



**Clifton Patrick
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Wednesday, April 26, 2017

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

Subject: SEQR Comments Project # 16-08, The Castle SPA (Zip Line)

Dear Chairman Ramsdell and Planning Board Members,

This video <<https://youtu.be/RBgjncmDnls>> showing three views of the Castle Fun Center illustrates the vastly different nature of the amusement park use on the Village parcel(s) versus the outdoor recreation use on the Town parcel. The significant adverse environmental impact to the site and its neighbors of the of the proposed expansion of the amusement park use (mechanical rides, etc.) into the town, a use that is prohibited in all Town districts, as Leslie Smith pointed out when she read §98-17,B of the town's code at the public hearing 4/27/2017, and therefore must not be allowed.

I may note that the video was recorded Sunday April 24, 2017 during which time the rides where not very active. At the Town Planning Board meeting on April 5th, when asked about decorative lighting for the zip line, Mr. Leentjes stated that the pole would have lights up its sides which would be controlled in various patterns. I got the impression that he was describing lighting similar to the existing ride shown in the video, which was quite different from the description he gave 'to illuminate the pole' at the Village Planning Board hearing.

The attached illustration shows the height of the zip line pole compared to the surrounding as seen from Route 17, east bound lanes. It was scaled from the billboard (typical 14' face height assumed) and 442' base elevation approximated from the site plan topographic line projecting to the highway (This approximation is probably on the low side). This will obviously be distractingly visible to anyone passing the site. At the January 19, 2017 Zip Line Public Hearing Town of Chester Zoning Board of Appeals both Ted Talamadge, neighbor and Julie Bell, board member expressed serious concerns about the zip line pole height. ZBA



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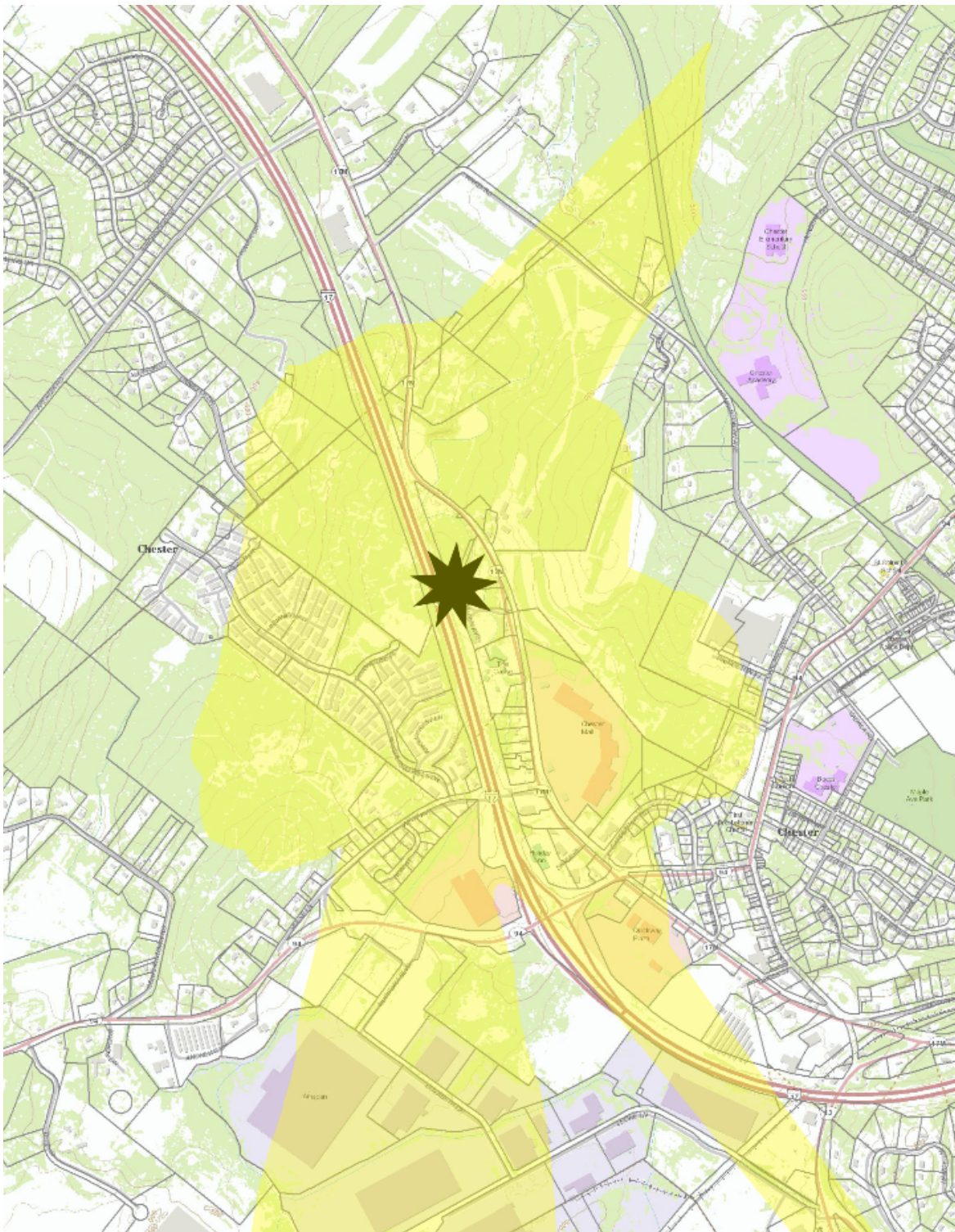
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Chairman, Vincent Finizia, commented that it is hard to argue for aesthetics when digital billboards are all over.

Using an OCGIS topographic map I've guessed what areas (in yellow) might see the pole. Julie Bell wanted a balloon test to better gage the pole's visual impact, but the ZBA



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did not act on that request. I endorse Julie Bell's request and respectfully suggest that it would give this board and the general public an opportunity to better perceive how a 130' pole reaching an elevation of 572' will affect them. Given the large number of residents and parcels possibly affected, I also recommend that Planning Board have this test widely advertised and encourage public feedback.

The Town code clearly intended to protect its citizens from the surroundings and conditions generated by amusement park activity. If the Town now wishes to allow amusement parks, it must first revise its code before allowing this proposed expansion of the Castle Fun Center amusement park environment with additional hours of operation along with the proposed mechanical ride to proceed.

How are the conditions of site plans enforced? Event Grounds hours of operation of 9 am to 10 pm were approved in earlier site plans, but we, the neighbors have often suffered from much later activities and, on numerous occasions into the wee hours! Are there procedures for special events such as the series of all night graduation parties held in recent years and already scheduled for 2017? In the "All Night Party: Then And Now" article by Thomas Lawless, published in The Washingtonville Wizard Weekly, April 20,



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Clubs and Groups

- All Night Party
 - WHS Home
 - Class of 2016
 - Community Service Club
 - eSports Club
 - Foreign Language Club
 - Foreign Language Honor Society
 - Future Business Leaders of America
 - Gay-Straight Alliance Club
 - I Decide
 - Literary Magazine
 - Magic Club
 - Masque & Mime
 - National Art Honor Society
 - National Honor Society
 - Ski & Snowboard Club
 - Special Olympics
 - Wellness Committee

All Night Party Class of 2015

Calling all WHS Seniors!

Reserve your spot now!

Washingtonville Class of 2016

All Night Party

The Class of 2016 Parents'
All Night Party Committee Under the PTSO
will be hosting
The Annual All Night Party
on Saturday, June 25th
at The Castle Fun Center Chester, NY
\$25 Deposit Due by February 11th

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2017: "The All Night Party of 2017 is scheduled for June 24th. Different from the 2012 event, this party will be held at the Castle Fun Center in Chester. The doors will open at 10pm, and everyone is required to be in the building by 11pm."

Selectively enforcing or not enforcing codes undermine their effectiveness and makes our municipalities unnecessarily vulnerable to litigation.

At the public hearing Tuesday night, the subject of the Castle's parking governance being shared between the Village and Town came up. While both planning board chairmen are currently making sure that this is properly administered, would requiring identical language on both Village and Town site plans reduce the chance of misunderstandings or misinterpretations by future operators, boards or building inspectors?

Respectfully submitted,



Clifton Patrick

cc: Don Serotta, Chairman, Town of Chester Planning Board
John Orr, Code Enforcement Officer, Village of Chester
Sandra VanRiper, Secretary to Building Department, Village of Chester
Joseph Mlcoch, Building Inspector, Town of Chester