

VILLAGE OF CHESTNUT RIDGE
PLANNING BOARD MINUTES
DECEMBER 3, 2015

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
ROBERT GENESLAW	VILLAGE PLANNER
DENNIS ROCKS	VILLAGE ENGINEER
CAROL FAZIO HART	PLANNING BOARD CLERK

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

STRULI OSTER – Subdivision Sketch Plat Approval of five parcels into three lots with a semi-attached residence and a single family residence. The properties are located on the west side of Sima Lane, 0 feet west of Gilman Terrace. **57.17-22-33, 34, 35, 36 & 37, R-15 Zone.**

Joseph Haller, Civil-Tec, 29 N. Airmont Road, Suffern, New York 10901. We were before the Board before, referred to the Zoning Board of Appeals, went before the ZBA, received variances and are back before the Board for Sketch Plat approval. We submitted revised drawings which reflect what was granted and approved by the ZBA.

Antonio Luciano pointed out that the Rockland County Planning Municipal Mapping Application has dimensions of the property that are different from the dimensions Mr. Haller has shown on the drawings.

Mr. Haller stated that he is a licensed Land Surveyor with an extensive amount of experience. He surveyed the boundaries of this property and he certifies the numbers/dimensions he shows on his maps are correct.

Chairman Rubin confirmed that Mr. Haller went out to the site to stake it out with instruments and came up with these numbers. He questioned the deeds associated with these properties at the time of sale.

Mr. Haller said the property was originally 5 small lots sold by the State of New York and some of these properties went to the other side of the thruway before the thruway went through the properties. He measured from Old Nyack Turnpike, from the Thruway and from Gilman Terrace. There was lots of detective work required because the thruway went through the properties.

Chairman Rubin requested Mr. Haller look at the County documents and try to determine why the dimensions are so different than his.

Mr. Haller will comply and review the county documents and reply to the Board.

Marc Levine said he did not see any plans for road widening since they are developing about 80% of one side of the road.

Mr. Haller said they are not proposing any road widening. He said they would give it consideration if the Board and Engineer make that request, and he asked why if it's that important then why wasn't it widened when it was used as an access point to Gilman Terrace.

Mr. Levine responded that the Gilman Terrace developer made Gilman Terrace the proper width and now that Sima Lane is being developed it should now be widened.

Struli Oster, 20 Sunrise Drive, Monsey New York, said we are only developing a small part of Sima Lane, less than half of one side of the road and about 20% of the entire Sima Lane. Mr. Oster opposes being burdened with the widening of the entire road.

There was discussion about Fire Department fire safety requirements in order to be able to have fire equipment travel down Sima Lane for access to the residences.

The Planning Board feels Sima Lane should be widened and requested a proposal with drawings which will include dimensions of Sima Lane going out all the way to Old Nyack Turnpike so the Fire Department and required agencies can see the full extent of Sima Lane.

Paul Baum suggested it be sent to whoever is responsible for the road, to the Fire department and to Ramapo Department of Public Works. The Board can then receive necessary feedback so the Board's decision to request

**STRULI OSTER – Subdivision Sketch Plat Approval
57.17-22-33, 34, 35, 36 & 37, R-15 Zone.**

The road be widened is not arbitrary. Since Sima Lane is an existing municipal road and the proposed subdivision is on property adjacent to the road, the Board's request to widen or improve the road is considered an Offsite Improvement and sufficient nexus has to be developed, with a rational basis which will lead to the Offsite Improvement.

Dennis Rocks stated that the widening that is going to be considered needs to be considered in relation to the entirety of Sima Lane. Transition needs to be provided. You cannot just blow out a road. Transition and potential future applicants must be considered so you need a mini master plan on how this should be done. The applicant should propose what their share will be and the Board should then evaluate and make sure there will not be a rough transition and create a problem.

Mr. Oster expressed his displeasure with a master plan and paving the road idea. He said he has five lots he is combining into four lots and he doesn't feel he has to do anything about the road. He feels this is being blown out of proportion. He respects the Chairman's opinion and asked the chairman to respect his.

Mr. Rocks agreed with the applicant and doesn't feel the applicant should be responsible for the repair and maintenance of Sima Lane.

Chairman Rubin restated the current drawings are not sufficient for the Fire Department nor the Highway Department and will not be sent until they clearly show what is going on and what the applicant is proposing to do. Although the applicant disagrees, they will not dictate how they are proceeding. All the Board members feel the road needs to be modified/widened. He reiterated the need for drawings which show the existing conditions on Sima Lane.

After continued extensive discussion Chairman Rubin confirmed that all Board members agree that the Board is directing the applicant to widen the side of Sima Lane 15 ft. out from the center of the road.

There was discussion about Belgium Block Curbing.

Dennis Rocks said we need a determination regarding Shavelson Lane by the Building Inspector.

Paul Baum recalled that at CDRC several months ago the Building Inspector said Shavelson Lane was an unpaved road and you don't have to provide front setback. At the last CDRC meeting, the Building inspector said he would provide a letter.

The applicant agreed to submit revised drawings by Tuesday, December 8th which will be reviewed by Mr. Rocks.

BANKER ESTATES – Subdivision Sketch Plat Approval of a three lot subdivision with a two-family dwelling on each lot. The properties are located on the east of Banker Street, 0 feet south of Old Nyack Turnpike. **57.17-2-11 R-15 Zone.**

Ryan Karben, 11 Tara Drive, Pomona New York, Attorney for the applicant said we have been before CDRC several times and are looking for guidance from the Planning Board. At CDRC we have discussed garages and how the garages interact with the roadway. I have potential architectural configurations and elevations for the Board to review. The variances that are required are set forth and this would be an improvement of Banker Street. This is the first time we are before you. This application was previously discussed at a Workshop, additional information was provided and we returned to CDRC. This application is dependent on how the Zoning Board of Appeals will view our lots and we would like to be referred to that Board for them to evaluate the application as well.

Chairman Rubin said we want to look at how the driveways and garages will work.

Mr. Karben explained the plans show parking spots that are tandem, side by side garage parking with entrances in the front and side by side with entrances on the side.

There was lengthy discussion about the number of garage doors in the plans, the challenges of tandem/stacked parking, turnaround issues, garage doors in the front versus on the side, which was more esthetically appealing, did people with garage doors in the front use their garage more often than those with side entry, how many garage doors, separation between the doors. It was decided the Board favored garage doors in the front with side by side parking, not tandem and rather than continue to try to design it asked the applicant to have their architect take their comments and come up with a design.

Chairman Rubin discussed the road widening issue with Mr. Haller and he will develop a plan.

Robert Geneslaw felt it was not necessary for the applicant to return to CDRC.

The applicant was instructed to submit revised plans addressing the road and the residences by December 21st so the plans can be reviewed at the next Workshop and to submit the drawing with the road layout directly to Mr. Rocks.

Jeff Wasserman asked what is the plan for the narrow portion on the northern side of lot #1?

Neftalie Brecher, Monsey, New York, the applicant, said it will be used for a play area.

Mr. Karben said it will be clear on the revised plans.

ARTIS SENIOR LIVING – Preliminary Site Plan Approval for a Senior Living Facility for residents with memory impairment. The property is located on the west side of Chestnut Ridge Road, approximately 200 feet west of Red Schoolhouse Road known Chestnut Ridge Road **62.16-1-34 NS & R-40 Zones**.

Ira Emanuel, Attorney for the applicant said this application is for a facility for people with memory impairment. The Village Board recently, at the applicant's request amended the Village Zoning Code to allow this use and set up bulk requirements for the lot. The proposal we have before the Board confirms to all the bulk requirements. We are here before you for the first time and request initial feedback and for you to declare your intention of lead agency for SEQRA purposes. There is a covenant that affects the property. We will present the plan first and then talk about how the covenant will be handled.

Stuart Strow, Brooker Engineering, 74 Lafayette Avenue, Suffern, New York said the property is 5.4 acres and the rear of the property has a conservation area. We are proposing a one story building approximately 32,000 sq. ft. The facility includes 64 living units for the residents and 32 parking spots are proposed, one half parking space per living unit. It meets the requirement. The property is wooded and slopes downward from Route 45 toward the rear. The back includes Pine Brook and a wetland area. We are not proposing any encroachment to the wetland area. In order to construct this building a significant amount of fill is required to level the site and there are significant retaining wall requirements. We will ask for some relief regarding the conservation area and some encroachment. Layout of the driveway was determined by the grade of the site. We met with both the Fire Inspector and the Fire Chief to discuss emergency services. Informally we have received feedback that our plan meets their needs and fire code requirements. The building is designed specifically for the needs of the residents. Residents will be allowed outside the facility but not allowed to leave the property so it will be fenced. There has been a lot of technical review for storm drainage and the retention systems under the parking lot. Fire hydrants are already located nearby to the north and south.

Jeff Wasserman said the Board has some concerns about the location of the driveway.

Mr. Strow explained that given the topography of the property and the slope downward toward the back and the significant need to level the site already creating a 20 ft. retaining wall, moving the location of the driveway would exacerbate the situation as the elevation increases as you travel south on Route 45.

Mr. Emanuel said that only 4 staff members would be leaving the site during rush hour and this facility would not add to or impact traffic congestion at rush hour on Route 45. Other staff members begin and end their day in off hours.

Chairman Rubin asked what if the Department of Transportation said they foresee a problem with cars being unable to make a left turn out of the facility and stacking and will not accept the curb cut at the proposed location what would you do then?

Mr. Emanuel said we would address it.

Chairman Rubin would like this plan to be reviewed by DOT.

ARTIS SENIOR LIVING – Preliminary Site Plan Approval
62.16-1-34 NS & R-40 Zones

Mr. Emanuel said they will send appropriate information to DOT and will supply a drawing with a reasonable scale that shows the intersection of Route 45 and Red Schoolhouse Road. If the Village wants to send a letter than that's your decision and I would not presume to tell you what to do. It's their road and they will make a decision regardless of what you say. The easiest way to do this would be to prepare our documents and letter and you prepare your letter and have Carol Fazio Hart send it to DOT together.

Chairman Rubin said Dennis Rocks will prepare the letter for the Village.

Mr. Emanuel said that both CDRC and County Planning have expressed a concern and we will provide a sidewalk. With regards to parking we have had parking studies done. CDRC has suggested quite strongly that we provide additional parking studies and we will. Memory impaired facilities have less visitors than nursing homes and senior residences.

Chairman Rubin said when you were first before us many of the Board members felt the building was too large for the site. There was a short discussion.

Mr. Emanuel said there was a covenant granted by the Town of Ramapo granted in 1986. At that time the property had been granted approval for use as a restaurant. The front of the property is in the NS (Neighborhood Shopping) Zone and the rear is in the RR-40 Zone. The covenant protected the RR-40 portion of the property. The covenant restricts any commercial or residential development of any nature. With our design we need to do some grading in that area. I will be sending a letter to the Village Board asking them to allow us to do what we propose to do or give us a waiver. The retaining wall will be in the covenant area.

Marc Levine moved the Resolution for Artis Senior Living Declaration of Notice of Intent to be Lead Agency dated December 3, 2015, 3 pages which includes Schedule A. Seconded by Jeff Wasserman. All those in favor, upon the vote, this motion carried unanimously.

Mr. Emanuel thanked the Board and said they will submit revised drawings, will contact the Village Board and will return to CDRC. The Chairman agreed the next meeting will be a Public Hearing.

Chairman Rubin moved to adjourn the application of Artis Senior Living to the January 2, 2016 Planning Board meeting. Seconded by Antonio Luciano All those in favor, upon the vote, this motion carried unanimously.

Antonio Luciano moved to adjourn the meeting. Seconded by Marc Levine. All those in favor, upon vote, this motion carried unanimously.