

**APPROVED**

VILLAGE OF CHESTNUT RIDGE

PLANNING BOARD MINUTES

October 4, 2018

MEMBERS PRESENT:

|                 |                 |
|-----------------|-----------------|
| ALLAN RUBIN     | CHAIRMAN        |
| MARC LEVINE     | DEPUTY CHAIRMAN |
| MYRNA ARIN      | MEMBER          |
| ANTONIO LUCIANO | MEMBER          |
| JEFF WASSERMAN  | MEMBER          |

OTHERS PRESENT:

|               |                            |
|---------------|----------------------------|
| PAUL BAUM     | ASSISTANT VILLAGE ATTORNEY |
| MAX STACH     | VILLAGE PLANNER            |
| MARTIN SPENCE | VILLAGE ENGINEER           |
| MARY BALLEK   | PLANNING BOARD CLERK       |

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

**Congregation Ahavas Yisrael –972 Chestnut Ridge Road Sign Plan approval**  
**Tax Designation: 67.08-1-73 Zone R-25**

Morton Silberberg, 8 Judith Lane, Wesley Hills, NY 10952

The Board discussed the above application.

Chairman Rubin stated Mr. Silberberg would be allowed 10 minutes to address the Board at tonight's meeting.

Mr. Silberberg referenced a letter from the Building Inspector dated September 12, 2018. Answering the question if there was a valid Certificate of Use for the current use, Mr. Silberberg stated nothing was found. He then referenced a Certificate of Use dated January 29, 2016 that states the permitted use as synagogue and classrooms.

Mr. Silberberg referenced a letter that he sent to the Building Inspector on January 5, 2016 where a Certificate of Use was requested. This letter also stated how the building was being utilized. Photos, maps etc. were also submitted to the Inspector at this time. A Certificate of Fire safety also states that the property is used as a synagogue with accessory classrooms.

Since the beginning of the school there has always been a component of a school.

Chairman Rubin said that since the Board and the consultants just received the documents that Mr. Silberberg handed out they will need time to review them and possibly discuss further at the workshop at the end of October.

**Trailing Ridge—Continuation of Public Hearing Preliminary Site Plan and Conditional Use**

Applicant is seeking Preliminary Site Plan & Conditional use approval. Proposed use as an outdoor recreation facility to include the construction of a private swimming pool, tennis court, cabana and play area to be owned and used exclusively by residents of the Alexa townhouse development on adjacent lot to the south in the borough of Montvale. The property is located on the westerly side of Red Schoolhouse Road, approximately 400 feet south of the intersection of Loessher Lane.

**Tax Designation: 68.13-1-1 Zone LO**

Stuart Strow, Brooker Engineering 74 Lafayette Avenue, Suffern, NY 10901  
Ira Emanuel, Attorney for applicant, 4 Laurel Road, New City, NY 10956

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:

Consultant review memos:

Mr. Spence's review memos dated September 5, 2018 and September 25, 2018.  
Mr. Stach's review memos dated September 24, 2018 and the revised EAF part 2 dated October 4, 2018.

Documents received September 13, 2018:

Site Plans dated June 19, 2018, rev. September 12, 2018.  
Narrative Summary dated September 12, 2018.  
Drainage report rev. September 12, 2018.  
Revised EAF rev. September 12, 2018.  
Color landscaping photos; nursery and maturity (3 pages total)

Correspondence from Engineer:

Letter from Mr. Strow dated September 28, 2018 regarding proposed lighting

Resolutions:

Approved Declaration of Lead Agency status dated September 6, 2018.  
Preliminary Site Plan and Conditional Use approval (updated September 25, 2018) dated October 4, 2018.

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Mr. Strow wanted to discuss 2 items in particular:

1. Landscaping on the front portion of the property. The applicant is in the process of doing a detailed landscaping installation on the Montvale side and enhanced landscaping on the left side of the property. The intention is to compliment Montvale to Chestnut Ridge. A revised landscaping plan will be provided during the Final Site plan submission. The Board is satisfied with this.
2. Proposed lighting on the tennis court will be eliminated as it has a minimum benefit. The plans the board have tonight show the proposed lighting. Mr. Strow's letter dated September 28, 2018 addresses this issue. The intention is for the Board to approve the plans without the tennis court lighting. Mr. Strow also asked the Board if they would consider overriding item #6 from Rockland County Planning letter dated August 17, 2018.

Mr. Emanuel stated that considering the lighting is along the property line that divides the applicant's property from the applicant's property, it's also an interior roadway. The lighting won't be shining on anyone else's property.

Mr. Strow has no issue with the items on Mr. Spence's September 25, 2018 review memo.

Discussion on the Environmental Assessment form Part 2. (EAF)

Mr. Stach said there was a change to items 1, 14 and 15 from the EAF Part 2 as follows:

All 3 should reflect yes and the sub questions should all be answered no or small impact may occur.

Mr. Stach stated a Negative Declaration is recommended without a Part 3.

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Chairman Rubin opened the meeting to the public.

Chairman Rubin asked if anyone wished to speak. No one did.

Chairman Rubin made a motion to close the Public Hearing on the Trailing Ridge Preliminary Site plan and Conditional Use application. Mr. Luciano seconded the motion. All those in favor, upon vote, the motion carried.

Mr. Emanuel stated that there are no variances requested of this application.

Mr. Wasserman made a motion to approve the resolution for Trailing Ridge Preliminary Site Plan and Conditional Use approval updated 9/25/2018 with the following modifications:

1. Page 1 4<sup>th</sup> paragraph: the date of the Full Environmental Assessment form Part II should be dated October 4, 2018.
2. Condition #5 should read as follows: Compliance with Rockland County Department of Planning GML review letter of August 17, 2018 with the exception of Item #6 which the Board will consider overriding at the time of final.
3. Condition #8 should read as follows: Further review of lighting and landscaping plan at time of final.

Mr. Luciano seconded the motion. All those in favor, upon vote, the motion carried.

**Fox Development-Pre-Preliminary Sketch (Informal Discussion)**

The applicant is considering an option of adding an addition to the main building and removing the residential component of the site.

**Tax Designation: 63.09-1-1 Zone PI**

Chairman Rubin explained that this applicant is appearing before the Board informally for feedback on a proposal. Since this isn't a public hearing the public isn't able to participate in tonight's meeting regarding the application.

Chairman Rubin further explained that when an applicant makes a formal application to the Planning Board it becomes a public hearing where the public has the right to speak. When an applicant appears informally they're looking for feedback from the Board regarding the plan they've provided. The latter doesn't have the ability to participate with the application.

Rachel Barese, Civil-Tec Engineering, 139 Lafayette Avenue, Suffern, NY 10901.

Kenneth Moran, Attorney for applicant, 11 N. Airmont Road, Suffern, NY 10901.

Mr. Moran stated that the applicant is proposing adding a 41,000 sq. ft addition to the existing property that would be used for storage of materials and finished goods. The existing building is 58,000 sq. ft.

There are currently 70 employees, an amount that won't increase. There are 35 required parking spaces, the proposal is requesting 58 parking spaces.

In addition to the commercial building located on the property, the applicant is also proposing to remove the single-family residence that is on the property now.

Ms. Barese explained that she is requesting feedback on this project. The addition will be on Scotland Road and along the rear of the property. The access to the property is on Route 45. Ms. Barese said that there is an existing 50 foot buffer on the property currently and there isn't a plan to touch the buffer.

**Fox Development-Pre-Preliminary Sketch (Informal Discussion)**

The applicant is considering an option of adding an addition to the main building and removing the residential component of the site.

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Discussion on the loading dock facing Scotland Road. Ms. Barese submitted color photos to the Board for review that show the roadway. She further explained the plan to heavily screen the area so it would limit the visual impact from the road.

Mr. Levine asked why is the applicant requesting more parking spaces than what's required? The proposed number is what is actually needed.

Mr. Levine asked Ms. Barese to point out on the plan where the current loading docks were located. Ms. Barese pointed this out and stated they will remain as is.

Mr. Levine asked Bruce Fuchs about the loading docks in the rear of the property. Mr. Fuchs stated that they were overhead doors not loading docks and they are used for moving product. The only loading docks that exist at this time are on the opposite side of the building.

All incoming and outgoing deliveries will be coming from same direction which is very inefficient.

Ms. Barese stated that this is not a 24-hour business, the latest shift ends at 10:30 pm. A partial 2<sup>nd</sup> shift was recently added to keep up with production.

Chairman Rubin stated that while the existing house is on the property it buffered the residential area directly across on Scotland road. Concerned that there is a commercial/industrial building facing a residential area to the south and Matthew drive on the east. Suggested limiting impacts along Weiss Terrace.

There will be parking now where the existing building stands. The additional parking along Scotland road would require heavy screening.

Concern that the proposed loading docks will face the residential neighborhood.

Mr. Wasserman agrees with Chairman Rubin regarding the loading zone along Scotland rd. as well as the disruption of the barriers of the buffers for the neighbors.

Mr. Wasserman asked if the life tenancy of the single-family residence on the property has since expired. Mr. Moran doesn't think the life tenancy is an issue since the tenant passed away.

**Fox Development-Pre-Preliminary Sketch (Informal Discussion)**

The applicant is considering an option of adding an addition to the main building and removing the residential component of the site.

**Tax Designation: 63.09-1-1 Zone PI**

Mr. Luciano doesn't like the layout and feels strongly about an entrance on Scotland Rd. He also stated the road is narrow and tractor trailers would have a safety hazard turning into the property. Mr. Luciano also stated Scotland Rd. going westbound slopes down and it would be a safety hazard for a tractor trailer going in/out on a residential street. Mr. Luciano didn't like the layout with the cars abutting the residential streets.

Delivery trucks would be a mix of box trucks as well as tractor trailers.

Reference the decision to the house remaining on the property when the project was before the Zoning Board of Appeals.

Ms. Arin feels strongly that there shouldn't be trucks coming onto Scotland Rd. Suggested to Ms. Barese maybe redesigning the site so that the trucks could come in at the North end of the property which is already classified as commercial. Every effort should be made to preserve residential neighborhoods.

Mr. Levine said that according to the code loading docks are not supposed to face a residential street. He mentioned another application the Board reviewed where loading docks were facing Chestnut Ridge Rd., which is a state highway. The Board had asked this applicant to redesign the plan so the loading docks weren't facing the street. As long as there is full screening for the headlights, Mr. Levine is ok with parking along Scotland Rd. He would like to see the final design regarding vehicle traffic coming out to Scotland Rd. before making a decision, but doesn't think he'd be in favor of.

Mr. Spence referenced his August 11, 2018 memo item S-1 where he mentions vehicular traffic should be discouraged from the ingress/egress on Scotland Rd.

Herman Fuchs 26 Windsor Lane, Windsor, NJ 07446

Mr. Fuchs stated the traffic onto Scotland rd. would be fragmented due to the different shifts and times employees work. The parking will be minimum as well.

Bruce Fuchs stated that production starts at 6:00 am-2:30 pm with approximately 20 employees, the office starts with approximately 8 employees from 8:00 am-4:15 pm, 2<sup>nd</sup> shift start from 2:30 pm-10:30. The warehouse hours stagger but run between 7:00 am-9:00 am and from 2:00 pm and 5:00 pm.



**Fox Development-Pre-Preliminary Sketch (Informal Discussion)**

The applicant is considering an option of adding an addition to the main building and removing the residential component of the site.

**Tax Designation: 63.09-1-1 Zone PI**

Ms. Arin asked if there was a way to swing the parking area from Scotland Road so the employees would travel out onto Route 45 as opposed onto Scotland Rd.

Mr. Stach stated that this project as proposed would require several variances as detailed in his August 13, 2018 review memo. The applicant would need to appear before the ZBA for variances even if the Planning Board approved the approved layout.

**Chestnut Ridge Ventures—Review of Amended Baseline Master Site Layout Plan**

Property is located on the West side of Chestnut Ridge Road and NYS Route 45, 356 feet North of Scotland Road.

**Tax Designation: 63.05-1-8 Zone R-40**

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

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

Mr. Emanuel stated that this is an application for a change of use regarding Building 7/8 located at the south eastern corner of the property. This is an existing building and there are no plans to make any exterior changes in regards to its size.

The school that is currently occupying building 9 is seeking to make room for 5 classrooms from the auditorium space that's in the existing building 7/8. The change in use to the classroom space is a permitted change as per the stipulation of settlement. The new classrooms will be able to accommodate up to 120 students and up to 10 faculty and staff.

Will also accommodate 2 school buses and 5 passenger vehicles.

Regarding pick off and drop off times for Building 7/8 the arrivals stagger.

Mr. Levine asked if the building meet current fire codes. Mr. Emanuel stated that for the current use it has met current fire codes.

Mr. Wasserman made a motion to approve the resolution for Chestnut Ridge Ventures (f/k/a Edwin Gould Academy) Amended Baseline Master Site Development Approval with the following modifications:

1. Condition G should read as follows: Eliminate reference to "proposed signage of Sign Legend and show it as existing. A detail of the proposed signage is to be added to the plan.
2. Add Condition H to read as follows: Add a slatted chain link enclosure with gates around the garbage dumpster at the northeast corner of Building 7/9 to be approved by the Village's Engineering Consultant.

Mr. Luciano seconded the motion. All those in favor, upon vote, the motion carried.

## Minutes

Mr. Levine moved to approve the September 6, 2018 Planning Board minutes as amended. Mr. Wasserman seconded the motion. All those in favor, upon vote, the motion carried.

Ms. Arin made a motion to adjourn the meeting. Mr. Luciano seconded he motion. All those in favor, upon vote, the motion carried.

