



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

David E. Church, 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: 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

Referral ID #: CHT 01-15M

Tax Map #: 6-1-85.2

Local File #: none provided

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 Town of Chester Planning Board or by disapproving the action.

1. 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 on adjacent roadways. 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.
 - a. The proposed landscaping should include a staggered double row of evergreen trees around the entire perimeter of the property, alone or in combination with a raised earthen berm. Planting in this way should be sufficient to reduce light pollution onto Route 94 and neighboring residential properties, as well as reduce noise. If the staggered double row of evergreens has been deemed a safety risk along Route 94, alternate planting arrangements could be considered that block light and noise, but allow for traffic visibility.
 - b. As an alternative, the floodlights can be lowered to be 35-45 feet above grade. 35 feet is the height of a two-story building, putting the lights generally out of the range where they pose a safety hazard for players and spectators and out of the range where they can be damaged by erratic play. If the lights are lowered to that range, the brightness and intensity can also be lowered, minimizing the impacts to the other fields onsite and surrounding properties.

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

2. **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.
 - 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.
3. **Landscaping:** The proposed landscaping plan for the project site is minimal and does not include a plant list. We advise the Town that the proposed site should include landscaping along Route 94, as a lighting and noise buffer between the project site and the surrounding properties. We suggest above that the staggered double row of evergreens should be continued along Route 94; alternate planting arrangements may also be considered as noise and light buffers. We further advise the Town that plantings along the perimeter of the parking lot can reduce the heat island effect and act as a windbreak, potentially reducing snow and ice accumulation in winter.
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: Approval subject to modification as per comments # 1a and 1b.

Date: April 6, 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.