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

Local Referring Board: Town of Chester Planning Board

Applicant: Luca Spenseri

Project Name: Primo Sports

Proposed Action: Site Plan for outdoor recreational facility

Reason for County Review: Within 500 feet of NYS Route 94

Date of Full Statement: March 11, 2015; additional information received May 15

Referral ID #: CHT 01-15M

Tax Map #: 6-1-85.2

Local File #: none provided

Comments: Based upon new information, we are issuing revisions to our previous letters dated April 6 and April 23, 2015. The binding comments from the letter of April 23, 2015 concern the proposed landscaping; the Town has submitted a letter from their landscaping consultant, Karen Arent Landscape Architect that demonstrates satisfaction of the County's concerns. Based upon this revision, we have found no evidence that significant intermunicipal or countywide impacts would result from its approval. We offer the following advisory comments:

1. **Landscaping:** Per the Town's landscape architect consultant, the proposed modifications to the landscaping show trees surrounding the perimeter of the site, allowing views into the site from surrounding roads, but lessening the visual impact of the lighting and fencing. We advise the Town to ensure that the proposed landscaping is maintained in good condition and to review the site during conditions of normal activity (for instance, on a Saturday during the summer months) to ensure that the impacts of the project development on neighboring properties are minimized.
2. **Light Pollution:** The proposed lighting plan shows the location of the proposed light fixtures and gives their basic specifications. Bright stadium lighting along Route 94, in addition to posing a quality of life issue for neighboring property owners, has the potential to distract drivers. The proposed LED lighting, while shown in the product brochure to have limited impact on the surrounding properties, does still have the potential to be disruptive to neighboring property owners as well as traffic on Route 94 due to the proposed installation of the fixtures at 70 feet above grade. We recommend that the Town reserve the right to have the outside LED lighting reduced in height and/or intensity if light glare is problematic to neighboring residential property owners and pass-by traffic on Route 94.
3. **Stormwater Management:** We continue to advise the Town that the high amount of impervious surfacing onsite may cause temporary ponding or flooding during a 100-year storm event, even though the project is not located in a floodplain. The proposed building, roads, parking and sports fields cover just over 50% of the project site and more than four acres of this is impervious surface.

See reverse side

- a. Low Impact Development measures should be incorporated within the footprint of the existing development; for example, the proposed facility could have a green roof, and portions of the parking lot could be developed with permeable pavement, allowing more stormwater to infiltrate. Additionally, bioretention facilities could be developed onsite; for example, on the north end of the site between the baseball diamonds and Route 94.
4. Noise Pollution: The proposed hours of operation do not extend beyond 11:00 p.m. We advise the Town to ensure that the noise emanating from the site during normal operations does not exceed the standards set by the Town noise ordinance.
5. Shared Parking Potential: The proposed project is located adjacent to the Tetz Industrial Park, which contains the new Coach USA bus facility. The applicant may wish to consider offering a portion of the parking lot in a shared parking arrangement during the week to Coach USA for use as a park-and-ride facility, since the bulk of activity associated with the project will take place on weekends. If the applicant and Coach USA are interested in this arrangement, the County has model shared parking agreements available upon request and would be happy to facilitate this arrangement.

County Recommendation: Local Determination. Comments #1a and 1b from our previous letters dated April 6 and April 23, 2015 have been revised and made advisory/nonbinding.

Date: May 18, 2015

Prepared by: Megan Tennermann, AICP, Planner



**David Church, 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. A referring body acting contrary to such a recommendation of modification or disapproval (with a supermajority vote) must set forth the reasons for the contrary action in such report. For such filing, please use the final action report form attached to this review or available on-line at www.orangecountygov.com/planning.