance for this 4/29/21 webinar. Please share a copy of it with your municipality if you are seeking credits.

**COURSE DESCRIPTION:** This course is designed for new members of both planning boards and zoning boards of appeal, as well as seasoned board members looking for a refresh on the basics. The course provides a basic overview of the functions of planning boards and zoning boards of appeal and the land use tools they work with, the role of the comprehensive plan, procedures for holding meetings and hearings, and the enforcement of the boards' decisions.

### SPEAKERS:

Christopher Eastman, Manager, NYS DOS Local Government Training Program

Ebony Mapp, Local Government Specialist, NYS DOS Local Government Training Program

Link to archived recording:

<https://www.youtube.com/watch?v=B4rmyUkx0AA>

(Screen shot below on section discussing sign recommendation for public hearings)

https://www.youtube.com/watch?v=B4rmyUkx0AA

YouTube Search


### Hearing notice requirements

**State notice requirements:**

- Public meeting requirements
- Legal notice in official newspaper
- At least 5 days before hearing
- Mail notice to:
  - Parties to the appeal or applicant
  - Regional state park commission, if 500' from state park or parkway (ZBA only)
  - Other agencies, if applicable
  - (GML §239-m & GML §239-nn)

**Examples of local notice requirements:**

- Signs on application property (best practice)
- Mailings to neighbors
- Municipal ListServ



2:07:20 / 2:29:32

CC Settings Full Screen



Viewshed showing mature trees to be removed from the site to accommodate new Advance Auto building



Below example of lighting similar to Orange Bank & Trust and Hudson United Bank



Below example of a flat roofed building with frontage similar to a porch and an example of awnings used over front windows as alternatives to flat facade to add dimensions to the proposed new building.







ADVANCE AUTO PARTS 92, 96 AND 97 BROOKSIDE AVE CHESTER NY 10918



EAST ELEVATION



NORTH ELEVATION





## STANDARD AND SPECIFICATIONS FOR WINTER STABILIZATION



### Definition & Scope

A temporary site specific, enhanced erosion and sediment control plan to manage runoff and sediment at the site during construction activities in the winter months to protect off-site water resources.

### Conditions Where Practice Applies

This standard applies to all construction activities involved with ongoing land disturbance and exposure between November 15<sup>th</sup> to the following April 1<sup>st</sup>.

### Design Criteria

1. Prepare a snow management plan with adequate storage for snow and control of melt water, requiring cleared snow to be stored in a manner not affecting ongoing construction activities.
2. Enlarge and stabilize access points to provide for snow management and stockpiling. Snow management activities must not destroy or degrade installed erosion and sediment control practices.
3. A minimum 25 foot buffer shall be maintained from all perimeter controls such as silt fence. Mark silt fence with tall stakes that are visible above the snow pack.
4. Edges of disturbed areas that drain to a waterbody within 100 feet will have 2 rows of silt fence, 5 feet apart, installed on the contour.
5. Drainage structures must be kept open and free of snow and ice dams. All debris, ice dams, or debris from plowing operations, that restrict the flow of runoff and meltwater, shall be removed.
6. Sediment barriers must be installed at all appropriate

perimeter and sensitive locations. Silt fence and other practices requiring earth disturbance must be installed before the ground freezes.

7. Soil stockpiles must be protected by the use of established vegetation, anchored straw mulch, rolled stabilization matting, or other durable covering. A barrier must be installed at least 15 feet from the toe of the stockpile to prevent soil migration and to capture loose soil.
8. In areas where soil disturbance activity has temporarily or permanently ceased, the application of soil stabilization measures should be initiated by the end of the next business day and completed within three (3) days. Rolled erosion control blankets must be used on all slopes 3 horizontal to 1 vertical or steeper.
9. If straw mulch alone is used for temporary stabilization, it shall be applied at double the standard rate of 2 tons per acre, making the application rate 4 tons per acre. Other manufactured mulches should be applied at double the manufacturer's recommended rate.
10. To ensure adequate stabilization of disturbed soil in advance of a melt event, areas of disturbed soil should be stabilized at the end of each work day unless:
  - a. work will resume within 24 hours in the same area and no precipitation is forecast or;
  - b. the work is in disturbed areas that collect and retain runoff, such as open utility trenches, foundation excavations, or water management areas.
11. Use stone paths to stabilize access perimeters of buildings under construction and areas where construction vehicle traffic is anticipated. Stone paths should be a minimum 10 feet in width but wider as necessary to accommodate equipment.

### Maintenance

The site shall be inspected frequently to ensure that the erosion and sediment control plan is performing its winter stabilization function. If the site will not have earth disturbing activities ongoing during the "winter season", all bare exposed soil must be stabilized by established vegetation, straw or other acceptable mulch, matting, rock, or other approved material such as rolled erosion control products. Seeding of areas with mulch cover is preferred but seeding alone is not acceptable for proper stabilization.

Compliance inspections must be performed and reports filed properly in accordance with the SWPPP for all sites under a winter shutdown.



## **Village Planning Board Secretary Sandy VanRiper**

---

**From:** Helen Musumeci <helngace2@yahoo.com>  
**Sent:** Wednesday, July 21, 2021 6:26 AM  
**To:** Village Planning Board Secretary Sandy VanRiper  
**Subject:** onnuri church  
**Attachments:** chester methodist church.odt

Please share this letter with all relevant parties.  
Thank-you,  
Helen Musumeci

To: Village of Chester Planning Board  
Sandra VanRiper, Secretary

47 Main St  
Chester, NY 10918  
RE: Onnuri Evangelical Church  
47 Main St  
Chester, NY 10918

To Whom It May Concern,

I was shocked to hear that the Onnuri Evangelical Church is proposing to demolish the old Methodist Church in Chester. I grew up and lived in Chester until early adulthood. I was baptized and confirmed in the Chester Methodist Church. Being in that beautiful building helped to form my knowledge and understanding of god and I am certain many others share this experience. The vitality of old architecture contributes significantly to formative experiences, not only for those who knew them as children, but for newer residents and visitors. They are not just buildings. And too many have been already been lost.

That the Onnuri Church and the planning board would even consider destroying this divine and splendid part of the the town's architectural history is most dismaying, despite the fact that it may be perceived as the most cost-effective or efficient. If commercial motivations are the case, the value of saving the building for the town and its people far outweighs the financial. I hope the Onnuri Church can see their way to serve in this way, to preserve rather than destroy, and that all involved, including the the people and government of Chester, can find a way to work unselfishly together to save this building.

Sincerely,

Helen Musumeci (a long time Elm St, Chester resident)  
PO Box 1237, New Paltz, NY



ORANGE COUNTY DEPARTMENT OF HEALTH

Project Name NYONDULI EVANGELICAL CHURCH Municipality V. Chester

Date of mailing by Municipal Planning Board 7/21/21

Date of receipt by Orange County Department of Health 7/19/21

**Addendum to the Lead Agency Consent Form and/ or Department of Health comments/ recommendations on the project referenced above**

- ☒ Let this correspondence serve as notice that the Orange County Department of Health (OCHD) does not wish to contest the Lead agency designation as proposed on the attached "Notice of Establishment of a Lead Agency".

While not petitioning for the role of Lead Agency in the State Environmental Quality Review (SEQRA) of the subject application, the Orange County Department of Health, as a listed Involved Agency under the provisions of SEQRA, offers the following guidance to be considered by the Lead Agency in the preliminary review of the application. Please note that the following checked items are based on a cursory review of the documentation provided at the time lead agency status was being determined. Our office reserves the right to review items, currently unchecked, based on any new information, any changes to the project, or any other unforeseen circumstances:

**PROPOSED REALTY SUBDIVISIONS**- 5 lots or more, each under 5 acres in area N/A

- ☐ A set of plans should be submitted to the OCHD for selection of test well locations once the Planning Board has substantially accepted the lot layout. Plans must include lot layout, proposed well and sewage disposal system locations, topography, roads, all potential environmental concerns, etc.
- ☐ If proposed subdivision is to be served by an on-site public water supply, plans for the proposed well (s) will need approval from the NYSDOH and/ or OCHD. Approval of the water taking may be required from the NYSDEC.

**PROPOSED SITE PLANS** - Where an on-site groundwater (well) supply is proposed N/A

- ☐ Where an application could potentially or ultimately result in the establishment of a regulated public water supply:
- ☐ Community water supply (CWS), e.g. subdivision
  - ☐ Non-transient non-community (NTNC) water supply, e.g. an office or warehouse
  - ☐ Non-community (NCWS) water supply, e.g. a food service establishment, municipal park or camp
  - ☐ Temporary residence (TR), e.g. hotel/ motel

A plan should be submitted to the OCHD that provides the proposed well location once the Planning Board has substantially accepted the site layout. Plan must include site layout, proposed well and sewage disposal system locations, topography, roads, all potential environmental concerns, etc. This applies to all applications where the project will be served by on-site well(s).



**BACKFLOW PREVENTION DEVICE (BFPD) - Domestic/ fire/ irrigation system**

- ☒ When an application involves the interconnection of a proposed facility to an existing, regulated municipal or private water distribution system, an appropriate backflow prevention device shall be installed on the fire suppression line (sprinklers) and/ or domestic service lines to protect the existing water system from any potential hazards due to an unwanted cross-connection. Plans for the BFPD must be reviewed and approved by the OCHD.

**PROPOSED WATER MAIN EXTENSIONS** *N/A*

- ☐ May require NYSDEC approval for water district expansion if proposed service area is outside existing district boundaries
- ☐ Water main extension will require OCHD review/ approval
- ☐ If a water service lateral is to tap an existing water main and is intended to provide water supply to more than one structure or to one structure together with one or more fire hydrants in the parking area or around the perimeter of the proposed structure, the service line will be treated as a private water main and will require review/ approval by the OCHD.

**PROPOSED WATER DISTRIBUTION SYSTEM MODIFICATIONS** *N/A*

- ☐ All water distribution system improvements, e.g. water storage tanks, pump stations, treatment facilities and water main replacements

**OTHER**

- ☐ \_\_\_\_\_
- \_\_\_\_\_
- ☐ \_\_\_\_\_
- \_\_\_\_\_

\*\*\* Design checklists are available on the Orange County website ([Orangetygov.com-EnvironmentalHealthpage](http://Orangetygov.com-EnvironmentalHealthpage)) for Subdivisions, Water System Improvements, Sewage Disposal System, Backflow Prevention Device installations. Applicant should consult with the OCHD at the early stages of the application to identify aspects of the project subject to OCHD involvement. If there are any questions regarding our offices potential involvement in this project, please feel free to contact our office at 845-291-2331 or as noted below.

Signed by

Printed

Title

Date

Phone/email

*Lee J. Bergus P.E.*  
*Lee BERGUS*  
*SE Public Health Engineer*  
*July 21, 2021*  
*845-291-2331*





## Orange County Department of Planning

124 Main Street  
Goshen, NY 10924-2124  
Tel: (845) 615-3840  
Fax: (845) 291-2533

Alan J. Sorensen, AICP  
Commissioner

www.orangecountygov.com/planning  
planning@orangecountygov.com

### County Reply – Mandatory Review of Local Planning Action as per NYS General Municipal Law §239-l, m, & n

**Local Referring Board:** Village of Chester Planning Board

**Applicant:** Brookside Avenue Development LLC

**Project Name:** Advanced Auto Site Plan

**Proposed Action:** Site Plan amendment for new construction of 6,889 sq. ft. building and appurtenant site improvements

**Reason for County Review:** Within 500 feet of NYS Route 17M, NYS Route 94, NYS Route 17/I-86 and US Route 6; within 500 feet of the Town of Chester/Village of Chester boundary

**Date of Full Statement:** July 15, 2021

**Referral ID #:** CHV 01-21M

**Tax Map #:** 107-2-8.21, 9.1 and 9.2

**Local File #:** PB-19-01 **21-02**

#### Comments:

The Department has received the above referenced site plan and has determined that the intended land use has the potential to cause inter-municipal and countywide impacts. Therefore, the following binding comments should be addressed and may not be acted contrary upon except by a majority plus one vote of the members of the Village of Chester Planning Board or by disapproving the action.

1. **Sewer Capacity:** To the extent that the proposed project will cause an increase in wastewater, and if the wastewater from the proposed project is proposed to be treated at the Harriman Wastewater Treatment Plant pursuant to the 1978 Moodna Inter-Municipal Agreement (as amended), ("Moodna Agreement"), the municipal board who made this referral to the Orange County Planning Department must affirm in any approval that sufficient sewer capacity exists within the municipality's allocation of sewer under the Moodna Agreement to provide sewer service for the proposed project and state the basis for such reasoning. 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.

Additionally, this Department offers the following **advisory comments** for your consideration.

**Streambank Stabilization:** Black Meadow Creek runs through the site, cutting across the northwest corner. The applicant is proposing to remove all the trees on the west side of the property in order to construct the proposed building and the stormwater detention pond. The planting plan prepared for this project now includes woody-stemmed plants on the hillside that will sequester additional carbon and provide a deeper root structure for soil retention, in addition to the grasses on the hillside and wetland plants in the stormwater basin that had previously been incorporated into the Erosion and Sediment Control Plan. We commend the applicant and the Village for the efforts to provide a healthy ecosystem and a stable hillside for the project.

**Environmental Constraints:** The proposed project is in an area known to contain habitat suitable for endangered or threatened species, including the Northern Long-Eared Bat. We advise the Town and the applicant to ensure that best practices are followed during construction, in order to minimize any accidental takings of these species. Best practices are likely to include times for tree harvesting, among other measures.

See reverse side



Stormwater Runoff Contamination: The proposed development is a retailer that sells automotive parts. While this is unlikely to rise to the level of "stormwater hotspot" as designated by the New York State Department of Environmental Conservation, this development has a greater chance than other retail outlets of causing contamination due to oil and other vehicle fluids due to the nature of its products and potential parking lot repairs. The proposed stormwater detention basin has been redesigned to include additional filtration for potential contaminants. We commend the applicant and the Village for their efforts to protect Black Meadow Creek.

Historic Resources: The site plan shows an existing "historic house" on the subject parcel. The proposed placement and architectural design of the store should complement historic resources in the vicinity of the project, including the historic house onsite. Consideration should be given to revising the site plan to situate the building closer to the highway and situating the parking to the side and rear of the building.

**County Recommendation:** Approval subject to modification as per comment # 1

**Date:** July 15, 2021

**Prepared by:** Megan Tennermann, AICP  
Acting Senior Planner

  
\_\_\_\_\_  
**Alan J. Sorensen, AICP**  
**Commissioner of Planning**

As per NYS General Municipal Law 239-m & n, within 30 days of municipal final action on the above referred project, the referring board must file a report of the final action taken with the County Planning Department. For such filing, please use the final action report form attached to this review or available on-line at [www.orangecountygov.com/planning](http://www.orangecountygov.com/planning).



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

July 27, 2021

Steris – Nucifora Blvd.

- 1– Site work continues with more footings.

Shoprite

- 1- All work is now complete.

Clark- 5 Carpenter

- 1- Work is almost complete.

Noble – 4 Chester Acres Blvd

- 1- Work almost complete.

Mikaberidze – 22 Lehigh Ave

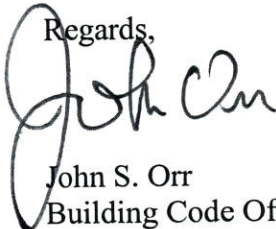
- 1- Issued permit for garage approved by PB.
- 2- Footing and foundation complete
- 3- Framing is complete.

35 Brookside Ave

- 1- Issued Permit for demolition of building.
- 2- Demolition complete.

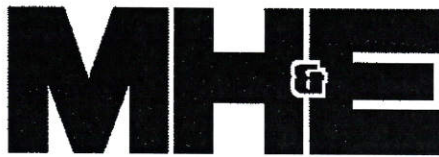
Issued numerous permits for pools, fenced and roofing over the last month.

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)  
PATRICK J. HINES

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33 Airport Center Drive, Suite 202  
New Windsor, NY 12553

(845) 567-3100  
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Principal Emeritus:  
RICHARD D. MCGOEY, P.E. (NY & PA)

28 July 2021

Orange County DPW  
PO Box 509  
Goshen, NY 10924

**ATTENTION: ERIK DENEGA, P.E., P.M.P. – COMMISSIONER OF PUBLIC WORKS**

**SUBJECT: VILLAGE OF CHESTER - ADVANCE AUTO SITE PLAN (PB# 21-02)  
MOODNA SEWER ALLOCATION**

Dear Commissioner Denega,

The Planning Board, at their meeting of the 27 July 2021 Planning Board meeting voted in favor of the undersigned preparing and forwarding this Memo to your attention.

The Village of Chester Planning Board is currently reviewing a proposed Advanced Auto Parts store site plan to be built on 93, 95 & 97 Brookside Avenue in the Village. At this time, the existing office building at 95 Brookside Avenue will be razed and the subject building will be placed approximately in its location. Further, the existing commercial office space/accessory apartment above will be dedicated to the Village for their use.

At this time, the Village Planning Board is in favor of the reuse of the existing sewer for the proposed site plan pursuant to the following calculations:

**Existing Sewer Use Conditions**

93 Brookside Avenue

1<sup>st</sup> floor commercial use: 1,260 SQ FT \* .1/GPD per square foot = 126 GPD

Existing (2) bedroom apartment: (2) bedrooms \* 110/GPB = 220 GPD

95 Brookside Avenue

Existing commercial space: 196 SQ FT \* .1/GPD per square foot = 219.6 GPD

**Grand Total of Existing Conditions = 565.6 GPD**

• Regional Office • 111 Wheatfield Drive • Suite 1 • Milford, Pennsylvania 18337 • 570-296-2765 •

**ACEC** Member



**Proposed Use**

Proposed Advance Auto Store

10 Employees per day maximum \* 15/GPD per employee = 150 GPD

Proposed Use of Historic Structure

N/A

As shown above, the proposed sewer use will be significantly less than the existing sewer use, and therefore the Village of Chester Planning Board is in favor of approving the swap/reduction of sewer use for the proposed project.

Should you have any questions or require additional information do not hesitate the contact this office.

Respectfully submitted,

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



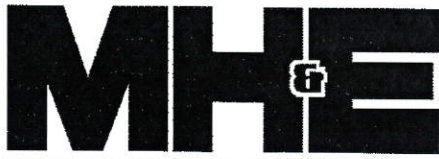
---

Shawn E. Arnott, P.E.  
Senior Engineer

SEA/dns

Cc: John T. Bell, Mayor  
Richard Ramsdel, Planning Board Chairman  
John Orr, Building Inspector





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

MICHAEL J. LAMOREAUX, P.E. (NY, NJ, PA, VT, VA & CT)  
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Principal Emeritus:  
RICHARD D. MCGOEY, P.E. (NY & PA)

**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:** 27 JULY 2021  
**CONSULTANT:** KEPLINGER, FREEMAN ASSOCIATES, LANDSCAPE ARCHITECTURE  
AND LAND PLANNING  
**PLAN DATE:** 12 JULY 2021  
**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, 1  
JUNE 2021, AND 22 JUNE 2021 PLANNING BOARD MEETINGS.

1. The application has been revised to provide underground stormwater detention facilities for the parking area, which has resulted in a significantly less amount of grading to the south and west ends of the site. Accordingly, the applicant has proposed a revised lot line change to have a separate lot for the proposed Advanced Auto store as well as a lot for the existing historic home.
2. The Zoning Bulk Table has been revised according to the proposed dimensions of the buildings. However, the Bulk Table should be updated to provide the actual dimensions for all setbacks. Further, said dimensions should be provided on the site plan including distance to building corners.
3. Our office has reviewed the revised plans, and has the following comments:

Sheet L1.00

- The applicant has prepared a “site preparation plan”, however, the plan also includes the lot line change to be undertaken as part of the project. Our office suggests a separate lot line change plan be prepared on a separate sheet than the existing conditions/demolition plan.
- The lot line change plan will need to be stamped by a licensed land surveyor for filing at the County Clerk’s office.

• Regional Office • 111 Wheatfield Drive • Suite 1 • Milford, Pennsylvania 18337 • 570-296-2765 •

**ACEC** Member



- The metes and bounds of the existing and proposed property lines should be indicated on the plans.
- The location plan indicates lot lines which do not appear to match the existing or proposed lot line change plan. Further, our office suggests that the location map be in the upper right-hand corner of the cover sheet.
- As previously requested by the Board, the applicant should provide the proposed site plan sheet with the Bulk Table and a plan list on the cover sheet of the set.

Sheet L2.00

- The applicant has proposed a drainage end section within the limits of the 100-year floodplain. As such, a floodplain development permit will be necessary.
- The applicant has provided a proposed water service from the existing curb box near the property line to the proposed building. The size and type of pipe has not been identified.
- The legend should be added to all applicable sheets in the set.
- As previously requested by the Board, the square size of the building should be indicated on the building.
- As previously requested by the Board, the applicant should include specific notes for compactions of the fill.
- On the southeast corner of the proposed parking area, the top and bottom of curb are identified as the same elevation. Is this intentional?
- On the southernmost point of the parking area, only the (presumed) bottom of curb elevations are identified. Is curb proposed in this area?
- The "sanitary force main" note on the bottom right-hand side of the plan sheet appears to be cutoff.
- Top and bottom of curb elevations should be identified on the north and west portions of the project site.
- There is a dashed line extending to the south from "SI #1". It is unclear what this dashed line is proposing.

Sheet L3.00

- The applicant has included a location and "partial plan – waste enclosure" on the plan sheet. The applicant should provide a construction detail for the proposed dumpster enclosure. Further, we recommend that the Board require installation of a masonry type dumpster enclosure, with



exterior finish (or coating) to match the proposed building. We recommend the Board mandate such change to result in a more aesthetic installation, which is more durable for long-term life.

- The proposed setback lines on the plan sheet contemplate the site as one (1) lot, not two (2) as our office understands the application. Further, the northwest portion of the site is cutoff by the layout construction notes.
- The applicant has submitted the truck navigation plan for the revised site layout. It appears that the truck may hit the southern curb on the entrance to the site.
- The truck will conflict over several parking spaces on the east end of the site. The applicant should address how this will be mitigated.
- Our office is concerned that the proposed location of the loading/unloading area for the truck may impede access by emergency vehicles.
- The applicant has submitted a location of a "monument sign". The applicant should provide elevations and details for the proposed sign.
- The sign schedule indicates a mounting height for the proposed signs. However, it is unclear where this mounting height is referring to. As a reminder to the applicant's representative, ADA regulations require that the mounting heights of signs shall be 5'-7' from the grade to the bottom of the sign.
- The reserved parking with handicapped symbol sign does not include colors for the sign.
- Our office has concerns with visibility of the proposed stop sign with the location of the monument sign.
- Our office suggests that the proposed signs be installed within bollards at the front of the handicapped parking stalls to prevent damage from vehicles.
- The applicant should confirm that there is adequate space for ADA distances between the proposed "no parking" sign for entrance into the building.
- The applicant has included proposed planting for the site. Details for the installation of said plantings should be provided.

#### Sheet L4.00

- Silt fence is proposed along the property line perpendicular to topography. Generally, NYSDEC recommends that silt fence be installed parallel to topography lines. Further, the silt fence is proposed through the woods well beyond the limits of disturbance. The applicant should consider revising the locations of the silt fencing.
- Our office is concerned with the proposed slopes on the west side of the site. The applicant should consider additional erosion control measures on said slopes.



Sheet L5.00

- Regarding Detail #8, it is unclear where curb ending/taper is proposed on the site.
- Regarding Detail #1, it is unclear where asphalt is proposed along lawn without curb.
- Regarding Detail #7, the distance of concrete expansion joints and control joints is not indicated.
- A sanitary sewer connection detail should be provided for review.
- 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).

Sheet L7.00

- The lighting plan has been proposed on a prior revision of the proposed site plan.
  - The proposed lighting plan indicates some light spilling onto the adjacent property to the north. The applicant should consider a cutoff shield on the backs of the proposed lights on the north end of the property.
  - The Village's standard lighting note should be included on the plan set:  
  
*"Planning Board's acceptance of the lighting design shown hereon is premised on the representation of the applicant that the lighting will not cause a glare or other deleterious effect on adjoining properties and/or roadway traffic. Should any such conditions result from the installation, in the sole opinion of the authorized representatives of the Village, the applicant agrees to modify and/or replace fixtures to cause the correction of the condition, to the satisfaction of the Village representatives."*
  - Installation details for the proposed lights should be shown on the plans.
  - A cutsheet for the PL light has not been included on the plan.
4. As previously requested by the Board, the applicant should provide a cross section of the site for the Board to be able to review existing vs. proposed grades.
  5. The application has prepared a Stormwater Pollution Prevention Plan (SWPPP) however, based on rough dimensions of the proposed disturbance it's understood that the SWPPP is not required since the proposed disturbance is less than 1-acre.
  6. Our office suggests the Board not taking any action until NYSDOT has weighed-in on the proposed improvements within the NYSDOT right-of-way.



7. The Village should review the letter prepared regarding the sewer capacity and advise if it is acceptable to forward to the County DPW.
8. Orange County Department of Planning advise of a Local Determination pursuant to the GML-230 referral.
9. The Planning Board held and closed the Public Hearing at the June Planning Board meeting. Our office has not received responses to concerns raised by the publics' comments.
10. The Board should discuss procedural steps regarding SEQRA with the Board's attorney.

Respectfully Submitted,

A handwritten signature in black ink, appearing to read "Shawn E. Arnott", written in a cursive style.

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