

APPROVED

VILLAGE OF CHESTNUT RIDGE

PLANNING BOARD MINUTES

NOVEMBER 2, 2017

MEMBERS PRESENT:

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| 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 |
| DENNIS ROCKS | VILLAGE ENGINEER |
| MARY BALLEK | PLANNING BOARD CLERK |

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

Thony's Barber Shop & House of Nails — Sign Permit Application

Applicant is seeking approval to an existing sign.

Tax Designation 62.16-1-11, Zone NS

Luis Quizhpi, 116 Fairview Avenue, Sprig Valley, NY 10977

Chairman Rubin stated the applicant appeared before the Board previously and the sign they submitted was approved. The applicant now appearing before the Board with changes to the original sign.

The new sign that is proposed is larger than the code allows. The applicant states the modified sign is 10 feet by 3 feet. Mr. Baum said the real issue with the sign is the vertical height; it can only be a maximum of 2 ½ feet.

Chairman Rubin suggested the applicant modify the text on the proposed sign in order to meet the requirement of 30 inches. Applicant will re-submit new drawings but won't have to reappear before the Board again.

Coptic Church— Continuation of Public Hearing for Preliminary Site Plan Approval

Applicant is seeking approval for several minor changes some of which include elimination of the Bell Tower near the entrance, revisions to the roof projectile and an addition of a Nursery School.

Tax Designation 63.09-1-59, 60, Zone R-40.

Steven Grogg, P.E., McLaren Engineering, 100 Snake Hill Road, West Nyack NY 10994
Terry Rice, Rice and Amon, 4 Executive Blvd-Suite 100, 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. Grogg confirmed receipt of all documents below.

Consultant reviews:

Mr. Rocks review memos dated September 14, September 21, 2017 and October 23, 2017.

Documents received August 30, 2017

McLaren cover letter dated August 30, 2017.

Comment response memo

Frederick P. Clark Associates letter dated August 8, 2017.

Revised SWPPP, rev. August 2017.

Lot Consolidation Subdivision Plat dated August 30, 2017.

Site Plans dated March 28, 2017, rev. August 30, 2017; includes Landscape Plans L1 through L4 dated December 28, 2016, rev. August 30, 2017.

Documents September 21, 2017:

Site Plans rev. September 20, 2017.

SWPPP rev. September 2017.

Comment response memo dated September 20, 2017 that references Mr. Rocks September 14, 2017 review memo.

Site Plans rev. October 10, 2017.

Cover memo from Mr. Grogg dated October 10, 2017.

Village Board Special Use Permit Resolution from the October 19, 2017 Village Board meeting.

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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:

Resolutions:

Mr. Stach's amended Negative Declaration dated August 3, 2017.

Mr. Baum's draft Resolution granting Sketch Plat.

Mr. Baum's draft Resolution granting conditional use for Nursery School & Preliminary Site Plan approval.

Agency correspondence:

Wm. Faist letter dated September 15, 2017.

NYS DOT letter dated October 15, 2017.

Mr. Grogg stated meeting with Mr. Rocks to address issues/concerns of his prior review memos and will comply with all comments.

Chairman Rubin began a discussion on the drainage issues and asked Mr. Rocks were the drainage stood. Mr. Rocks said that the drainage is one of the aspects of the project that has changed significantly since the last go around. The design requirement for the Storm management have changed. Mr. Rocks stated the design is based upon 2 considerations regarding soils:

1. Percolation testing must take place as soon as possible. Soil testing is required to establish the infiltration rate. Until the soil characteristics are verified the design isn't complete.
2. NYSDEC mandates 1 test whole hole per 200 sq. feet. Mr. Rocks wouldn't be responsible for determining how many test holes are required, but said his office would witness portions of the tests. If the work and materials were consistent, would only be on-site for a few hours.

Chairman Rubin asked Mr. Grogg if he has calculations that indicated how many test holes would be needed. Mr. Grogg stated he'd expect to need between approximately 6 to 10 holes and would review with Mr. Rocks prior.

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Ms. Arin asked Mr. Rocks if there was an alternative test. Mr. Rocks said it would be more of an alternative design and not an alternative test.

The applicant assumes that they won't meet the NYSDEC guidelines and will be allowed to take advantage of the 'lesser' design.

Chairman Rubin stated that the Board usually doesn't grant Preliminary approval without having the drainage verified.

Mr. Rocks said that the soil testing would need to be complete before the Board could issue a Negative Declaration.

Mr. Rice suggested the Board grant Preliminary approval subject to substantiating the soils.

Chairman Rubin, Ms. Arin and Mr. Luciano wanted soil testing completed 1st before Preliminary approval is granted. Mr. Luciano said he'd be ok with making conditions on the approval. Mr Wasserman voiced a concern with Mr. Rice's suggestion and asked if it would be more of a burden for the Board or the Village. Mr. Baum stated that if the Board specifically conditions a Preliminary Approval based on the soil testing being completed and the testing fails, the applicant would have to redesign the system.

Mr. Grogg said he's hoping to start the testing in the next 30 to 45 days.

Mr. Rocks prefers to wait for the soil testing results for 2 reasons:

1. Be able to mitigate potential Storm Water impacts.
2. Since this is a larger site there are options; including going to other locations.

Chairman Rubin opened the meeting to the public.

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

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Mr. Levine stated that the Board has never granted a Negative Declaration or Preliminary approval for an applicant without the drainage being complete and he's not in favor of doing it at this time. Ms. Arin agrees with Mr. Levine.

Discussion on adjourning application to the December 7, 2017 Planning Board meeting pending testing and reports complete and reviewed.

Mr. Baum recommended 2 waiver requests: 1. Parking and 2. Loading Berth. Mr. Stach stated that the size of the outer court width would be the 3rd waiver. Mr. Baum thought it was more of a determination of the Building inspector. Chairman Rubin said these items could be discussed at the Workshop.

Discussion on doing the testing and reports and having Mr. Rocks review. If everything is complete, Chairman Rubin's thought would be to adjourn the applicant to the January Planning Board meeting and see if the Board would be in a better position to grant Preliminary approval at that time. Mr. Grogg requested being adjourned to the December Planning Board meeting.

Discussion on waiver for parking; Mr. Wasserman asked what the ratio of seats in the church is vs. parking spaces. Mr. Grogg said this number is based on the code; 1 space per every 5 seats = 160 spaces. Mr. Levine asked if there would be parking on side streets if a waiver was granted. He also suggested having the applicant add a note to the plans to protect the street. Chairman Rubin said this would be discussed further at the Workshop and be resolved at the December meeting.

Mr. Rocks spoke of the proposed Courtyard and said the Building Inspector would see if it qualifies as per Mr. Rocks' email of November 12, 2017.

Chairman Rubin made a motion to adjourn the Public Hearing for Coptic Church Preliminary Site Plan to the December 7, 2017 Planning Board Meeting. Mr. Luciano seconded the motion. All those in favor, upon vote, the motion carried.

Banker Estates— Continuation of Public Hearing Final Subdivision

Applicant is seeking approval for a 3 lot subdivision with single family dwelling on Lot 1 and two family dwellings on Lots 2 and 3. Property is located on the East side of Banker Street, 0 Feet South of Old Nyack Turnpike.

Tax Designation: 57.17-2-11, Zone R-15.

Chairman Rubin referenced an email dated October 27, 2017 from Amy Mele, Attorney for the applicant requesting an adjournment to the December Planning Board meeting.

Chairman Rubin made a motion to adjourn the Public Hearing for Banker Estates Final Subdivision to the December 7, 2017 Planning Board Meeting. Mr. Luciano seconded the motion. All those in favor, upon vote, the motion carried.

Banker Estates—Continuation of Public Hearing Preliminary Site Plan Applicant is seeking approval for the construction, maintenance and use of two family dwellings on Lots 2 and 3. The Property is located on the East side of Banker Street, 0 Feet South of Old Nyack Turnpike.

Tax Designation 57.17-2-11, Zone R-15.

Chairman Rubin referenced an email dated October 27, 2017 from Amy Mele, Attorney for the applicant requesting an adjournment to the December Planning Board meeting.

Chairman Rubin made a motion to adjourn the Public Hearing for Banker Estates Final Subdivision to the December 7, 2017 Planning Board Meeting. Mr. Luciano seconded the motion. All those in favor, upon vote, the motion carried.

Complete Auto Repair—Continuation of Public Hearing for Preliminary Site Plan Approval

Applicant is seeking Preliminary site plan approval to remove the existing building and build a new building that would consist of 8 work bays and an office area as well as parking spaces. The property is located On the South side of Old Nyack Turnpike, 265 feet West of Chestnut Ridge Road.

Tax Designation 57.17-2-27, Zone PO

Chairman Rubin referenced a letter dated November 1, 2017 from Rachel Barese, Civil-Tec Engineering, requesting an adjournment to the December Planning Board workshop agenda.

Chairman Rubin made a motion to adjourn the Public Hearing for Complete Auto Repair to the December 7, 2017 Planning Board Meeting. Mr. Luciano seconded the motion. All those in favor, upon vote, the motion carried.

Chestnut Ridge Associates—Clearing, Grading & Excavation Permit

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

Tax Designation 62.09, 2-1, 68.05-2-41, Zone LO

John Loch, Engineer, AFR Engineering and Land Surveying, P.C. 110 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:

Received September 22, 2017

Narrative

Filling & Grading Plan rev. September 21, 2017.

Agency response:

RC Planning letter dated August 22, 2017.

RC Health Dept. Mosquito letter dated September 28, 2017.

RC Highway letter dated October 23, 2017.

NYS Thruway email dated October 27, 2017.

Consultant reviews:

Mr. Stach's review memo dated August 24, 2017.

Mr. Rock's review memo dated October 23, 2017.

Mr. Loch confirmed receipt of the above documents.

Mr. Loch spoke of agency responses; stating that RC Health Dept. has no issues regarding the project but NYS Thruway has more significant issues primarily with not increasing traffic flow near the Thruway right of way. Mr. Loch stated that RC Highway requires a permit for the Filling, Grading and Tree removal. He further explained that a permit will be filed once they're further along in construction.

Mr. Loch stated that at Mr. Baum's suggestion a note will be put on the plans regarding the performance bond. Mr. Loch will forward to Mr. Baum for review.

Discussion on the on-site visit the Board participated in on October 30, 2017. Mr. Loch noted the one concern he heard from the Board was the worry about the visual impact. He's proposing adding Norway Spruces starting at 5 to 6 feet in height and spacing out at about 15 feet intervals, explaining that you won't be able to see on the site.

Mr. Stach cautioned about selecting trees to plant; the older the tree is the longer it takes to grow.

Mr. Wasserman asked what the success rate was for the trees since there is no water source on site.

Mr. Loch explained that these trees typically do well, but said he could work on language that would guarantee them for a certain amount of time.

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Mr. Stach spoke about the challenge he's had regarding with the amorphousness of the limits of disturbance. As discussed previously, the applicant was going to leave a 20-foot buffer with the understanding that anything beyond the 20 feet would be taken out. Mr. Stach would be more comfortable if the applicant could say which area is the low point and for example that they'd be filling in the area for the next 1-2 years, rather than leaving things open-ended.

Mr. Loch will provide photos showing different spacing.

Mr. Baum stated that permits expires with limits that are set by the Planning Board not to exceed 1 year expect in certain cases. At the end of time period extensions can be requested.

Mr. Loch will review the staggered pattern screening as well as the SWPPP and the erosion control and will submit Part 3 of the EAF.

Mr. Torgersen will look at the property again as per Mr. Stach's request.

Minutes

Mr. Luciano made a motion to approve the September 7, 2017 Planning Board minutes as amended. Ms. Arin seconded the motion. All those in favor, upon vote, the motion carried.

It is noted for the record that the Planning Board approved the October 5, 2017 minutes at the October 23, 2017 Workshop meeting.

2018 Meeting Dates

The Board reviewed and discussed the tentative dates and decided to approve as presented and will revisit as the dates draw closer.

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