

APPROVED

VILLAGE OF CHESTNUT RIDGE
PLANNING BOARD MINUTES
NOVEMBER 3, 2016

MEMBERS PRESENT:

ALLAN RUBIN	CHAIRMAN
MARC LEVINE	DEPUTY CHAIRMAN
ANTONIO LUCIANO	MEMBER

OTHERS PRESENT:

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

NOT PRESENT: JEFF WASSERMAN, MEMBER
 MYRNA ARIN, MEMBER

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

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

Ms. Barese said the architect revised the plans due to concerns with the FAR. The architect revised the plans, and all space is included in his FAR calculations. The deck in the rear has been split in, so it only extends 6 feet past the building. She also said there was work done on the drainage and soil testing was done. She said she's been working with Mr. Rocks and did a drainage calculation. Ms. Barese said that everything that was discussed previously has been added to the plans.

Chairman Rubin asked Ms. Ballek to read into the record any documents that were received since the applicant was before the Board last at the June 2, 2016 Planning Board meeting. The following was read into the record:

Mr. Rocks review memo dated October 4, 2016.

Mr. Stach and Mr. Doneit's memo dated October 11, 2016.

With the exception of the NYS Thruway Authority and the Village of Spring Valley, all agency referrals are complete.

There was a discussion on the original Environmental Assessment form that was received on August 23, 2016 and the revised document appendix B received on October 18, 2016. Mr. Rocks said that other required governmental agencies should be indicated on the form, referencing his memo dated October 4, 2016; item 2 page 1. Discussion continued on Part 2 of the EAF, Mr. Baum said the only SEQRA review the Board had to be concerned with was the impacts for the 3 lot Subdivision.

Ms. Barese will provide the 4th page of the EAF mapper as per Mr. Stach's request.

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Subdivision comments:

Ms. Barese read the items listed on Mr. Rocks' review memo dated October 4, 2016 and confirmed that the plans the Board has this evening does not have these changes.

Ms. Barese said there would be no problem providing the information requested on Mr. Baum's review memo dated October 17, 2016 or Mr. Stach's review memo dated October 11, 2016.

There was a discussion about the existing lighting; 1 of the streetlight had been cut off the plans. Mr. Rocks said that this development impact the need for a streetlight.

Chairman Rubin started discussing the SEQRA procedure on page 3 of Mr. Stach's memo and stated since no moderate to large capacity impacts were identified the Board may consider adopting a Negative Declaration of Environmental Significance.

There were no further comments or questions on the Subdivision.

Site Plan comments:

See Mr. Rocks' review memo dated October 4, 2016.

See Mr. Stach's review memo dated October 11, 2016.

Ms. Barese has no issues with Mr. Baum's review memo dated October 17, 2016.

Ms. Barese will update the Subdivision and Site Plan with comments from the consultants as discussed and resubmit.

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

Ms. Barese asked if SEQRA could be reviewed and about the possibility of adopting a Negative Declaration. Mr. Stach suggested the Board declare themselves Lead Agency and classify as an Unlisted Action.

In discussing landscaping, Chairman Rubin told Ms. Barese color photographs of trees, shrubs and plants are required for what is being proposed.

Mr. Levine voiced concern with the Board considering landscaping on a private home. Mr. Baum said if landscaping were added to the plans the applicant will be required to maintain it according to the Site plan. Chairman Rubin agreed with Mr. Levine and Mr. Luciano that landscaping wouldn't be required; as such Ms. Barese won't need to submit color photographs as listed above.

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Mr. Stach started a discussion about a shade tree easement along the street that would be required by the code as part of the Subdivision approval. Mr. Baum said it would be up to the Planning Board to require the easement. Mr. Baum suggested reviewing each Subdivision separately; it wouldn't necessarily set precedent if the Board said no to an easement now but yes for another project. Chairman Rubin asked the Board if they were ready to make a decision now, Mr. Levine wants to wait until Final.

Struli Oster 20 Sunrise Drive Monsey, NY 10952

In an effort to move things along, Mr. Oster said that everything the Board was looking for would be done and he asked if the Board would consider voting on the Negative Declaration this evening.

Chairman Rubin and Mr. Luciano both want to wait until Ms. Arin and Mr. Wasserman are able to give their comments regarding the Negative Declaration designation; both are ok with declaring Lead Agency.

Mr. Luciano made a motion to classify the Struli Oster Subdivision as an unlisted action and to declare the Planning Board Lead Agency. Mr. Levine seconded the motion. All those in favor, upon vote, carried unanimously.

Applicant will be required to submit revised plans and go to CDRC on December 13, 2016 before returning to the Planning Board. Mr. Baum told Ms. Barese she'd need to have plans submitted by November 29, 2016.

Chairman Rubin moved to adjourn the Struli Oster Subdivision and Struli Oster Preliminary Site Plan applications to the January 5, 2017 Planning Board Meeting based on the applicant submitting revised documents and information no later than November 29, 2016 and attend the CDRC meeting on December 13, 2016. Mr. Luciano seconded the motion. All those in favor, upon vote, carried unanimously.

Bello Vista Subdivision-Continuation of Public Hearing for Preliminary Subdivision Approval

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, R-50 Zone.**

Chairman Rubin read an adjournment request from Mr. Emanuel, the applicant's attorney requesting an adjournment to the December 2016 Planning Board Meeting.

Chairman Rubin moved to adjourn the application of Bello Vista to the December 1, 2016 Planning Board meeting. Mr. Luciano seconded the motion. All those in favor, upon vote, carried unanimously.

Piazza Subdivision-Public Hearing for Preliminary Subdivision Approval

5 lot Single Family Residential Subdivision, including construction of a new Cul-de-Sac.

The property is located on the West side of Scotland Hill Road, approximately 200 feet North on the NYS Thruway. **57.18-1-33, R-15 Zone.**

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 documents that were received since the applicant was last before the Board in November. The following was read into the record:

Letter from Rockland County Sewer District #1 dated November 1, 2016.

Letter from NYS Thruway dated November 7, 2016.

Letter from Rockland County Department of Public Works dated November 16, 2016.

Letter from Rockland County Environmental Health dated November 14, 2016.

Mr. Strow confirmed receipts of all letters.

The Army Corp of Engineers (ACOE) did visit the site on November 15, 2016 and they confirmed the delineation verbally at this visit. Mr. Strow does not have the jurisdictional letter yet, but did offer a letter he had from his Wetland Consultant Robert Torgersen dated December 1, 2016

Mr. Emanuel suggested that if the Board were to approve tonight for a Negative Declaration and Preliminary Subdivision subject to the changes discussed they can put into Final and then go to CDRC.

Mr. Levine asked if instead of pumping up to Scotland Hill Road, could it be taken through the Wetlands to Chestnut Ridge Road. The Wetlands would need to be disturbed to make room for pipes etc, Mr. Rocks said the applicant would not be granted an ESA waiver; the waiver exists to prevent construction that uses sewers, pipes etc in the Wetlands.

Mr. Strow said everything would be addressed in Mr. Stach's memo dated October 11, 2016.

Mr. Rocks and Mr. Baum's comments are part of the CDRC minutes from the October 11, 2016 meeting.

Mr. Strow had no concerns with the minutes from the October 11, 2016 and will address everything mentioned.

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There was a discussion on how deep the water is in the basin. Maximum would be 3 feet for the 100 year storm.

Mr. Rocks thought it would be approximately 36 hours for the basin to remain wet.

Mr. Strow said in the worst case scenario where the potential basin is located, the house of lot 3 could be changed to make the driveway the front entrance; save 30 feet.

Assuming the ACOE visits the site on November 14, 2016, Mr. Strow expected documents from them within a couple of weeks

There was a lengthy discussion about the Board granting Negative Declaration. Two concerns were: 1. The ACOE hasn't visited the site or written report and 2. Feedback from Rockland County Planning. Mr. Luciano said it was discussed at the Workshop and the consensus was the Board was uncomfortable giving Negative Declaration. Ms. Arin and Mr. Wasserman were at the Workshop and both wanted to wait for the ACOE findings.

Mr. Emanuel asked to be adjourned to the December Planning Board meeting.

Ms. Ballek to review project file to confirm which agencies were sent applications for review and which agencies replied. Follow up with Chairman Rubin.

Chairman Rubin asked if anyone wished to speak regarding the application.

Joseph Wilder, 20 Briar Court Chestnut Ridge, NY 10977

Mr. Wilder started to discuss another property on Matthew Terrace. His concerns were related to the Cul-de-sac and the drainage.

Mr. Strow said he would be able to update the Preliminary plans and submit no later than the end of November.

Final Subdivision will return to CDRC for the December 13, 2016 meeting.

Mr. Strow will submit Final plans 3 weeks in advance of the CDRC; November 29, 2016.

The Board will focus on reviewing the ACOE documentation at the December 1, 2016 Planning Board meeting.

Mr. Emanuel said new plans for Preliminary will not be submitted. The plans the Board has along with the consultants comments is sufficient.

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Mr. Levine moved to adjourn the Public Hearing for Piazza Subdivision to the December 1, 2016 Planning Board meeting. Chairman Rubin seconded the motion. All those in favor, upon vote, carried unanimously.

Mr. Levine moved to grant the applicant a waiver to allow them to file an application for Final Subdivision approval before receiving Preliminary Subdivision approval. Chairman Rubin seconded the motion. All those in favor, upon vote, carried unanimously.

House of Nails—Application for a Sign Permit

Applicant is seeking approval for a sign. The property is located at 811 Chestnut Ridge Road, 10977
62.16-1-11, R-40 Zone.

Luis Lihuichuzcha, 116 Fairview Avenue, Spring Valley, NY 10977

The Board offered the following comments:

Size requirement: Sign can't be more than 70% of the building façade.

The size should be 10.5 feet in height and 2.5 feet maximum.

Sign should be made of natural wood to blend in with other signs.

The sign should not show the phone number.

If the applicant agrees to the changes he should resubmit to Board for review. They can approve and the applicant won't need to return.

Applicant could submit changes before November 28, 2016 and the Board can review at the Workshop.

Applicant can attend the Workshop and hear comments.

Old Business:

The review of Proposed language to amend Zoning Law and Mr. Baum's draft regarding expiration of Final Plan Approval was discussed at the October 24th Workshop. It was Mr. Levine's feeling that it should have further discussion when the other members were present.

Mr. Luciano moved to adjourn the meeting. Chairman Rubin seconded the motion. All those in favor, upon vote, carried unanimously.