

**APPROVED**

VILLAGE OF CHESTNUT RIDGE

PLANNING BOARD MINUTES

DECEMBER 7, 2017

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

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

**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.**

Chairman Rubin referenced a letter dated December 5, 2017 from Steven Grogg, Sr. Vice President, McLaren Engineering dated December 5, 2017 requesting an adjournment to the January Planning Board meeting.

Mr. Luciano made a motion to adjourn the Public Hearing for Coptic Orthodox Church Preliminary Site Plan to the January 4, 2018 Planning Board Meeting. Mr. Wasserman 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 a letter dated December 7, 2018 from Rachel Barese, Civil-Tec Engineering & Surveying PC requesting an adjournment to the January Planning Board meeting.

Mr. Baum stated that when the applicant was adjourned from the November 2, 2017 meeting the Board requested that the applicant re-post the property no later than 10 days prior to the public hearing. The posting was done after the 10 days as per the Affidavit of Posting that was submitted.

Mr. Emanuel, attorney for the applicant stated that the applicant will repost the public hearing posters prior to the January 4, 2018 meeting. The public hearing posters need to be posted no later than December 26, 2017.

Chairman Rubin made a motion to adjourn the Public Hearing for Banker Estates Final Subdivision to the January 4, 2018 Planning Board Meeting. Mr. Levine 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 a letter dated December 7, 2018 from Rachel Barese, Civil-Tec Engineering & Surveying PC requesting an adjournment to the January Planning Board meeting.

Mr. Baum stated that when the applicant was adjourned from the November 2, 2017 meeting the Board requested that the applicant re-post the property no later than 10 days prior to the public hearing. The posting was done after the 10 days as per the Affidavit of Posting that was submitted.

Mr. Emanuel, attorney for the applicant stated that the applicant will repost the public hearing posters prior to the January 4, 2018 meeting. The public hearing posters would need to be posted no later than December 26, 2017.

Chairman Rubin made a motion to adjourn the Public Hearing for Banker Estates Preliminary Site Plan to the January 4, 2018 Planning Board Meeting. Mr. Levine seconded the motion. All those in favor, upon vote, the motion carried.

**Bella Vista--Public Hearing Final Subdivision Approval**

The applicant is seeking approval to subdivide the parcels into 10 lots. The properties are located on the West side of Ackertown road, 1600 feet North of Pinebrook Road. Applicant received Preliminary Subdivision approval in July 2017.

**Tax Designation: 62.15-1-42 and 62.15-1-45**

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

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

Mr. Emanuel stated that when the applicant last appeared before the Board in July of 2017 they were granted a Negative Declaration and Preliminary Subdivision approval.

Chairman Rubin asked Ms. Ballek to read into the record any documentation that was received since the November meeting. The following was read into the record:

Final Subdivision Application

Narrative

Final Subdivision Plans dated October 24, 2017

Mr. Stach's review memo dated November 6, 2017

Mr. Baum's review memo dated November 14, 2017

Preliminary Cost Estimate from Mr. Strow

Letter from Rockland County Highway Dept. dated November 27, 2017

Letter from Rockland County Environmental Health Dept. dated November 21, 2017

Letter from Rockland County Sewer District #1 dated November 30, 2017

Letter from Chestnut Ridge Fire Inspector dated December 6, 2017

Mr. Emanuel and Mr. Strow confirmed receipt of above documents.

Ms. Ballek confirmed receipt of the public hearing documents; everything posted and received on time.

Mr. Strow stated that the easement is shown on the plans.

Mr. Strow has no issue with any of the agency response letters. He did state that some details are not shown on the plans.

**Bella Vista--Public Hearing Final Subdivision Approval**

The applicant is seeking approval to subdivide the parcels into 10 lots. The properties are located on the West side of Ackertown road, 1600 feet North of Pinebrook Road. Applicant received Preliminary Subdivision approval in July 2017.

**Tax Designation: 62.15-1-42 and 62.15-1-45**

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

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

Referencing RC Health Dept. letter dated November 21, 2017 item # 3 regarding Sanitary Sewer extension approval; Chairman Rubin asked Mr. Strow how this would be addressed. Mr. Strow stated that the Health Dept. has to approve the sewer extension.

Referencing RC Sewer District #1 letter dated November 30, 2017, Chairman Rubin asked Mr. Strow if the items listed are on the plans currently, Mr. Strow said yes.

Mr. Strow stated that an application has not yet been filed with Suez. Citing the Fire Inspector's December 6, 2017, Mr. Wasserman mentioned that calculations would need to be done to determine the minimum number of fire hydrants required. Mr. Strow said he would provide hydrants where the Fire Inspector requested them.

Chairman Rubin made mention to the RC Highway Dept. letter dated November 27, 2017; Mr. Strow had no issues with any of the items.

Chairman Rubin referenced Mr. Baum's review memo dated November 6, 2017. Mr. Strow had a question on item 12; all these items are required with a Final Subdivision submission.

Mr. Emanuel stated that certain items can't be attained at this stage; specifically, item 12F regarding proposed lot numbers and 12B regarding letter of credit. Mr. Emanuel further stated Final approval will be accepted while coordinating replies to these items. Mr. Baum was ok with this.

Item 8 from Mr. Baum's review memo dated November 6, 2017 -General Notes 20, 28 & 29. Mr. Baum stated that these were part of the Preliminary approval that he carried over; item 20 spoke of drainage connections and items 28 & 29 spoke of restrictions of drainage.

Mr. Emanuel questioned the date the referral was sent to the Village of Airmont. Ms. Ballek stated it was sent on November 16, 2017.

**Bella Vista--Public Hearing Final Subdivision Approval**

The applicant is seeking approval to subdivide the parcels into 10 lots. The properties are located on the West side of Ackertown road, 1600 feet North of Pinebrook Road. Applicant received Preliminary Subdivision approval in July 2017.

**Tax Designation: 62.15-1-42 and 62.15-1-45**

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

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

Discussion on streetlights; Mr. Rocks stated that there is an existing streetlight at the intersection of Ackertown Road, he suggests 2 lights be added. The plans currently only show 1 streetlight. Mr. Strow is in agreement with Mr Rocks.

Chairman Rubin referenced the CDRC minutes from the November 15, 2017 CDRC meeting, and mentioned Mr. Rocks' June 27,2016, September 22, 2016 and August 31, 2017review memos with older comments. He further asked if items on these memos were still outstanding and if they were discussed at the CDRC meeting. Mr. Strow stated that these items were discussed at the CDRC meeting and some have been addressed.

Mr. Strow explained in order to make the overflow drainage system effective, he will be replacing a severely undersized system on Saddle River Road.

Referencing Mr. Rocks' November 14, 2017 review memo, Chairman Rubin made mention of item D from August 31, 2017. Mr. Rocks explained that since this is a drainage easement trees are not usually planted within drainage easements. Vegetation is usually smaller and easier to remove. Mr. Emanuel thought the Cherry Laurel and White Pines had been removed from the end of the easement. Mr. Strow is proposing shrubs at the end of the easement.

Chairman Rubin asked Mr. Rocks if Mr. Strow's responses from the November 15, 2017 CDRC minutes address his comments from his November 14, 2017 review memo, Mr. Rocks stated no, the entire memo needs to be resolved. The applicant's engineer needs to address item by item. Mr. Strow stated that he will respond to items 1 through 7 with a narrative that will address each item.

**Bella Vista--Public Hearing Final Subdivision Approval**

The applicant is seeking approval to subdivide the parcels into 10 lots. The properties are located on the West side of Ackertown road, 1600 feet North of Pinebrook Road. Applicant received Preliminary Subdivision approval in July 2017.

**Tax Designation: 62.15-1-42 and 62.15-1-45**

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

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

Chairman Rubin opened the meeting to the public.

1. Steven Klein 73 Regina Road, Airmont, NY 10952

- a. Would the additional fire hydrants that need to be installed once the project is approved be paid for by the Village or the developer? Mr. Baum explained that while the developer installs the fire hydrants, the Village pays an annual use fee to Suez.
- b. Does the Village of Chestnut Ridge have a tree ordinance? Chairman Rubin stated no; and further explained if a project comes before the Board that calls for the removal of trees the Board may request that the applicant provide additional landscaping.
- c. Concerned about the volume of traffic coming onto the site as well as the environmental impact; specifically, the drainage out onto Saddle River Road. Chairman Rubin stated that these issues have been worked out with the applicant's engineer and the Village engineer.
- d. Neighbors from other municipalities receiving a notice in the mail from the Village that alerts them of the Public Hearing. Chairman Rubin explained that residents within 500 feet of the specified property will receive a document advising them of the Public Hearing. The public hearing posters have been posted for at least the last year.

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

Chairman Rubin made a motion to adjourn the Public Hearing for Bello Vista Final Subdivision Approval to the February 1, 2018 Planning Board Meeting based on the applicant submitting revised drawings no later than December 30, 2017. Mr. Levine seconded the motion. All those in favor, upon vote, the motion carried.

Mr. Strow will submit directly to Mr. Baum, Mr. Rocks & Mr. Stach with the balance to Ms. Ballek for distribution to the Board. Consultant review memos to be submitted no later than the January 22, 2018 Workshop.

**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 January 4, 2018 Planning Board Meeting. Mr. Wasserman seconded the motion. All those in favor, upon vote, the motion carried.

**Trailing Ridge—295 Red Schoolhouse Road Site Plan and Conditional Use**

Applicant is seeking an informal discussion to identify the approval and variances that may be required. Proposed use as an outdoor recreation facility to include the construction of a private swimming pool, tennis court, cabana and play area. 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**

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

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

Peter Tifinsky, Applicant, 295 Red Schoolhouse Rd. LLC, 120 Sylvan Avenue, Suite 200, Englewood Cliffs, NJ07632

Mr. Emanuel stated the unusual characteristics of this project were discussed at the November 15, 2017 CDRC meeting and it fits nicely into the code. All the units are on the New Jersey side, the applicant is proposing adding amenities that will serve the townhouse development. Some amenities would include a tennis court, swimming pool, a clubhouse; all of which would be accessed from the new Jersey community.

Mr. Strow stated that there is a driveway into the property from Red Schoolhouse Road.

The townhouse has 81 units that are each 25 feet wide; 63 market value units and 18 affordable until and sits on 10 acres.

Chairman Rubin asked if the units were 3 stories, the plans seem to show 16 units. Mr. Emanuel said the plans being referenced aren't the full plans of the Montvale, NJ site.

Chairman Rubin voiced a concern regarding adequate parking on the Montvale, NJ side to accommodate guests of residents. Mr. Emanuel stated that this would be a concern for Montvale and not the Planning Board.

There was a discussion on parking. Ms. Arin asked if there was parking around the property or if the area around the swimming pool and tennis courts were strictly a walking area. Mr. Tifinsky stated each unit has a 2-car garage and 2 car driveway and approximately 30 parking spots for visitors. There are 8 parking spaces by Buildings 2 and 3.

Mr. Stach said that typically in a planned community the parking requirement would be based on the residential components of the project. Some of the residents may want to drive to the facilities.

Mr. Strow said variances will need to be granted before anything can be built.

### **Trailing Ridge—295 Red Schoolhouse Road Site Plan and Conditional Use**

Applicant is seeking an informal discussion to identify the approval and variances that may be required. Proposed use as an outdoor recreation facility to include the construction of a private swimming pool, tennis court, cabana and play area. 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**

Mr. Levine asked if Montvale approved any type of facility for recreational use. Mr. Tifinsky stated that density is what the developer at the time the project began wanted.

Mr Emanuel mentioned a desire for Declaration of Lead Agency.

The Board discussed the layout/location of the pool house from original location and will flip the tennis court & the pool house.

Mr. Wasserman had 2 questions of the applicant:

1. Was emergency access taken into effect by Montvale?
2. Is a referral to RC Health Dept. required regarding pool regulations? Mr. Emanuel explained that this would be an operational issue.

Ms. Arin started a discussion on emergency access and if emergency vehicles would be able to gain access to property. Mr. Tifinsky stated that the main point of entry was from Schoolhouse Road on the New Jersey side. The road is wide enough to allow for emergency vehicles.

Mr. Levine asked who responds if there's an emergency at the pool. Mr. Strow said he spoken with the Ambulance Corp. and was told they do not have a mutual aid agreement with Montvale. They further stated that if an emergency called received they would respond.

It was discussed that the plans would be sent to New York and New Jersey agencies for review; Fire Department, Ambulance Corp. and Police Department. Mr. Strow will provide Ms. Ballek extra sets of plans if necessary.

The Board was in favor of the applicant appearing before the Zoning Board of Appeals for required variances then to reappear to the Planning Board. Mr. Emanuel was in agreement.

**Trailing Ridge—295 Red Schoolhouse Road Site Plan and Conditional Use**

Applicant is seeking an informal discussion to identify the approval and variances that may be required. Proposed use as an outdoor recreation facility to include the construction of a private swimming pool, tennis court, cabana and play area. 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**

Mr. Wasserman asked about sewage and pool drainage. Mr. Strow said he would advise.

Mr. Emanuel stated the desire for the Board to declare themselves Lead Agency. Mr. Baum thinks it's a little premature; the application before the Board is informal and only conceptual plans were submitted.

Mr. Stach stated that his comments regarding yard interpretations that were made at the November CDRC meeting should be disregarded.

Chairman Rubin referenced Mr. Rocks' November 14, 2017 review memo regarding the lighting. Will these be illuminated at night? Mr. Stach pointed out that the Village Code doesn't allow lights to be on past 10:00 pm.

Mr. Strow stated that he agrees with the CDRC comments and memos and will work with the Building Inspector regarding variances.

Mr. Levine expressed a desire for security lights on the property to prevent people from gaining entry to the pool area. Mr. Baum said that this is different than a commercial property that's open to the public with more foot traffic. The user/developer may want to put up a security light.

## **Minutes**

Mr. Luciano made a motion to approve the July 6, 2017 Planning Board minutes as amended. Ms. Arin seconded the motion. Chairman Rubin and Deputy Chairperson Levine both abstained. All those in favor, upon vote, the motion carried.

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

