

Village of Chester
Continuation of Public hearing
On Introductory Local Law #2 of 2018
Adjourned from May 14, 2018

The Board of Trustees of the Village of Chester reconvened the public hearing on Introductory Local Law No. 2 of 2018, entitled, “Proposed Amendment to Section 98-23.1 of the Village Code pertaining to Senior Housing” on Monday, **June 11, 2018**.

Members present: Mayor John Thomas Bell; Deputy Mayor Christopher Battiato; Trustee Alan Battiato; Trustee Elizabeth A. Reilly, and Trustee Brian J. Boone.

Also, present: Village Clerk Rebecca Rivera; Village Treasurer Angela O’Neill; Attorney for the Village Henry N. Christensen, Jr.; Village Police Chief Peter Graziano; Village Street Superintendent Charles Bono; Village Water Commissioner Gary Green, and Village Code Enforcement Officer John Orr.

Mayor John T. Bell called the Continuation of the Public Hearing to order at 7:00 pm, in the Village Hall meeting room.

Mayor Bell stated that the Village Board had not moved forward on this proposed Code change and had kept the Public Hearing open because the Board had been awaiting a response from the Orange County Planning Department to the referral previously made to that Department pursuant to GML §239-1, m and n.

Mayor Bell stated that the Village has now received the response from the Orange County Planning Department, which was received after the May 14, 2018 meeting. The Mayor read the response as follows:

“The Department has received the above referenced local law and has found no evidence that significant intermunicipal or countywide impacts would result from its approval. We have no advisory comments regarding this application. We note, however, that the update of the Village of Chester Comprehensive Plan in progress at this time is an excellent way to determine policy priorities, which can then be formally detailed in code language such as this. We encourage the Village to go through this process to determine their housing needs and priorities.

“County Recommendation: Local Determination

“Date: May 30, 2018,

“Prepared by: Megan Tennermann, AICP, Planner.

Signed David Church, AICP.”

Copy of the referral and response attached to minutes.

Mayor Bell said that he had received a letter, from a resident, Clifton Patrick, residing at 119 Brookside Ave, Chester, NY 10918 regarding the Introductory Local Law No. 2 of 2018.

Mayor Bell read letter as follows:

“Dear Mayor Bell and Village of Chester Trustees,

“Since I will not be able to attend the June eleventh Public hearing on Introductory Local Law No. 2 of 2018, please accept these written comments.

“The stated purpose of Section 98-23.1 of the Village Code, entitled Senior Housing is:

‘... to expand housing opportunities for senior citizens and the physically challenged in the Village of Chester... It is recognized that senior housing if not properly located, designed, constructed and maintained may be detrimental to the general welfare of the residents of such projects and to the Village of Chester at large.’

“Several of the proposed changes proposed in Local Law No. 2 of 2018 are not, in my opinion, consistent with the stated purpose of this Section.

“It is important to the physical and mental health of senior citizens to remain active and socially engaged in the community.

‘H. Building and unit requirements.

‘(b) Indoor community space. ~~Indoor community space and related equipment shall be required~~ *Projects with 30 units or more shall* provide indoor community space and related equipment to provide social and recreational opportunities for project occupants. Included may be such facilities as game rooms, indoor pool, meeting rooms, dining rooms, exercise rooms or other space for active or passive recreation. Such space, exclusive of a common lobby, hallways and basements, in a type and quantity as required by the Planning Board.’

“I urge that the *indoor community space and related equipment* requirement be maintained for senior housing projects of all sizes. As we age, it can become increasingly difficult to travel to offsite locations for these activities. It is vitally important that senior housing projects have readily accessible communal space where the residents can remain socially engaged and active, particularly if their mobility is restricted.

‘(c) Barrier-free access. All multifamily dwellings shall provide barrier-free access, and, at minimum, doors shall be three feet wide, thresholds shall be flush with the floor. *When buildings are arranged with interior hallways to access housing units and when buildings are three stories or taller* ~~ramps or~~ elevators shall be provided so that all areas of the structure are accessible to the physically handicapped.

“At last month's public hearing someone suggested that if a second story resident could no longer navigate the stairs to their apartment, they could just move to a first-floor unit. According to Stress Resilience Specialist, Heidi Weiker, **MSSA**, the top five most stressful life events, often resulting in serious health consequences - in no particular order - include:

- Death of a loved one
- Divorce

- Moving
- Major illness or injury
- Job loss

“A senior housing project needs to provide for the needs of the residents to age in place, as long as they are able to live in their apartment. It is mean, callous, and just plain poor planning to subject senior housing residents to the trauma of moving, even if it is within the project, as a result of normal and foreseeable reduction in their mobility. I urge you to provide grade level, near grade level, or elevator access to all levels of every senior housing project in this village without the physical barriers presented by steps!

(2) Unit requirements.

~~[5] Storage. A minimum of 20 square feet of storage area shall be provided for each unit. Such storage area shall be in addition to normal closet space.~~

“True, we live in a material culture, and as such provisions should be included in senior housing projects for these storage needs. Just because someone has reached 'senior citizen' status does not mean they don't have bulky items such as bicycles, mobility scooters, etc.

“Respectfully,
“Clifton Patrick”

Mayor asked the members of the audience have any comments before we closed the public hearing.

Leslie Smith – 119 Main Street, Chester NY – “I just want to comment the part about the elevators, the way it currently reads: Barrier-free access. All multifamily dwellings shall provide barrier-free access, and, at minimum, doors shall be three feet wide, thresholds shall be flush with the floor and ramps or elevators shall be provided so that all areas of the structure are accessible to the physically handicapped. I think that’s perfect and there’s no need for change.”

Mayor asked if any other member of the audience have any comments.

David Stevenson – 16 Elm Street, Last week, I read long list of comments talking about how they worried that the change in the law may affect a particular lot. After hearing David Church’s feedback of the Orange County Department of Planning, it occurs to me that we are going to this comprehensive plan process right now and its really help to clarify our thinking as a village and what’s important to us. One of the things that came up was revitalizing the downtown and uptown areas and the uptown area is in desperate need of parking. The lot that we’ve been thinking about, if this law goes through it will facilitate a senior housing project but that is probably one of the last chances we have to fix the parking issue and the traffic issue in this uptown area in this condensed inter-section at Academy Ave. there is a very good possibility that, that [this particular lot] can be turned into a municipal lot or something. We have been talking at our comprehensive plan about moving parking back behind the stores. If it was done that way it could really solve a lot of the issues. I did want to try to rush into a decision like this because in the wake of the comprehensive plan meetings it sounds like

this parcel has become a little more valuable, could have a lot more potential to the village than it once did.

Joseph Battiato – 18 Elm Street – Well you don't know if the comprehensive plan is going to have any effect on this, do you.

Mayor Bell – Not at this time, no. we are in the early stages of planning and getting access and stuff like that. We just hired a planner and we haven't had one meeting with him yet as a Board.

Joseph Battiato – will this change the precedents of all the changes later.

Mayor Bell – possibly.

Joseph Battiato – That's the problem you've been having for the last 10 years, too many changes.

Mayor Bell – As far as I'm concerned, if there going to be changes, it's going to be changes for the better, not for the worse; otherwise, things stay the same.

Joseph Battiato – well, they haven't all been for the better.

Mayor Bell – I don't know which you are talking about.

Joseph Battiato – you know what they are.

Mayor Bell asked if there were any other comments.

As there were not further comments, Mayor Bell asked for a motion to closed the public hearing.

A motion to close the public hearing at 7:08pm was made by Deputy Mayor Christopher Battiato and seconded by Elizabeth A. Reilly. Motion unanimously passed and the public hearing was closed.

Respectfully submitted,

Rebecca Rivera
Village Clerk