

MINUTES

VILLAGE OF CHESTER PLANNING BOARD

DECEMBER 14, 2021

REGULAR MEETING

PRESENT: Vincent RAPP, Chair
Anthony LASPINA, Member
William MURRAY, Member
Gene WINTERS, Co-Chair
Simon ZIEGLER, Member

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

****** REGULAR MEETING ******

Chairman Rappa opened the meeting at 7:10 PM and thanked Rick Ramsdell for his many years of service to the Village. He also welcomed a new Planning Board member, William Murray.

MINUTES

The minutes will be tabled to the next meeting.

CORRESPONDENCE

CODE ENFORCEMENT OFFICER REPORT

Presented by John Orr (copy attached). The Board reviewed the CEO's memo about sewer usage for the proposed Chester Agricultural Center's vegetable washing and packing building (copy attached). The water used to wash vegetables will be handled on site and not discharged into the sewer system. Planning Board Engineer Shawn Arnott noted Orange County did not include binding comments in their GML response, unlike other Planning Board applications. In his opinion, there may not be a need for the Board to vote on the memo. Planning Board Attorney Stephen Honan advised that the issue is out there, so it would probably be a good idea to vote on the determination.

***MOTION** was made by Member LaSpina, second by Member Winters, that **THE PLANNING BOARD HAS REVIEWED THE MEMO PREPARED BY CODE ENFORCEMENT OFFICER JOHN ORR DATED DECEMBER 14, 2021 REGARDING THE SEWER CAPACITY.** Motion passed 4-0 (Member Ziegler abstained)

WORK SESSION REVIEW

No applicants appeared at the December 2, 2021 Work Session

PROJECTS FOR REVIEW

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

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

Jane Samuelson, PE, Engineering & Surveying Properties, PC, provided a project overview:

- The applicant submitted revised plans based on the November 2021 Engineer's comments.

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

- Comments 1 and 2 are notes, so no action is required.
- Comment 3:
 - The applicant agrees on the typo within the Village road pavement section.
 - The applicant will update the handicap parking detail as noted.
 - The applicant reviewed the truck turn templates showing how a larger truck would access the site. Those larger trucks would utilize an adjacent property for turning. The applicant does not anticipate many large trucks accessing the site. Both properties are under the same ownership and under the Conservation Easement of the Chester Agricultural Center, so they all operate together.
 - Planning Board Attorney Stephen Honan suggested an easement between the two properties allowing for the access truck to go on their property for limited purposes of turning or for access. Something generic to that effect, I think might solve our problem.
 - Jane Samuelson asked if the applicant could do a general blanket easement between the two properties rather than defining a set pathway.
 - Planning Board Attorney Stephen Honan agreed with the general blanket easement indicating it's for access purposes.
 - Chair Rappa asked if it's possible to get out of a conservation easement.
 - Lucinda Poindexter of the Chester Agricultural Center advised they have a conservation easement on the properties with the FDA and (inaudible) in perpetuity, so it is very difficult to get out of and the owner cannot sell the properties.
 - Planning Board Attorney Stephen Honan requested the applicant provide the Board with a copy of the conservation easement and the access easement.
 - As the disturbance is over an acre, a Stormwater Pollution Prevention Plan was prepared. The applicant designed a stormwater infiltration trench along the northeast side of the building in order to address the stormwater coming off the building and the parking area. The water will go into the trench before being discharged on site.
 - The applicant provided infiltration testing with the vegetative treatment area information.
 - The applicant will review the drainage area and provide the input for the models.
 - The applicant will complete the forms and submit to the Board.
- Comments 4, 5 and 6 are notes, so no action is required.

Based on the minor nature of the engineer's comments, the applicant is requesting the Board grant conditional final approval. The applicant will address the comments with Planning Board Engineer Shawn Arnott and provide the access easement.

Planning Board Engineer Shawn Arnott noted Orange County Planning commented on the Timber Rattlesnake and Northern Long-Eared Bat habitats. As long as the applicant is willing to address the best practices with regard to those two species, he has no objection to the Board granting conditional final approval.

- The applicant noted there are no trees on site, so there's no impact on the Northern Long-Eared Bat habitat and they will address the best practices for the Timber Rattlesnake habitat.

Planning Board Attorney Stephen Honan has no objection to the Board granting conditional final approval.

***MOTION** was made by Member LaSpina, second by Member Winters, to **GRANT CONDITIONAL SITE PLAN APPROVAL WITH THE FOLLOWING CONDITIONS:**
1. REVISIONS TO THE SITE PLAN ACCORDING TO MHE'S COMMENTS.

2. APPROVAL OF THE FINAL SITE PLAN BY MHE.**3. THE APPLICANT PROVIDING AN ACCESS EASEMENT.****4. PAYMENT OF ALL FEES.** Motion passed 3-0 (Members Ziegler and Murray abstained)

- 2. 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

Ashley Torre, Esq., Burke, Miele, Golden & Naughton, LLP, provided a project overview:

- Received response from Orange County Planning.
- Outstanding items:
 - Completion of SEQRA.
 - Issuance of Negative Declaration.
 - The Board reviewed all of Part II of the EAF with the exception of the transportation part of the short form, so if the Board is comfortable, Planning Board Engineer Shawn Arnott will check that as a low or no impact since DOT has accepted the plans.
 - Planning Board Engineer Shawn Arnott can provide Part III of the EAF to the Chair for signature, if the Board sees fit, he has no objection to adopting the Negative Declaration.
- The applicant received comments from NYS Dept of Transportation and will be working with DOT to get the permit.
- Additional landscaping between the parking and Route 17M.
 - The applicant would be agreeable to making the landscaping a condition of approval.
 - Planning Board Engineer Shawn Arnott advised that SHPO identified landscaping as a potential plan addition. The plans currently propose about 4 landscape trees and some low shrubs. If that is not satisfactory for the Board, additional landscaping can be a condition of approval, but there should be some direction as to either type of planting, number of plantings or what is acceptable to the Planning Board Chair and Planning Board Engineer. There is a sign closer to 17M to direct people to the store.
 - Landscaping to screen the Advance Auto building from the house next door.
 - The berm between the parking and Route 17M is still on the site plan.
- Prior to this meeting, the applicant submitted a letter requesting the Board consider completing SEQRA, issuing the Negative Declaration and issuing an approval subject to conditions to address the remaining issues the Board discussed.
- Planning Board Engineer Shawn Arnott followed up on DOT from the last meeting. The Board received a response from DOT with no real substantial comments. He spoke with the applicant's landscape architect, who said they're working on the permit form, which means the applicant has substantially addressed DOT's comments, so I don't think there is going to be significant changes to that entrance.

***MOTION** by Member LaSpina, second by Member Winters for **THE VILLAGE OF CHESTER PLANNING BOARD TO ASSUME LEAD AGENCY FOR SEQRA.**

Motion passed 4-0 (Member William Murray abstained as he was not on the Planning Board for the discussions regarding this application).

***MOTION** was made by Member Winters, second by Member LaSpina, to **DECLARE A NEGATIVE DECLARATION UNDER SEQR AS THE ACTION WILL NOT RESULT IN ANY POTENTIALLY SIGNIFICANT ADVERSE ENVIRONMENTAL IMPACT.** Motion passed 4-0 (Member William Murray abstained as he was not on the Planning Board for the discussions regarding this application).

Planning Board Attorney Stephen Honan noted the Planning Board was looking for feedback from the Historical Society regarding dedication of the building.

- Susan Bahren, Chester Historical Society Treasurer, advised they are interested in the gift of the building, but have not received any formal correspondence from the applicant or the Village. They are currently hiring an attorney and structural engineer to do a walk through.
- It was established that Susan Bahren would be the contact person for the Historical Society, so the applicant will contact Ms. Bahren to discuss the donation of the building further.
- Discussion was held regarding what happens if the Historical Society does not want to take ownership of the building. Does it revert back to being owned by Advance Auto?
 - Applicant's attorney Ashley Torre advised the note will be revised on the sub-division plat saying that lot is going to be offered for dedication to the Chester Historical Society, so if they don't accept it, then it won't ever be theirs.
- Planning Board Attorney Stephen Honan advised that if the Chester Historical Society doesn't want the building, then Advance Auto is free to do what they want with it.

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

1. OFFER OF DEDICATION OF THE HOUSE.
2. NYS DEPARTMENT OF TRANSPORTATION PERMIT FOR THE ENTRANCE AND THE MODIFICATION WITHIN THE RIGHT OF WAY ISSUED PRIOR TO THE ISSUANCE OF A BUILDING PERMIT.
3. LANDSCAPING UPDATES PER TONIGHT'S DISCUSSION.
4. REVISIONS TO THE SITE PLAN ACCORDING TO MHE'S COMMENTS.
5. APPROVAL OF THE FINAL SITE PLAN BY MHE.
6. PAYMENT OF ALL FEES.

Motion passed 4-0 (Member William Murray abstained as he was not on the Planning Board for the discussions regarding this application).

- | | |
|-------------------------------------|--|
| <p>3. Project # PB-21-06</p> | <p>Project Name: Advanced Auto Sub-Division (Minor)</p> |
| <p>Applicant/Owner:</p> | <p>Brookside Avenue Development, LLC / Catskill Hudson Bank</p> |
| <p>Location:</p> | <p>93-95-97 Brookside Avenue (107-2-8.21, 9.2, 9.1 / B-2 Zone)</p> |
| <p>Re:</p> | <p>Sub-Divide 3 lots into 2 lots</p> |

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

- What happens to the property if the Historical Society does not take ownership of the property?
 - The sub-division is to create a lot for the house at 93 Brookside Avenue.
 - The owner will continue to own the property and the house. Unless the Planning Board wants the applicant to come back for further consideration, they could sell it, demolish it or continue renting it as an office / residence. The approved use stays with the property, so any change of use would need Planning Board approval.

***MOTION** was made by Member Ziegler, second by Member Winters, to **GRANT CONDITIONAL SUB-DIVISION APPROVAL WITH THE FOLLOWING CONDITIONS:**

1. REVISIONS TO THE SITE PLAN ACCORDING TO MHE'S COMMENTS.
2. APPROVAL OF THE FINAL SITE PLAN BY MHE.
3. PAYMENT OF ALL FEES.

Motion passed 4-0 (Member William Murray abstained as he was not on the Planning Board for the discussions regarding this application).

- 4. Project # PB-21-08 Project Name: Brakewell Steel/Koenig Iron Works SP Amend**
 Applicant/Owner: Barry Leistner, Koenig Iron Works / 55 Leone Lane, LLC
 Location: 55 Leone Lane (118-1-8 / M1 Zone)
 Re: Proposed 9,200 sf addition to existing building and storage containers in the rear of the building.

Nick Morisset, COO Koenig Ironworks and Todd, Fusco Engineering & Land Surveying, PC, provided a project overview:

- Koenig Ironworks purchased Brakewell Steel and is moving their fabricating facility to Chester.
- Brakewell will continue its normal operations. They will be co-branding, but one operation.
- The applicant is proposing an addition to the existing building.
- The applicant is planning on adding employees in the facility, but also expanding the business into installation, so they may hire additional people to work outside the facility.
- Setbacks were reviewed by John Orr, CEO and, in his opinion, they're fine.
- The applicant is proposing the following:
 - Demolition of the existing garage and a portion of the overhang in the back of the building.
 - The applicant proposed a privacy fence, but the front of the building is approximately 300 feet from the road and you can't see in the back of the building with the curvature of the property. The applicant would like to eliminate that privacy fence and store the raw materials from the front face of the building to the rear. They're in an industrial area and it looks like there's approximately 3 adjoining owners with storage containers and 2 other manufacturers on either side.
 - Planning Board Engineer Shawn Arnott noted manufacturing is a permitted use in the Zone. What triggers a Special Permit Use for the site is they're looking to store raw materials outside. They call that a Special Permit Use, but it's almost an accessory use because it has to be linked to a permitted use, which is manufacturing. The Code requires a privacy fence be used for any outdoor storage areas, however, what they're stating tonight is that they'd like to move all the storage area to the rear of the building where it won't be seen, so I guess it's just a question for the Board. Maybe the applicant can provide some pictures of where that area will be and prove it won't be visible from the street to possibly eliminate the privacy fence.
 - Planning Board Attorney Stephen Honan commented it should be noted on the site plan which areas will be utilized for outdoor storage.
 - The applicant is looking to clean up the existing outdoor areas and have proposed storage containers to put the steel in to clean those areas up.
 - Planning Board Engineer Shawn Arnott asked that note be added to the plans that no outdoor storage other than inside the open building structures as well as within the shipping containers.
 - CEO John Orr commented he recently walked the facility with a Koenig representative. The digital arial photo on page 2 of the site plan, doesn't accurately show the mess they currently have behind the building. The applicant wants to clean up the property so there's no product lining the road around the facility and out to the main street. They're also proposing an access way all the way around the building, which isn't possible on site right now. In my opinion, they should be allowed to store materials on the side and rear of the building, with the side yard starting at the corner of the building and going back. The fence could be installed in line with the front of the building to block some of the view and allow them a storage area.
 - Construction of open addition for outdoor storage.

- Proposed new structure/addition on the west end of the building for outdoor, cold storage.
- Proposed new structures will be open, canopy type storage.
- The new structures will be approximately 28 feet high.
- Maintaining the existing ingress and creating an egress around the back of the building.
- All steel currently stored in the front of the building will be moved to the proposed additions.
- Addition of shipping containers for storage.
 - Planning Board Attorney Stephen Honan asked if there are any issues with storage containers being on the property and used for storage as opposed to a series of sheds.
 - CEO John Orr advised the Village has not addressed shipping containers as accessory storage but has approved them on other sites in the Village. Since these are all in the rear of the yard, he doesn't take any exception to it.
 - Planning Board Engineer Shawn Arnott also noted the arial photo shows the trailers that are in the back on the neighboring property, which is tractor trailer parking for C&S.

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

- The applicant should submit architectural renderings of the proposed rear addition.
- Truck turning diagrams should be provided for the rear expansion.
- Fire apparatus access should be discussed with the Village's Fire Inspector / CEO.
- Fire lane from fence to fence noted on the site plan and marked with stripes.
- Parking remains the same.
- Applicant will provide parking calculations and handicap parking spaces.
- The applicant is planning on adding approximately 8 to 10 new employees (2 employees in the office and 6 to 8 employees in the warehouse) but may add more if needed.

***MOTION** was made by Member Winters, second by Member Ziegler, to **SCHEDULE A PUBLIC HEARING FOR JANUARY 25, 2022.** Motion passed 5-0.

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

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

GENERAL DISCUSSION

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

ADJOURNMENT

***MOTION** was made by Member Winters, second by Member LaSpina, to **ADJOURN THE MEETING.** Motion passed 5-0. Meeting adjourned at 8:10 PM.

Respectfully Submitted,



Sandra VanRiper
Planning Board Secretary

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

December 14, 2021

Steris – Nucifora Blvd.

1– Site work continues.

Noble – 4 Chester Acres Blvd

1- Renovation continues.

Beer World 35 Brookside Ave

1- Interior work underway.

137 Main Street

1- No inspections have been requested as of today.

34 Main St

1- Project now complete, salon now open.

On December 15th the town of Blooming Grove will hold a scooping session regarding a proposed project at the intersection of State route 17 west and Oxford Road. The proposal is for a 700,000 +/- sf warehouse.

Regards,



John S. Orr

Code Enforcement Officer

**Village of Chester
Building Department**

Memo

To: Village of Chester Planning Board

From: John Orr

Date: November 16, 2021

Re: Sewer usage for the proposed Chester Agricultural building to be utilized for vegetable washing and packaging (PB-21-01)

I have reviewed the proposed use at 12 Greycourt Avenue, Chester Agricultural building for vegetable washing and packaging (PB-21-01), and I have determined that adequate sewer capacity exists for this use per the following:

- 1- The property currently has bathroom facilities connected to the sewer system.
- 2- Bathroom facilities at this location will only be an alternate location for facilities currently being used on site.
- 3- No additional employees will be needed to utilize the wash plant.

In considering the above stated reasons, I feel that the proposed Chester Agricultural building for vegetable washing and packaging will not generate any additional capacity to the sewer system.

John Orr
Code Enforcement Officer
Village of Chester



VILLAGE OF CHESTER
PLANNING BOARD
REVIEW COMMENTS

PROJECT NAME: CHESTER AGRICULTURAL SOCIETY SITE PLAN
(Vegetable Washing Building)
PROJECT LOCATION: 12 GREYCOURT AVENUE
SECTION 105 – BLOCK 1– LOT 28 & 29
PROJECT NUMBER: 21-01
DATE: 14 DECEMBER 2021
CONSULTANT: ENGINEERING PROPERTIES
PLAN DATE: 6 DECEMBER 2021 (rev1)
DESCRIPTION: THE APPLICATION PROPOSES THE CONSTRUCTION OF AN APPROXIMATELY 18,000-SQUARE FOOT AGRICULTURAL BUILDING FOR USE FOR THE WASHING OF VEGETABLES. THE APPLICATION WAS PREVIOUSLY BY THE BOARD ON 23 MARCH 2021, 27 APRIL 2021, 22 JUNE 2021 AND 26 OCTOBER 2021 PLANNING BOARD MEETINGS.

1. The Bulk Table appears to be correct for the required dimensions based on the zone and proposed use.
2. The applicant has included the conditions of the Village's Zoning Board of Appeals for the front yard setback variance.
3. The applicant has substantially addressed our previous comments with the exception of the following:
 - There is a typo within the Village road pavement section which indicates 3" instead of 3 1/2" as required for the binder course of asphalt.
 - The applicant should update the handicapped parking space detail in accordance with the Village's requirements. The cross-hatched access lane near the "bottom" add painted text "NO PARKING" (in blue).
 - The submitted Truck Turn diagram indicates movements on the adjacent site. The Planning Board should discuss how this should be handled with the Planning Board Attorney.
 - Our office performed a review of the submitted SWPPP and provide the following:
 - Applicant is proposing the use of an infiltration trench, however no infiltration testing is provided to confirm the rate of infiltration.
 - The applicant has utilized a drainage area of 0.8 acres for the run off reduction volume calculation whereas over 4 acres of the site is proposed.
 - Our office cannot review the run off model unless the inputs for said model are included in the SWPPP.

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- The applicant should include a set of completed forms which would include Notice of Intent, Notice of Termination, full copy of the Stormwater Permit, Preparer's Certification etc.
- 4. The Board received a response from the Orange County Department of Planning regarding the project with a local determination dated 9 November 2021.
- 5. The Planning previously waived the Public Hearing at the 26 October 2021 Planning Board meeting.
- 6. The Board previously typed the Action a Type II Action under SEQRA.

Respectfully Submitted,

MHE Engineering, D.P.C.



Shawn E. Arnott, P.E.
Engineer for the Planning Board

SEA/dns/kbw



Steven M. Neuhaus
County Executive

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: Chester Agricultural Center/Lucinda Poindexter

Project Name: Chester Agricultural Center Site Plan

Proposed Action: Site Plan for new construction of 200' by 80' agricultural building for vegetable washing

Reason for County Review: Within 500 feet of parkland owned and operated by Orange County (Orange County Heritage Trail)

Date of Full Statement: October 27, 2021

Referral ID #: CHV 07-21M

Tax Map #: 105-1-28 and 29

Local File #: PB-21-01

Comments:

The Department has received the above referenced site plan and has found no evidence that significant intermunicipal or countywide impacts would result from its approval. We would like to offer the following advisory comments:


Environmental Constraints: The proposed project is in an area known to contain habitat suitable for a number of endangered or threatened species, including the Timber Rattlesnake and 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.

Graywater Drainage: The applicant proposes to convert a portion of the existing gravel parking area to a vegetated treatment area for the water used to wash the vegetables in the proposed building, known as "graywater". We advise the Village that graywater recycling can be a very effective tool for reducing water consumption and adding to the health and resiliency of an area. In addition to this treatment area, the applicant could consider using the graywater for irrigation or other uses where clean water is not necessarily required.

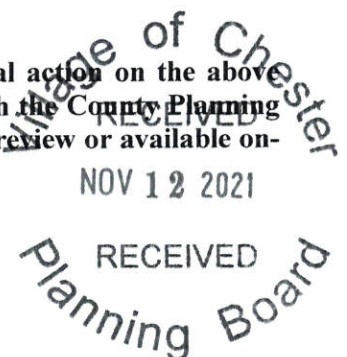
County Recommendation: Local Determination

Date: November 9, 2021

Prepared by: Megan Tennermann, AICP
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 online at www.orangecountygov.com/planning.





VILLAGE OF CHESTER
PLANNING BOARD
REVIEW COMMENTS

PROJECT NAME: ADVANCE 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: 14 DECEMBER 2021
CONSULTANT: KEPLINGER, FREEMAN ASSOCIATES, LANDSCAPE ARCHITECTURE
AND LAND PLANNING
PLAN DATE: 4 NOVEMBER 2021 (No new plans submitted)
DESCRIPTION: THE APPLICATION PROPOSES THE CONSTRUCTION OF A 6,689 SQUARE
FOOT ADVANCE AUTO PARTS STORE WITH ASSOCIATED PARKING AND
STORMWATER FACILITIES AND LOT LINE CHANGE. THE APPLICATION WAS
PREVIOUSLY REVIEWED BY THE BOARD AT THE 27 APRIL 2021, 1 JUNE 2021,
22 JUNE 2021, 27 JULY 2021, 28 SEPTEMBER 2021, 26 OCTOBER 2021 AND
16 NOVEMBER 2021 PLANNING BOARD MEETINGS.

1. The applicant has substantially addressed the previous comments regarding the application with the exception of the following -The Board previously asked that the maximum fill lifts be listed on the Site Plan.
2. As previously discussed at the last Planning Board meeting the applicant has submitted a letter dated 12 November 2021 from New York State Department of Parks, Recreation and Historic Preservation (SHPO). The letter states that “ the proposed demolition of the property located at 95 Brookside Avenue will not be considered adverse as potential historic district as it is a non-contributing property within the district”. The letter indicates some considerations for the Site Plan. Most of the considerations the Board previously discussed with the applicant however the Board should consider requiring additional vegetation along the front of the property.
3. From a procedural standpoint please note the following:
 - Public Hearing- Open Public Hearing 1 June 2021 and closed the Public Hearing at the 22 June 2021 Planning Board meeting.
 - Mail 239 Orange County Planning referral- One binding comment regarding sewer capacity dated 4 May 2021. The binding comment was overturned with a super majority vote at the 22 June 2021 Planning Board meeting.
 - Lead Agency Coordination letter(revised dated 8 November 2021)
 - SHPO-Acceptance dated 12 November 2021 (also see comment #2 above)
 - NYSDOT- See Comment #4 below.
 - SEQRA- See Comment #5 below.
4. The Planning Board received correspondence from NYSDOT dated 8 December 2021. The NYSDOT's comments do not appear to be substantive. The applicant should note for the record if updated plans were submitted to NYSDOT in which the Board has not had the opportunity to review.

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5. The Board should review the remaining items on the SEAF Part II and should consider adopting a Negative Declaration under SEQRA.

Respectfully submitted,

MHE Engineering, D.P.C.

A handwritten signature in black ink, appearing to read "Shawn E. Arnott", written over the printed name.

Shawn E. Arnott, P.E.
SEA/kbw

Village Planning Board Secretary Sandy VanRiper

From: McCullough, Mary (DOT) <Mary.McCullough@dot.ny.gov>
Sent: Wednesday, December 8, 2021 11:52 AM
To: sarnott@mhepc.com
Cc: Village Planning Board Secretary Sandy VanRiper; rarch@optonline.net; Stephen Honan Esq; Village Building Inspector John Orr; Brenner, Jason (DOT); nl@Keplingerfreeman.com; mshattuck@westlakedev.com; Zachariah, Siby (DOT); Gorney, Lance (DOT)
Subject: RE: Village of Chester Advance Auto Site Plan - NYSDOT SEQR# 21-169
Attachments: 2021 11 11 RE_ AAP - Chester NY SEQR 21-169.msg

Good Afternoon,

Please be advised that we have received two separate submittals for this project. The first one was dated September 20, 2021 and the second was dated November 8, 2021 (received 11/22/21) with an expanded project description.

NYSDOT responded to the plan submittal on 11/10/21 and it is attached for your information. To aid in efficient review, please select a single point of contact for submittal to the NYSDOT.

The NYSDOT has no objection to the Village of Chester Planning Board acting as LEAD Agency for the SEQR review of this project. However, we would like to remain involved/informed.

We understand that the project will entail consolidation of 3 parcels into 2 parcels. Parcel 1 will contain the proposed Advanced Auto store. Parcel 2 will contain the existing historical house. If our understanding is in error, please clarify.

Mary McCullough

SEQRA – HW Permit Unit

New York State Department of Transportation, Hudson Valley Region

4 Burnett Blvd., Poughkeepsie, NY 12603

(845) 437-3398 mary.mccullough@dot.ny.gov



Department of
Transportation

From: Shawn Arnott <sarnott@mhepc.com>
Sent: Monday, November 15, 2021 1:03 PM
To: McCullough, Mary (DOT) <Mary.McCullough@dot.ny.gov>; Zachariah, Siby (DOT) <Siby.Zachariah@dot.ny.gov>
Cc: Village Planning Board Secretary Sandy VanRiper <planning@villageofchesterny.com>; rarch@optonline.net; Stephen Honan Esq <shonan@fnmlawfirm.com>; Village Building Inspector John Orr <building@villageofchesterny.com>
Subject: RE: Village of Chester Advance Auto Site Plan

ATTENTION: This email came from an external source. Do not open attachments or click on links from unknown senders or unexpected emails.

Good afternoon,

Following up on the status of this review. Has there been any update.

Thanks,
Shawn



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

Shawn E. Arnott, P.E.
Senior Engineer

Office: (845) 567-3100

Fax: (845) 567-3232

sarnott@mhepc.com | www.mhepc.com



From: Shawn Arnott

Sent: Tuesday, October 26, 2021 2:13 PM

To: 'mary.mccullough@dot.ny.gov' <mary.mccullough@dot.ny.gov>; 'siby.zachariah@dot.ny.gov' <siby.zachariah@dot.ny.gov>

Cc: 'Village Planning Board Secretary Sandy VanRiper' <planning@villageofchesterny.com>; rarch@optonline.net; Stephen Honan Esq <shonan@fnmlawfirm.com>; Village Building Inspector John Orr <building@villageofchesterny.com>

Subject: Village of Chester Advance Auto Site Plan

Hi Mary and Siby,

Following up on this letter. Have you been able to review?

Thanks in advance.
Shawn



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

Shawn E. Arnott, P.E.
Senior Engineer

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Village Planning Board Secretary Sandy VanRiper

From: Nathan LaPierre <nl@Keplingerfreeman.com>
Sent: Thursday, November 11, 2021 1:47 PM
To: Brenner, Jason (DOT)
Cc: Mark Shattuck
Subject: RE: AAP - Chester NY SEQR 21-169

ATTENTION: This email came from an external source. Do not open attachments or click on links from unknown senders or unexpected emails.

Good afternoon Jason,

Please see responses below in red. Should I submit the perm33 and revised plans electronically to you before mailing in?

Thanks.

Nathan P. LaPierre, RLA
Keplinger Freeman Associates
315.445.7980

From: Brenner, Jason (DOT) <Jason.Brenner@dot.ny.gov>
Sent: Wednesday, November 10, 2021 2:46 PM
To: Nathan LaPierre <nl@Keplingerfreeman.com>
Cc: Mark Shattuck <mshattuck@westlakedev.com>
Subject: RE: AAP - Chester NY SEQR 21-169

Nathan,

I took a look at the plans and have a few comments. Let me know if you have any additional comments.

1. The NYSDOT would prefer not to add an additional driveway to Route 17M. Is it possible to work with the law office to use the existing entrance for both properties as it is used today with modifications? The property is being subdivided and will have two parcels with two different owners. It currently has one owner with two tenants. The Village of Chester strongly encouraged us to keep a small site footprint to limit the impact to the adjacent streambank and well as to the preserve the historic house. It would take significantly more land to develop a shared driveway. The historic house will have limited traffic as it will be used by the historic preservation board and not a law office as stated.
2. A curb ramp should be included on the north side of the driveway for future expansion of side walk along Route 17M. Agreed, curb ramp will be added to the plan.
3. It is anticipated that a Highway Work Permit will be required as part of the proposed action. The applicant should also be encouraged to review the permit process and all required HWP forms on the NYSDOT website (<https://www.dot.ny.gov/index>). In particular, please submit the PERM 33-COM as part of the submission. Agreed.
4. Please show trucks exit movement on your next submission. Please make sure that trucks can make the turn without going into oncoming traffic. Agreed, truck exit movement will be added to the plan.

Jason Brenner
Assistant Engineer
New York State Department of Transportation, Hudson Valley

Traffic & Safety Group
4 Burnett Boulevard, Poughkeepsie, NY 12603
(845) 437-5144 | Jason.Brenner@dot.ny.gov | www.dot.ny.gov



Department of
Transportation

From: Nathan LaPierre <nl@Keplingerfreeman.com>
Sent: Wednesday, November 3, 2021 9:18 AM
To: Brenner, Jason (DOT) <Jason.Brenner@dot.ny.gov>
Cc: Mark Shattuck <mshattuck@westlakedev.com>
Subject: AAP - Chester NY

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Jason,
Attached site plans as discussed. Please let me know if you have any questions.

Thank you.

Nathan P. LaPierre, RLA
Keplinger Freeman Associates
315.445.7980



VILLAGE OF CHESTER
PLANNING BOARD
REVIEW COMMENTS

PROJECT NAME: ADVANCE AUTO SUBDIVISION
PROJECT LOCATION: 93, 95 & 97 BROOKSIDE AVENUE
SECTION 107 – BLOCK 02 – LOTS 08.21, 09.01 & 09.02
PROJECT NUMBER: 21-06
DATE: 14 DECEMBER 2021
CONSULTANT: CT MALE ASSOCIATES
PLAN DATE: 29 SEPTEMBER 2021 (previously reviewed at the 26 Oct. 2021 Planning Board Mtg.)
DESCRIPTION: THE APPLICATION PROPOSES THE CONSOLIDATION OF THE EXISTING THREE LOTS AND SUBDIVISION OF THE PROPOSED COMBINED LOT INTO TWO LOTS FOR THE SITE OF THE PROPOSED ADVANCED AUTO AS WELL AS THE EXISTING HISTORIC STRUCTURE SITE. THE APPLICATION WAS PREVIOUSLY REVIEWED AT THE 26 OCTOBER 2021 AND 16 NOVEMBER 2021 PLANNING BOARD MEETINGS.

1. The application proposes the consolidation of three lots and subdivides the proposed Advance Auto as a separate lot from the existing historic house which is noted to be offered for dedication to the Village of Chester or its authorized designee.
2. The Village Board previously requested that the note on the plans be changed to have Lot #2 dedicated to the Village of Chester's authorized designee.
3. The Planning Board opened and closed the required Public Hearing at the 16 November 2021 Planning Board Meeting.
4. Orange County Department of Planning has responded with a Local Determination and no advisory comments dated 8 November 2021.
5. The Planning Board previously re-circulated for the subdivision. The circulation was sent on 8 November 2021. As such, the thirty day time period has expired and the Board can declare Lead Agency at this time.

Respectfully submitted,

MHE Engineering, D.P.C.

A handwritten signature in black ink, appearing to read 'Shawn E. Arnott', written over a horizontal line.

Shawn E. Arnott, P.E.

SEA/kbw

NEW YORK OFFICE

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VILLAGE OF CHESTER
PLANNING BOARD
REVIEW COMMENTS

PROJECT NAME: KOENIG IRON WORKS SITE PLAN AND SPECIAL PERMIT
PROJECT LOCATION: 55 LEONE LANE
SECTION 18 – BLOCK 01 – LOTS 8
PROJECT NUMBER: 21-08
DATE: 14 DECEMBER 2021
CONSULTANT: FUSCO ENGINEERING AND LAND SURVEYING, P.C.
PLAN DATE: 21 JULY 2021
DESCRIPTION: THE PROPOSED PROJECT CONSISTS OF TWO (2) ADDITIONS CONSISTING OF ONE (1) THAT IS 9,200-SQUARE FEET AND THE OTHER WHICH IS 900-SQUARE FEET UNDER THE EXISTING BUILDING AS WELL AS THE OUTDOOR STORAGE OF SEVEN (7) STORAGE CONTAINERS AND ASSOCIATED OUTDOOR STORAGE. THE PROJECT IS BEFORE THE BOARD FOR ITS INITIAL APPEARANCE THIS EVENING.

1. The proposed use continues the existing manufacturing/fabricating operations (Use Group 2 in the M1 District). The proposed addition is proposing the outdoor storage of building supplies and raw materials which is a special permitted use if: "such storage shall only be accessory to a principal permitted use on the same lot." Both of these items should be noted on the site plan.
2. The required dimensions in the Zoning Bulk Table appear correct for the zone and use, however, the number of stories should be added to the maximum building height. Further, the applicant should note the parking calculation on the site plan pursuant to the Zoning Bulk Table for the zone and use.
3. The applicant has not indicated existing conditions within the Zoning Bulk Table. Further, the applicant has inconsistencies between the site plan and bulk table with regards to one side yard and both side yard setbacks for the proposed dimensions.
4. The applicant has indicated a building height of greater than 40-feet which may require a variance.
5. Our office provides the following technical comments with regards to the proposed site plan:
 - The applicant has indicated the proposed additions that were discussed at the Planning Board worksession in October. The applicant should provide architectural renderings of elevations of the said additions for the Board to understand the proposed project. The renderings should be exhibits for the site plan application and not attached to the site plans that will be reviewed and approved.
 - The applicant has indicated a garage in the rear of the existing building. The applicant should indicate if this garage will be removed or relocated on site.

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- Our office notes differences in fencing and other improvement layouts between the existing conditions and proposed site plan. Noted changes should be identified for the Board's review.
 - The areas to store outdoor storage of raw materials should be noted on the plans.
 - The site plan indicates a proposed 8-foot high privacy fence, however, a chain-link fence detail is noted on the detail sheet.
 - The proposed slide gate is shown on the delivery entrance with no dimension of the opening noted. The detail for said slide gate is shown on Sheet S-2, however, multiple heights and openings are noted.
 - The applicant should include a truck turning diagram for the site to ensure that the largest vehicle expected can maneuver the site.
 - The applicant has included bollards on the detail sheet, however, has not indicated the location of the proposed bollards.
 - The applicant should consider proposing "One Way" signs for the entrance along with additional signage directing deliveries to the correct entrance for all deliveries.
 - The applicant should indicate what is meant by "refine parking area with asphalt millings".
 - The applicant should consider utilizing different hatching for existing concrete vs. asphalt millings.
 - The applicant has indicated 4'6" high privacy fence on the eastern side of the building. The applicant should opine if there will be proposed outdoor storage of materials on the east side.
 - The applicant should indicate the Village project number (21-08) in the approval box.
6. The Village's Fire Inspector (Code Enforcement Officer) should weigh-in on the proposed site plan.
7. This project is within five hundred feet (500') of the Town of Chester, as such, in accordance with GML 239-nn, the Board must give notice to the adjacent municipality regarding the application and the scheduled date for any public hearing. Such notice must be sent to the clerk of the adjoining municipality; however, I suggest we also forward correspondence to the Planning Board directly regarding this matter.
8. The Planning Board should consider authorizing the mandatory Public Hearing for this Special Permit use, per the requirements of Section 98-25(B) of the Village Code.

9. The application is an Unlisted Action. Therefore, the Board should consider circulating for Lead Agency this evening.

Respectfully submitted,

MHE Engineering, D.P.C.

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

Shawn E. Arnott, P.E.

SEA/dns