

VILLAGE OF CHESTNUT RIDGE

PLANNING BOARD MINUTES

JANUARY 5, 2017

MEMBERS PRESENT:

ALLAN RUBIN	CHAIRMAN
MARC LEVINE	DEPUTY CHAIRMAN
ANTONIO LUCIANO	MEMBER
JEFF WASSERMAN	MEMBER

OTHERS PRESENT:

PAUL BAUM	ASSISTANT VILLAGE ATTORNEY
MAX STACH	VILLAGE PLANNER
DENNIS ROCKS	VILLAGE ENGINEER
MARY BALLEK	PLANNING BOARD CLERK

NOT PRESENT: MYRNA ARIN, MEMBER

Chairman Rubin called the meeting to order 8 pm with the Pledge of Allegiance.

**Chestnut Ridge Associates—Clearing, Filling & Excavation Permit**

The properties are located at the intersection of Red Schoolhouse Road and Sephar Lane.

**68.09-2-1, 68.05-2-41, Zone LO**

John Loch, Engineer, AFR Engineering and Land Surveying, P.C. 1 Stage Road, Monroe, NY 10950

Chairman Rubin asked Ms. Ballek to read into the record any documentation that was received since the applicant was last before the board. The following was read into the record:

Letter from Johnson Soils dated December 9, 2016.

An Addendum to the Narrative dated November 30, 2016 and received December 7, 2016.

Mr. Loch said he would address any questions/concerns that our Engineering Consultant, Mr. Rocks had for him.

Mr. Rocks felt the application should have first gone through CDRC before the Planning Board. He referenced his review memo dated January 5, 2017.

Mr. Loch reviewed the memo and stated the issues were relatively minor and they could be addressed. He requested to be scheduled for the next CDRC meeting.

Item 2 on Mr. Rocks' memo refers to Phase I. When asked by Mr. Levine if this was a single phase, Mr. Loch said yes. Mr. Levine said it shouldn't be referred to as Phase I.

Chairman Rubin stated that if the items on Mr. Rocks' memo were acceptable to Mr. Loch and could be addressed, he asked that he put them on the plans, a narrative or another document.

Mr. Stach referred to the EAF, item13a, and asked Mr. Loch to verify if there were Wetlands on the site as indicated on the plans.

Mr. Stach agrees with Mr. Rocks that for Item 14 the Early Mid-Successional box should be checked on the Short EAF form.

Mr. Loch will work on corrections as discussed and submit for the February CDRC meeting on 2/14/17. Documents would need to be submitted at least 2 weeks prior to the meeting.

**STRULI OSTER – Continuation of Public Hearing for Final Subdivision Approval and Preliminary Site Plan Approval.** 3 lot Subdivision with a detached single family dwelling on Lot 1 and semi detached dwellings on Lots 2 and 3. The property is located on the West side of Sima Lane, approximately 0 feet West of Gilman Terrace. **57.17-22-33, 34, 35, 36 & 37, R-15 Zone.**

Rachel Barese, Engineer, Civil-Tec Engineering & Surveying PC, 139 Lafayette Avenue, Suffern, NY 10901

Chairman Rubin asked Ms. Ballek to read into the record any documentation that was received since the applicant was last before the board. The following was read into the record:

Mr. Stach's review memo dated December 13, 2016.

Mr. Baum's Proposed Resolutions: 1 for Final Subdivision, 1 for Preliminary Site Plan.

Subdivision comments:

Ms. Barese made the following comments: No proposed landscaping will be shown; it will be left up to the homeowners. The trees to be removed are shown. A shade tree easement still has to be added, but further discussion is needed to determine if plantings were going to be required in this area.

There was discussion on the abandoned utility poles in the back of the property.

Chairman Rubin opened the meeting to the public.

No one from the public wished to speak.

A note will be added to the plans to remove the abandoned utility poles as discussed at the February 14, 2017 CDRC meeting.

Money in lieu of land was discussed; Mr. Baum stated the Board would need to make a determination that there is no land available in the Subdivision to set aside for recreational use. In lieu of land being provided for recreational use, the applicant would pay into a fund that would be used by the Village for recreational purposes. Discussion on the fee structure: \$5,000 per lot according to the Village's most recent Schedule of Fees dated 11/21/2006.

Ms. Barese said her client agrees to pay Money in Lieu of land; \$15,000 total.

Money in Lieu of land was addressed in the proposed resolution that Mr. Baum presented to the Board.

The Board will determine how many trees they want planted; Mr. Rocks can then review a cost estimate and set the escrow amount.

A note will be added to the plans to state that if any tree that's shown to be preserved is taken down accidentally it has to be replaced within a similar caliber.

**STRULI OSTER – Continuation of Public Hearing for Final Subdivision Approval and Preliminary Site Plan Approval.** 3 lot Subdivision with a detached single family dwelling on Lot 1 and semi detached dwellings on Lots 2 and 3. The property is located on the West side of Sima Lane, approximately 0 feet West of Gilman Terrace. **57.17-22-33, 34, 35, 36 & 37, R-15 Zone.**

Mr. Wasserman made a motion to adopt Part 2 of the Short Environmental Assessment Form for Struli Oster dated January 5, 2017. Mr. Luciano seconded the motion. All those in favor, upon vote, carried unanimously.

Mr. Wasserman made a motion to adopt the Negative Declaration as set forth in Part 3 of the Short Environmental Assessment Form Determination of Significance dated January 5, 2017. Mr. Luciano seconded the motion. All those in favor, upon vote, carried unanimously.

Mr. Levine made a motion to close the Public Hearing, Mr. Wasserman seconded the motion. All those in favor, upon vote, carried unanimously.

The Board reviewed the Resolution for Final Subdivision Plat Approval and had the following changes:

1. Page 1 2<sup>nd</sup> paragraph: Correct name for Civil-Tec is Civil -Tec Consulting & Surveying PC.
2. Page 2 #7 is \$15,000.
3. Page 2 #8 is being eliminated.

Mr. Luciano made a motion to approve the Resolution for Final Subdivision as modified. Mr. Wasserman seconded the motion. All those in favor, upon vote, carried unanimously.

Site Plan comments:

Ms. Barese made the following comments:

When the shade tree easement is added it will be shown on the Site Plan.

SEQRA is a TYPE II action, a SEQRA determination isn't necessary.

Mr. Luciano made a motion to approve the Struli Oster Preliminary Site Plan as a Type II action pursuant to 6NYCRR 617.5 (c) (9) of the State Environment Quality Review Act. Mr. Wasserman seconded the motion. All those in favor, upon vote, carried unanimously.

Chairman Rubin opened the meeting to the public.

No one from the public wished to speak.

Mr. Wasserman made a motion to approve the Resolution of Preliminary Site Development Plan and Conditional Use approval Mr. Luciano seconded the motion. All those in favor, upon vote, carried unanimously.

Chairman Rubin made a motion to close the Public Hearing. Mr. Luciano seconded the motion. All those in favor, upon vote, carried unanimously.

**Piazza Subdivision—Public Hearing for Final Subdivision Approval**

5 lot Single Family residential Subdivision, including the construction of a new Cul-De-Sac. The property is located on the West side of Scotland Hill Road, approximately 200 feet North of the NYS Thruway.

**57.18-1-33, Zone R-15.**

Stuart Strow, Brooker Engineering, 74 Lafayette Avenue, Suffern, NY 10901

Ira Emanuel, Attorney for applicant, 4 Laurel Road, New City, NY 10956

Ms. Ballek confirmed for the record receipt of the following documents: Affidavit of Postings, Affidavit of Notification as well as mail receipts.

Chairman Rubin asked Ms. Ballek to read into the record any documents that were received since the applicant last appeared before the Board. The following was read into the record:

Updated Narrative dated December 22, 2016.

Mr. Strow mentioned some documentation being received since the plans were revised:  
A letter from Rockland County Planning Department, the Fire Inspector and the Fire Chief.

Previous CDRC comments were discussed; ex: making adjustments to the sight distance easement. He felt these were minor adjustments that could be made and would be reflected on the plans.

One outstanding issue is waiting to receive the jurisdictional letter from the Army Corp. of Engineers. Mr. Strow said he's made considerable effort to obtain the final letter but has not received as of yet.

The plans that the Board has this evening don't have the latest CDRC comments incorporated on them.

Mr. Strow agreed to address the CDRC comments.

Chairman Rubin began a discussion where Mr. Strow was to update the plans and submit to the consultants before the December CDRC meeting for review and to see if all comments were complete. The Board was to get an update before their January 23, 2017 Workshop.

Mr. Strow says at the November 3, 2016 Planning Board meeting the Board agreed to have the applicant submit for Final Subdivision prior to the December 13, 2016 CDRC meeting. He was asked to update and submit a narrative, which was dated December 22, 2016, he didn't think this included submitting updated plans.

Mr. Emanuel reiterated what Mr. Strow stated, furthermore stating that given the timeframe there wasn't an opportunity to update the plans between the November Planning Board meeting and tonight's meeting.

Mr. Stach referenced his notes from the December 13<sup>th</sup> CDRC meeting that states revised plans will be received by January 16, 2017 in order for the Planning Board to consider a February appearance.

All comments from the December 13<sup>th</sup> CDRC meeting to be added to drawings before January 16, 2017 so the CDRC can review and give the Board feedback at the January 23, 2017 Workshop. Mr. Strow will submit direct to the CDRC members with 7 additional sets to Ms. Ballek.

**Bello Vista—Continuation of Public Hearing for Preliminary Subdivision**

Applicant is seeking approval to subdivide the parcels into 10 lots. The properties are located on the West side of Ackertown Road, 1,600 feet North of Pinebrook Road. **62.15-1-42, 62.15-1-45, Zone R-50.**

Chairman Rubin referenced a letter received January 5, 2017 from Ira Emanuel, attorney for the applicant requesting an adjournment of the Bella Vista Subdivision application to the February 2, 2017 Planning Board meeting.

Mr. Levine moved to adjourn the Bello Vista Subdivision application to the February 2, 2017 Planning Board meeting. Mr. Luciano seconded the motion. All those, in favor, upon vote, carried unanimously.

Mr. Luciano made a motion to adjourn the meeting, Mr. Levine seconded the motion. All those in favor, upon, vote carried unanimously.

**Piazza Subdivision—Public Hearing for Final Subdivision Approval**

5 lot Single Family residential Subdivision, including the construction of a new Cul-De-Sac. The property is located on the West side of Scotland Hill Road, approximately 200 feet North of the NYS Thruway.

**57.18-1-33, Zone R-15.**

Stuart Strow, Brooker Engineering, 74 Lafayette Avenue, Suffern, NY 10901

Ira Emanuel, Attorney for applicant, 4 Laurel Road, New City, NY 10956

Mr. Levine questioned if shade trees will be planted or if a shade tree escrow would be required.

Mr. Strow said he will draft a proposal that would show the shade trees along the front of the street.

Chairman Rubin asked Mr. Strow to submit color photos of what type of tree selected as new and another at 10-15 years.

Mr. Stach had specifically asked the applicant to clear out the brush and trees between the paved Right of Way and what will be the sight distance easement.

Mr. Levine advised Mr. Strow to not block sight distance.

Money in lieu of land was discussed; Chairman Rubin advised Mr. Strow that before the Final Subdivision Plans are signed \$5,000 per lot needs to be paid.

Chairman Rubin opened the meeting to the public.

No one from the public wished to speak.

Mr. Levine moved to adjourn the Piazza Subdivision application to the February 2, 2017 Planning Board meeting. Mr. Luciano seconded the motion. All those, in favor, upon vote, carried unanimously.