

**APPROVED**

VILLAGE OF CHESTNUT RIDGE

PLANNING BOARD MINUTES

FEBRUARY 1, 2018

MEMBERS PRESENT:

MARC LEVINE	DEPUTY CHAIRMAN
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

NOT PRESENT:

ALLAN RUBIN, CHAIRMAN
MYRNA ARIN, MEMBER

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

**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.**

Deputy Chairman Levine referenced a letter dated January 22, 2018 from Rachel Barese, Civil-Tec Engineering & Surveying PC requesting an adjournment to the March 1, 2018 Planning Board meeting.

Mr. Luciano made a motion to adjourn the Public Hearing for Banker Estates Final Subdivision to the March 1, 2018 Planning Board Meeting. Mr. Wasserman seconded the motion. All those in favor, upon vote, the motion carried. Chairman Rubin and Ms. Arin were both absent.

Deputy Chairman Levine stated tonight's meeting has 3 members present; the Chairman and 1 other member is absent. If any overrides are needed they won't be granted.

**Banker Estates— Continuation of Public Hearing Preliminary Site Plan**

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.**

Deputy Chairman Levine referenced a letter dated January 22, 2018 from Rachel Barese, Civil-Tec Engineering & Surveying PC requesting an adjournment to the March 1, 2018 Planning Board meeting.

Mr. Luciano made a motion to adjourn the Public Hearing for Banker Estates Preliminary Site Plan to the March 1, 2018 Planning Board Meeting. Mr. Wasserman seconded the motion. All those in favor, upon vote, the motion carried. Chairman Rubin and Ms. Arin were both absent.

**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**

Deputy Chairman Levine referenced a letter dated January 22, 2018 from Rachel Barese, Civil-Tec Engineering & Surveying PC requesting an adjournment to the March 1, 2018 Planning Board meeting.

Mr. Luciano made a motion to adjourn the Public Hearing for Complete Auto Repair Preliminary Site Plan approval to the March 1, 2018 Planning Board Meeting. Mr. Wasserman seconded the motion. All those in favor, upon vote, the motion carried. Chairman Rubin and Ms. Arin were both absent.

**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

William Pfaff, Architect for the applicant, AIA, LEED AP, 208 Foss Drive, Upper Nyack, NY 10960

Deputy Chairman Levine 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 reviews:

Mr. Rocks' review memos dated October 23, 2017 and November 22, 2017.

Mr. Stach's review memo dated November 22, 2017.

Ms. Tummala's review memo dated November 7, 2017.

Letter from Mr. Grogg dated December 7, 2017 to Mr. Rocks re: Infiltration testing that was performed on November 27, 2017. Letter 2 pages, included a map of percolation locations in red, cut/fill calculations at percolation test locations and a percolation map summary as well as a Bioretention worksheet and a porous worksheet.

Letter from Mr. Pfaff dated December 14, 2017 Re: The Courtyard.

Email from Mr. Grogg dated January 15, 2017 in response to Mr. Rocks.

Mr Grogg email dated February 1, 2018, included a Narrative for the January 18, 2018 submission.

Adjournment requests:

Letter from Mr. Grogg dated December 5, 2017 requesting adjournment from the December 7, 2017 meeting.

Letter from Mr. Grogg dated December 20, 2017 requesting adjournment from the January 4, 2018 meeting.

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Deputy Chairman Levine 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:

Documents received January 18, 2018:

Preliminary Lot Consolidation map dated August 30, 2017, rev. January 18, 2018.

Site Plans dated March 28, 2017, rev. January 18, 2018.

SWPPP rev. January 18, 2018.

Documents received December 22, 2017:

Letter from Mr. Grogg dated December 7, 2017.

Attachment #1 Percolation test locations.

Attachment #2 Cut/Fill calculations.

Attachment #3 Percolation Test Summary.

Bioretention Worksheet.

Minimum RRV Worksheet.

Porous pavement Worksheet.

Preliminary Lot consolidation Map dated August 30, 2017.

Documents received November 13, 2017:

Mr. Grogg email dated November 10, 2017 advising the estimated dated the Geotechnical borings & testing would be performed. Letter included map and locations in red.

Mr. Grogg email dated November 12, 2017 sent directly to Mr. Rocks by Coptic Church Engineer. Included a 2-page spillway repair map.

Documents received November 8, 2017:

Mr. Grogg email via Mr. Rocks dated November 7, 2017 re: Percolation test depths.

Map showing location of test depths.

Cut/Fill calculations @ test locations (attached to Mr. Grogg email)

Revised Cut/Fill calculations @ test locations with new information highlighted in red.

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Deputy Chairman Levine 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. Baum's draft Resolution Preliminary Site Plan & Conditional Use approval dated January 30, 2018.

Mr. Baum's revised draft Resolution Preliminary Site Plan & Conditional Use

Agency Correspondence:

Letter from RC Sewer District #1 dated November 28, 2017.

Deputy Chairman Levine confirmed with Mr. Rocks that the plans that were submitted on January 18, 2018 didn't have a narrative included that listed the changes. Mr. Rocks stated that the narrative was requested and was provided today by Mr. Grogg.

There was a discussion on the drainage system:

Mr. Rocks wanted Mr. Grogg to begin by explaining the former Stormwater Management design, what the results from the soil testing were and how he arrived at the current design.

Mr. Grogg stated Mr. Rocks has a concern that all the requirements of the Stormwater regulations weren't being met. Mr. Grogg went onto to explain that extensive borings and test pits were done up in the parking lot. The tests were done right before Thanksgiving. The soil has a good percolation rate, but rock was found at the test location. An underground infiltration system was re-designed after meeting with Mr. Rocks. This will meet the NYS requirements, and as such a waiver won't be needed. This information is included in the Stormwater report. Due to the frozen ground additional percolations weren't able to be attained.

Deputy Chairman Levine asked Mr. Rocks if the applicant has met the requirements for Preliminary approval in regards to the drainage issues; Mr. Rocks answered yes. The only open issue per Mr. Rocks is the soil testing.

Mr. Grogg reviewed Mr. Rocks' February 1, 2018 review memo and has no objections to any of the comments and will be able to comply.

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Mr. Stach stated his previous concerns have all been addressed by the applicant and have been incorporated into the plans. Mr. Wasserman and Mr. Luciano didn't have any concerns.

Mr. Baum prepared a draft Resolution prior to the drainage issues, which has since been updated as of January 30, 2018.

A review from NYS DOT is still required. The applicant had requested a waiver on the required number of parking spaces: 281 spaces to 228 spaces and 36 spaces being land banked.

Deputy Chairman Levine asked what would be done to prevent parking on the adjacent side street. Mr. Grogg stated that there would be a gate across that location. Discussion on how to prevent residents from walking across the church property. Mr. Grogg said there would be a fence along the property. Mr. Luciano stated that the church could only control the parking on their site, other than that it would be an enforcement issue. The Board felt that 'policing' the off-site parking was beyond the scope of what could be requested from the applicant.

Mr. Wasserman stated that there are 960 church seats and there is 1 parking space for every 5 church seats which equals 160 parking spaces.

Mr. Grogg stated that according to the Village code all uses should be considered if there are multiple uses in a building; 281 parking spaces was based on the Village Code.

In referencing his November 22, 2017 review memo, Mr. Stach had 2 concerns:

1. Stated that the issue on the dimmable lights has been addressed in one of Mr. Grogg's narratives, but it hasn't been added to the plans as of yet. Mr. Grogg requested that this become a condition of Final approval and stated that the Church can review and decide what type of lighting they want at that time.
2. Mr. Baums' draft Resolution references 16 classrooms for Sunday school religious study. Stated that recently it seems like only 8 classrooms. Mr. Pfaff explained that the classroom is being worked out further, will also include space for daycare during the week. The 16 classrooms talks about what the application consisted of when submitted.



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Mr. Grogg explained that the parking for the facility is based on 17,600 sq. feet.

Mr. Wasserman questioned if a loading dock would be required. He further stated that some of the other religious institutions that the Board approved had loading docks. Mr. Baum said the applicant has shown 'loading spaces' as opposed to loading docks.

Deputy Chairman Levine opened the meeting to the public.

Deputy Chairman Levine asked if anyone wished to speak. No one did.

Mr. Luciano made a motion to close the Public Hearing, Mr. Wasserman seconded the motion. All those in favor, upon vote, the motion carried. Chairman Rubin and Ms. Arin were both absent.

Mr. Wasserman made a motion to approve the draft resolution for Coptic Orthodox Church Preliminary Site Plan and Conditional Use approval updated as of 1/30/18 with the following modifications:

1. Eliminate reference to 16 classrooms in the first paragraph.
2. Condition No. 3, add Mr. Rocks' review memo of February 1, 2018 and further soil testing to final.
3. Add a new Condition No.16-Review the dimming and timing of outside lights at time of final review per Mr. Stach's review memo dated November 22, 2017.
4. Add new Condition No. 17-Approval of waiver of parking from 281 spaces to 228 spaces inclusive of the land banked spaces.

Mr. Luciano seconded the motion. All those in favor, upon vote, the motion carried. Chairman Rubin and Ms. Arin were both absent.

**Bella Vista-- Continuation of 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 the applicant was granted Preliminary approval in July of 2017 and they last appeared before the Board in December of 2017 as a Public Hearing for Final Subdivision.

Mr. Emanuel said he understood that the previous issues relate to engineering and drainage. He's hopeful for Final Subdivision approval at the March Planning Board meeting.

Deputy Chairman Levine 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:

Revised Subdivision Plat dated October 24, 2017, rev. December 29, 2017.  
Narrative dated December 29, 2017.  
Drainage analysis rev. December 29, 2017  
SWPPP dated December 29, 2017

Mr. Rocks review memo dated January 22, 2018.  
Mr. Strow's letter dated January 29, 2018 addressing drainage comments as per Mr. Rocks' January 22, 2018 review memo.  
Mr. Baum's review memo dated January 30, 2018.  
Letter from the Chestnut Ridge Fire Inspector dated December 6, 2017.  
Email from the Village of Airmont dated December 13, 2017.

Mr. Strow stated his December 29<sup>th</sup> narrative responds to all previous comments to date. He's also responded to drainage comments and submitted a revised drainage analysis. Mr. Strow said he's had conversations with Mr. Rocks in regard to his comments in his January 22, 2018 review memo and he's working on revising the calculations.

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Mr. Wasserman stated that at the December 7<sup>th</sup> meeting the following issues were discussed:

1. The Fire Inspector had requested a 3<sup>rd</sup> fire hydrant. Has that been installed? Mr. Strow said a 3<sup>rd</sup> hydrant has been added to the plans.
2. Discussion on the oversize pipe onto Saddle River Rd. Mr. Strow said the pipe size was increased to 15' the entire way. Mr. Rocks is satisfied with this adjustment.

Mr. Stach began a discussion on the street trees and Mr. Strow had stated at the December meeting that he was going to add trees of the same variety. Mr. Strow said the trees that will be added will be similar to another project he worked on previously and will be shown on the plans. Mr. Strow said there would be 50 street trees planted of a similar variety.

Deputy Chairman Levine asked Mr. Strow is he was familiar with Mr. Baum's January 30<sup>th</sup> review memo.

Mr. Emanuel stated items will be met before Final approval is granted.

Mr. Baum mentioned item 2. on his January 30<sup>th</sup> memo is again addressed as item 13 to modify Note 31 on plans. Mr. Baum said the issue of the street name still needs to be resolved.

Mr. Strow said he addressed the Village of Airmont's comments in his December 29<sup>th</sup> narrative. Mr. Stach pointed out an error on page 7 item 2 D, where it states 'any applicable standards of the Village of Airmont' and it should be Chestnut Ridge. Mr. Strow will make the correction.

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Mr. Stach asked Mr. Strow if he received a 'Willingness to Serve' from Suez. Mr Strow he's met with Suez and expects to have shortly.

Mr. Wasserman asked if the erosion concern where the pipe come out by Saddle River Road was addressed. Mr. Strow explained that an error was made in specifying the wrong information. He's spoken with Mr. Rocks and it will be provided. Mr. Wasserman asked if any part of the pipe would be visible. Mr. Strow said no; it's an underground pipe and there is a profile on the plans.

Mr. Strow stated that the changes that need to be made are very minor. The bigger issue right now is the drainage; he'd such he'd prefer to update the plans to reflect the changes at the check print stage.

Mr. Strow said he'd work on item C page 1 of Mr. Rocks' January 22, 2018 review memo.

Mr. Stach asked Mr. Strow if the light pole between parcel 5 & 6 was added to the most recent submission. Mr. Strow said he made an error by stating there was an existing light pole on Ackertown Road but there isn't.

Mr. Wasserman didn't think there was a need for a street light on Ackertown Road.

Mr. Baum stated that at the December Planning Board meeting the Board had spoken of having all the details incorporated onto the plans prior to the Final approval. Mr. Strow agreed to resubmit the plans and suggested if the items were addressed they could be removed and he won't need to keep addressing. He will address the items on Mr. Baum's' January 30, 2018 review memo and Mr. Rocks' January 22<sup>nd</sup> review memo.

The Board stated a preference on waiting until the March 1, 2018 meeting when Chairman Rubin will be present to further discuss the proposed street name.

Ms. Ballek will follow up with Town of Ramapo Dept. of Public Works and South Spring Valley Fire Department regarding their review.

Deputy Chairman Levine opened the meeting to the public.

Deputy Chairman Levine asked if anyone wished to speak. No one did.

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Deputy Chairman Levine referenced the November 15, 2017 CDRC minutes where Mr. Stach had concerns regarding the survivability of trees on the adjacent property. This would be a private property matter between the 2 owners insofar of any damage sustained.

The applicant will address Mr. Rocks January 22, 2018 review memo and Mr. Baum's January 30, 2018 review memo and revise plans before the Planning Board Workshop on February 26, 2017. Mr. Strow will submit the revised plans by February 15, 2017 direct to Mr. Rocks, Mr. Baum, Mr. Stach with the balance to Ms. Ballek for distribution to the Planning Board.

Mr. Wasserman made a motion to adjourn the Public Hearing for Bella Vista Final Subdivision to the March 1, 2018 Planning Board Meeting. Mr. Luciano seconded the motion. All those in favor, upon vote, the motion carried. Chairman Rubin and Ms. Arin were both absent.

Mr. Wasserman made a motion to adjourn the meeting, Mr. Luciano seconded he motion. All those in favor, upon vote, the motion carried. Chairman Rubin and Ms. Arin were both absent.

