



**ATZL, NASHER & ZIGLER P.C.**

**ENGINEERS - SURVEYORS - PLANNERS**

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July 26, 2023

Village of Chester  
Planning Board  
47 Main Street  
Chester, NY 10918  
Attn: Sandra Vanriper  
PH: 845-469-2388, Ext 231  
Email: [planning@villageofchesterny.com](mailto:planning@villageofchesterny.com)

Re: Tax Lot 116-0-1.2  
Summerville Industrial Park  
Village of Chester

Dear Ms. Vanriper,

The following is our response John Queenan, P.E. of Lanc & Tully Engineering and Surveying, P.C. letter dated March 24, 2023:

1. Comment: The Project Site is located in the M-1 Zone where warehouse facilities are principal permitted uses in the zone. Based on the bulk table provided, a variance for building height has been requested from 40 ft to 53 ft. The bulk table should be revised to label proposed and not existing conditions.

*Response: Revised accordingly.*

2. Comment: The parking calculations table should include a calculation of the amount of parking required by zoning which is 2 parking spaces per 3 employees of the 2 largest successive shifts.

*Response: Added to Parking Calculation Table.*

3. Comment: Orange and Rockland Utilities easement runs through the north side of the property. The applicant should coordinate with this agency to determine if the proposed parking and related improvements are permitted in this area.

*Response: Currently we are requesting the parking lot to be designated "Reserve Parking" and we will use the area for a temporary Subsurface Septic System. We will be contacting Orange and Rockland Utilities for utility mark out.*

4. Comment: Proposed water and sewer lines should be shown on the plans with sizes and slopes and a plan note should be added confirming the project site's location in water and sewer districts. Our office will coordinate with the Village DPW and Water Department for their review of the proposed plan.

*Response: The details will be provided on the site plan Drawing 4 thru 6.*

5. Comment: The applicant is advised that the Village is currently exceeding the sanitary sewer flow allotment with the sewer district and does not have the ability at this time to allocate additional sewage use for this project. The applicant will need to address sewer capacity.

*Response: We currently await comments from the Orange County Sewer District from the GML circulation.*

6. Comment: The site plan requires a secondary means of access for emergency vehicles based upon NYS Fire Code. Also, fire accessibility and an aerial apparatus access road shall be provided and location(s) shown on the site plan.

*Response: The existing gravel access off Route 94 will be converted to a gated emergency access to the loop road.*

7. Comment: Based on the wetlands report provided by the applicant, the site contains both NYS and Federal jurisdictional wetlands. The Existing Conditions plan should note that both agencies have jurisdiction and should either note that the boundaries of the wetlands are coterminous or should identify boundaries for each.

*Response: We have a General Note Section on Drawing 1 which will have this addressed.*

8. Comment: A limit of disturbance should be shown on the grading plan and total disturbance should be noted.

*Response: See Drawing 4.*

9. Comment: An erosion and sediment control plan should be provided in the plan set.

*Response: We will develop during the Stormwater Water Pollution Prevention Plan for submission.*

10. Comment: Landscaping and lighting plans should be provided.

*Response: Will be provided in this submission.*

11. Comment: All hydrant locations should be shown on the plans.

*Response: See Drawing 5 thru 7.*

12. Comment: Filing information for the easement should be noted on the plan and the easement documents should be provided to the Planning Board.

*Response: Currently the easement is Final Approval. We will provide a draft of the proposed agreement.*

13. Comment: A dumpster location should be shown on the plans or a plan note added confirming all refuse will be located inside the building.  
*Response: Two dumpster locations are now depicted in the center of the truck docks.*
14. Comment: Several construction details refer to notes which are not provided on the plans.  
*Response: Amended accordingly.*
15. Comment: The plan should note that the lots are to be combined.  
*Response: Amended accordingly.*
16. Comment: A legend should be provided on the plans.  
*Response: Amended accordingly.*
17. Comment: The plans should note that any user of the proposed building will be required to comply with the performance standards of Section 98-16 of the zoning code.  
*Response: Amended accordingly.*
18. Comment: Specific entry way locations should be identified on the plan.  
*Response: Not available at this time.*
19. Comment: The vicinity map should identify the access easement as part of the project site.  
*Response: Amended accordingly.*

20. Comment: A pedestrian connection should be provided to the eastern parking area.

*Response: Amended map for a crosswalk.*

21. Comment: Further review of the SWPPP shall be completed once a full report has been submitted. Based upon the conceptual review, a significant amount of the required stormwater component is comprised of porous pavement/infiltration. Porous pavement is not ideal for a warehouse use as it is considered a hotspot. Also, significant soil testing will be required to prove out the design. The applicant's engineer should complete soil testing prior to submitting the SWPPP document.

*Response: Proceeding forward at this time.*

22. Comment: Traffic Improvements are proposed along Summerville Way. A traffic study and analysis of these improvements shall be forwarded to the Planning Board once completed.

*Response: Details and Colliers Report will be forwarded to the Village.*

The applicant has provided a full EAF on which we have the following comments:

23. Comment: It is unclear why the application requires a permit from the ACOE as the plan does not show any Federal wetland disturbance.

*Response: This project will not require a permit and the EAF reflects that fact.*

24. Comment: D.2.r should be 'Yes' as the project will produce solid waste (refuse) that will need to be disposed of.

*Response: Revised D.2.r with details of solid waste facts.*

25. Comment: The EAF identifies the site as have archaeological sensitivity. The applicant should coordinate with SHPO and provide any correspondence when available.

*Response: Application submitted, attached herewith.*

26. Comment: The EAF identifies the site as having the potential to provide habitat for endangered Long-Eared Bats. If the applicant plans to adhere to the recommended clearing limits to avoid impacts to this species, a note should be added to the site plan.

*Response: The construction limits contain no trees.*

27. Comment: This application is a Type 1 Action under SEQ RA based on the total amount of disturbance and building floor area. Based on the plans and EAF provided, we believe the board can declare their intent to be Lead Agency. Our office can prepare this notice for circulation.

*Response: Statement no response required.*

28. Comment: The application requires referral to the Orange County Planning Department based the proximity to NYS Route 17.

*Response: So noted on the EAF.*

The following is our response to John Queenan, P.E. of Lanc and Tully Engineering and Surveying, P.C. letter dated April 24, 2023:

1. Comment: The Project Site is located within the M-1 Zone where warehouse facilities are principal permitted uses in the \_zone. Based on the bulk table provided, a variance for building height has been requested from 40 ft to 53 ft. The height detail and table of elevation should be revised to correlate with each other and the bulk table. The side that the elevation calculations were based upon should be labeled on the detail for reference. The reference to a two-story building should be clarified.

*Response: Statement no response required.*

2. Comment: The parking calculations table should remove the calculations referring to overall parking based upon square footage as it does not relate to the Village code requirements.
- Response: Eradicated per comment.*
3. Comment: The applicant is requesting landbank parking for the northern parking area. The Planning Board should discuss this request.
- Response: Statement no response required.*
4. Comment: The Dig Safe note should be updated as per new standards.
- Response: Updated per comment.*
5. Comment: Note 5 -Are any signs proposed on the site plan.
- Response: Yes, see Drawing 6 and 7.*
6. Comment: Note 6 should be revised to read as "Prior to final site plan signature by the Village of Chester Planning Board, the tax lots shall be merged, and proof provided to the Village Building Department.
- Response: Revised per comment.*
7. Comment: The applicant is advised that the Village is currently exceeding the sanitary sewer flow allotment with the sewer district and does not have the ability currently to allocate additional sewage use for this project. The applicant will need to address sewer capacity and the design of any temporary facilities.  
The applicant has placed a note on the plan indicating the intention for a temporary sewage disposal system. The Planning Board Attorney should review and advise on the language of the note.
- Response: Comment no response from the applicant on the note, but the subsurface septic system will be moving forward with design in the immediate future.*

8. Comment: Orange and Rockland Utilities easement runs through the north side of the property. The applicant should coordinate with this agency to determine if the proposed parking and related improvements are permitted within this area.

*Response: Orange and Rockland Utilities will be notified for septic location and reserve parking by the Planning Board.*

9. Comment: Sheet 2 should include existing topography and the access easement out to Elizabeth Drive.

*Response: Revised per comment.*

10. Comment: Sheet 4 should be made on a smaller scale.

*Response: Sheet 4 is a directory for other drawing sheets.*

11. Sheet 5:

11 a. Comment: The proposed retaining wall along the eastern building wall is approximately 1 ft from the NYSDEC adjacent area buffer. The applicant shall confirm that disturbance to this area is not required to construct the retaining wall.

*Response: The applicant/owner will not disturb the adjacent area.*

11 b. Comment: The proposed Cultec stormwater area has approximately 12 ft of pitch across the area. The system is 3 ft from the NYSDEC adjacent area. The applicant shall confirm that disturbance to this area is not required to construct the system while maintaining the existing slopes in this area.

*Response: Drainage and site grading are revised for this submission.*



- 11 c. Comment: The future status of the billboard should be referenced on the plan.  
*Response: The billboard will remain.*
- 11 d. Comment: The location of the temporary sewage disposal system would need to be further designed with soil testing provided. The area appears to be a rock outcrop around the proposed system.  
*Response: Currently working on this item.*
- 11 e. Comment: The grading elevations within the loading docks area does not appear to convey stormwater to the proposed catch basins.  
*Response: Revised accordingly.*
- 11 f. Comment: Pedestrian access should be provided from the northern parking lot to the building.  
*Response: Northern parking lot is not in the plan, we replaced with septic system.*
- 11 g. Comment: There are no drainage structures proposed access drives and parking areas apart from the truck loading area.  
*Response: Current submission details the above.*
- 11 h. Comment: The grading along the Summerville Way property line should be reviewed, it appears that a retaining wall is required.  
*Response: Grading revised on Drawing 5.*
12. Sheet 6
- 12 a. Comment: There appears to be proposed grading over the property line along the northwest property line.  
*Response: That grading is in the right-of-way which will be detailed in the offsite plans.*

12 b. Comment: An aerial fire apparatus access drive w/11 need to be provided a minimum of 15 ft and no greater than 30 ft from the building arid be 26 ft in width. The site plan should designate where this will be proposed.

*Response:* *The road width of 26 ft. is from the hydrant east to truck decks. Building access is available or the north and south access roads.*

12 c. Comment: The proposed grading along the southern truck loading are appears to need a wall behind the curbline.

*Response:* *See revision on Drawing 6.*

12 d. Comment: What are the overhead doors along the access drive for? Are these to be used for deliveries and/or loading?

*Response:* *Inside maintenance access.*

12 e. Comment: The proposed sewer line should have a corresponding profile and cleanouts provided every 100 ft or for a change in direction.

*Response:* *See current Plan.*

13. Sheet 7.

13 a. Comment: Turning movements should be provided for the proposed entrance along Elizabeth Drive. The curb radius is over the property line.

*Response:* *The access to Elizabeth will need radius on both sides, currently working on the issue.*

13 b. Comment: The grading along the access easement for the driveway appears to require retaining walls along the entrance road or cross grading easements with adjacent property owners.

*Response:* *Revised on Drawing 13.*

- 13 c. Comment: Watermain profile and corresponding design should be provided.
- Response: *We intend to detail prior to Final.*
14. Comment: Sheet 11 is not legible on the scale provided.
- Response: *We will revise the entire drawing.*
15. Comment: Consideration of screening the retaining walls along the truck loading dock area should be provided.
- Response: *The truck loading docks are adjacent to 20 acres of undisturbed NYSDEC wetlands, we offer no new plantings in that area.*
16. Comment: The Colliers Turning Track and Improvement plan were not provided within the plan set.
- Response: *Included in the current submission.*
17. Comment: The landscaping plan should include a mix of species along the access drive in lieu of the same species of tree.
- Response: *We planned trees that would not create low canopy.*
18. Comment: Additional screening should be provided in the northern property corner for the parking area.
- Response: *The northern parking area is under the power lines and within easement.*
19. Comment: Plantings should be proposed along the building between the sidewalk and the building.
- Response: *We are planting grass in that area.*

20. Comment: Our office will coordinate with the Village DPW and Water Department for their review of the proposed plan.
- Response: Statement no response required.*
21. Comment: Fire accessibility and an aerial apparatus access road should be provided, and location(s) shown on the site plan along with required fire lane signage and striping.
- Response: Revised plans depict a gravel emergency access – gated at both ends.*
22. Comment: Based on the wetlands report provided by the applicant, the site contains both NYS and Federal jurisdictional wetlands. The Existing Conditions plan should note that both agencies have jurisdiction and should either note that the boundaries of the wetlands are coterminous or should identify boundaries for each.
- Response: Ok.*
23. Comment: A limit of disturbance should be shown on the grading plan and total disturbance should be noted.
- Response: We will depict the construction area on drawing.*
24. Comment: An erosion and sediment control plan should be provided in the plan set.
- Response: We will include in the SWPPP details.*
25. Comment: All required hydrant locations along the design of the fire protection loop should be shown on the plans. Fire flow calculations should be provided.
- Response: Hydrants existing and proposed are shown, fire flow calculations will be provided prior to Final Submission.*

26. Comment: Filing information for the easement should be noted on the plan and the easement documents should be provided to the Planning Board.
- Response: Filing information will be supplied in the Final Submission.*
27. Comment: A dumpster location for the office area should be shown on the plans or a plan note added confirming all refuse will be located inside the building.
- Response: There will be no office dumpster area, combine use dumpster is at the north end of the docks.*
28. Comment: Several construction details refer to notes which are not provided on the plans.
- Response: Revised accordingly.*
29. Comment: Specific entry-way locations should be identified on the plan.
- Response: Not available at this time.*
30. Comment: A review of the completed SWPPP shall be done once a full report has been submitted. Based upon the conceptual review, a significant amount of the required stormwater component is comprised of porous pavement/infiltration. Porous pavement is not ideal for warehouse use as it is considered a hotspot. Also, significant soil testing will be required to prove the design. The applicant's engineer should complete soil testing prior to submitting the SWPPP document.
- Response: The SWPPP is included in July submission.*
31. Traffic Improvements are proposed along Summerville Way. A traffic study and analysis of these improvements was included within this submission.

31 a. Comment: The report indicates that improvements are necessary at the Route 94/Nucifora Blvd/Lowes Intersection to maintain and/or improve the level of service in future buildout conditions. These improvements will need to be reviewed and approved by the NYSDOT. The improvements plans referenced within the report were not included for review.

*Response: Included with July submission.*

31 b. Comment: Any improvements necessary along Elizabeth Drive to accommodate the proposed site entrance should be depicted on the plans.

*Response: See Drawing 8.*

32. Comment: A note should be added to the plan indicating that the application will not require the removal of any trees.

*Response: To be discussed with the Board.*

33. Comment: This application is a Type I Action under SEQRA and the Planning Board has declared their intent for lead agency at the March 2023 meeting.

*Response: Statement no response required.*

34. Comment: The application requires referral to the Orange County Planning Department based on the proximity to NYS Route 17.

*Response: No response required.*