

**APPROVED**

VILLAGE OF CHESTNUT RIDGE

PLANNING BOARD MINUTES

MARCH 1, 2018

MEMBERS PRESENT:

ALLAN RUBIN	CHAIRMAN
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: MYRNA ARIN, MEMBER

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

Chairman Rubin stated that in an effort to ensure that all applications are heard this evening, he's going to set up a 45-minute time frame for each applicant.

He further explained the Planning Board normally will not start a new application after 11:00 pm.

He requested that the applicants be as brief as possible.

**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.**

Rachel Barese, Civil Tec Engineering & Surveying PC 139 Lafayette Avenue Suffern, NY 10901  
Ira Emanuel, Attorney for applicant, 4 Laurel Road, New City, NY 10965

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:

Consultant review memos:

Mr. Baum's review memos dated May 22, 2017 and November 20, 2017.

Mr. Rocks' review memos dated May 31, 2017, August 28, 2017, November 27, 2017, January 8, 2018 and February 26, 2018.

Mr. Stach's review memo dated November 27, 2017.

Agency Correspondence:

Letters from Town of Ramapo Dept. of Public Works dated January 30, 2018 and February 12, 2018.

Resolutions:

Mr. Baum's draft resolution dated August 3, 2017 adoption of LEAF Part II and Negative Declaration.

Mr. Baum's draft resolution Preliminary Site Plan and Conditional Use dated August 3, 2017.

Adjournment requests:

Mr. Emanuel's email dated September 19, 2017 requesting adjournment to the November meeting.

Ms. Mele's email dated October 27, 2017 requesting adjournment to the December meeting.

Ms. Barese's letter dated December 7, 2017 requesting adjournment to the January meeting.

Ms. Barese's letter dated January 22, 2018 requesting adjournment to the March meeting.

**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.**

Documents received July 18, 2017:

Site plans dated August 3, 2016, rev. July 18, 2017.  
Subdivision plans dated August 3, 2016, rev. July 18, 2017.  
SWPPP rev. July 18, 2017.  
Existing drainage map dated May 15, 2017, July 18, 2017.  
Proposed drainage map dated May 15, 2017, July 18, 2017.

Documents received November 2, 2017:

Comment response memo dated September 18, 2017.  
Existing drainage map dated May 15, 2017, September 18, 2017.  
Proposed drainage map dated May 15, 2017, September 18, 2017.  
Site plans dated August 3, 2016, rev. September 18, 2017.  
Subdivision plans August 3, 2016, rev. September 18, 2017.  
SWPPP rev. September 18, 2017.

Documents received December 20, 2017:

Site plans dated August 3, 2016, rev. December 9, 2017.  
Subdivision plans dated August 3, 2016, rev. December 9, 2017.  
Comment response memo dated December 20, 2017.  
SWPPP rev. December 19, 2017.  
Existing drainage map dated May 15, 2017 rev. December 19, 2017.  
Proposed drainage map dated May 15, 2017 rev. December 19, 2017.

Documents received February 6, 2018

Comment response memo dated January 31, 2018.  
Site plans dated August 3, 2016, rev. January 31, 2018.  
Subdivision plans dated August 3, 2016, rev. January 31, 2018.  
SWPPP rev. January 31, 2018.  
Existing drainage map dated May 15, 2017, rev. January 31, 2018.  
Proposed drainage map dated May 15, 2017, rev. January 31, 2018.

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

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Ms. Barese confirmed receipt of all documents.

Ms. Barese gave a refresher of the project as a 3 lot Subdivision on Banker Street; a Single-Family dwelling on Lot 1 and 2 family dwellings on lots 2 & 3 for a total of 5 families. The project also includes a road widening of Banker Street.

Ms. Barese has been working with the consultants for the last 9 months to try and address the comments and concerns so that they'd be ready to recommend a Negative Declaration.

Mr. Rocks February 26, 2018 review memo:

Page 1 item 7b Sheets 1 & 3:

Ms. Barese mentioned the need to decide which items would go under the Site plan and which items would go under the Subdivision.

Mr. Rocks said that the road widening could be shown as existing.

Mr. Rocks said that while it's not his decision on when the public improvements are completed it should be indicated to specifically address how the mechanics will work out before Certificate of Occupancies and Building permits can be issued for those homes.

A discussion on where the standard notes that dictate where the Public Improvements are on the plans. Mr. Emanuel said this information is usually found in either the Site Plan or Subdivision Regulations. Mr. Stach stated the Subdivision improvements need to be bonded and since the bond isn't released until after completion the applicant may want to do quickly.

As a summary Mr. Emanuel stated that anything that crosses Subdivision lines or crosses the boundary lines will be part of the Subdivision. Anything that is completely internal to a particular lot will be part of the Site Plan. Mr. Rocks was in agreement.

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

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

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Item 13: Ms. Barese stated that the Village has a standard maintenance agreement in regards to the drainage and rain barrels. Mr. Emanuel said there would be easements that would deal with anything over the line. The Board was in agreement that the standard maintenance agreement would be sufficient.

Item 16:

- a. Ms. Barese will look at the Buoyancy Calculation.
- b. Ms. Barese will contact the manufacturer regarding the discrepancy between the CMP pipe vs. the HDPE pipe.

Page 2 Stormwater Pollution Prevention Plan (SWPPP):

Ms. Barese explained that open grates were added to allow water to run naturally across the front. The rear gate is open and that will allow all the water that is across the retention system to be collected. There is also a swale that will direct the water to the field inlet.

- a. Mr. Rocks stated that the area to the east of the subdivision should continue to sheet onto the site. There is an issue with the berm that Ms. Barese created that prohibits the run-off from following the pattern and it's concentrating on the property line between the 2 lots. The 2<sup>nd</sup> issue relates to the drainage area map and the drainage calculations Ms. Barese provided.

Chairman Rubin asked Ms. Barese if she was clear on what she was going to need to do in order to revise the plans.

Mr. Rocks said another concern was regarding the front yard and that the drainage doesn't move to the north the way Ms. Barese indicated it does. Ms. Barese will look at Lot 2; Mr. Rocks stated that there is a hole where the driveways are which is a dead end for drainage.

- b. Mr. Rocks stated that the Channel Protection Volume is something that has to be met in order to qualify for coverage under the storm water general permit.

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

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Landscaping on Lot 1 was discussed and it was decided that any landscaping would be up to the individual homeowner.

Mr. Stach thought there were screen trees at the southerly end of Lot 1. Ms. Barese said there was screen trees between Lot 1 and the existing residence. The planting is not in the drainage easement rather along the side of the house. 2 issues:

1. What are the existing conditions vs. the proposed conditions for any of either lot?
2. Wants to distinguish between screening vs. what the homeowner will put around foundation.  
Ms. Barese suggested removing the shrubs and keep the screening on either side. The Board agreed with this suggestion.

Page 3:

February 26, 2018 Plan comments:

3. Ms. Barese will check the notes for the Check valves.

February 26, 2018 SWPPP comments:

1. Ms. Barese will be more specific with Water Quality Volume (WQv) and Runoff Reduction Volume (RRv) calculations.
3. Will review the drainage pipe calculation.
4. Will specify which swale calculation is for which location.

Mr. Wasserman had a question regarding the rain barrels; specifically, as to why they aren't on the most recent plans. Mr. Rocks explained that 1 of the approved methods by the Department of Environmental Conservation (DEC) is rain barrels. There could be issues if they're not maintained. Maintenance is required and the homeowner will be responsible. Ms. Barese stated that since the soil in the area doesn't percolate very well and the ground water is high, it limits what can be used.

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

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Mr. Levine mentioned the time being spent on swales directing the water and asked if there would be anything in the deed that would state the homeowner wouldn't be able to change the grade. Mr. Emanuel stated that there would be easement agreements as well as notes on the map. Mr. Baum stated that this information will be recorded in an easement agreement that will be filed in the County Clerk's office.

Mr. Emanuel explained that are much clearer descriptions on what can and cannot be done in regards to Subdivisions approvals. The notes that are added to plans today are much more descriptive then they were in the past. The Village will have the authority to enforce if an issue should arise. This couldn't be added to a deed since it involves more than 1 lot.

Chairman Rubin opened the meeting to the public.

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

Chairman Rubin stated the Public Hearing will remain open.

Mr. Rocks would like Mr. Baum and Mr. Stach involved with the issues regarding the Public improvements; Building Permits, Certificates of Occupancies (COs)

Mr. Emanuel asked the Board to consider granting Preliminary and Final Site Plan at the same time.

Mr. Levine pointed out the need for 3 Public Hearings, Mr. Emanuel would be fine with this if it's required.

Mr. Emanuel expressed his gratitude to the Board in an effort to move the application along.



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

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

Chairman Rubin made a motion to adjourn the Public Hearing for Banker Estates Final Subdivision to the April 5, 2018 Planning Board Meeting based on Ms. Barese meeting with Mr. Rocks within the next 2 ½ weeks to discuss changes as discussed at this meeting and then submitting revised documents no later than March 26, 2018 in order to attend the April meeting. Mr. Luciano seconded the motion. All those in favor, upon vote, the motion carried. Ms. Arin was absent.

Chairman Rubin made a motion to adjourn the Public Hearing for Banker Estates Preliminary Site Plan to the April 5, 2018 Planning Board Meeting based on Ms. Barese meeting with Mr. Rocks within the next 2 ½ weeks to discuss changes as discussed at this meeting and then submitting revised documents no later than March 26, 2018 in order to attend the April meeting. Mr. Wasserman seconded the motion. All those in favor, upon vote, the motion carried. Ms. Arin was 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**

Rachel Barese, Civil Tec Engineering & Surveying PC 139 Lafayette Avenue Suffern, NY 10901  
Richard Sarajian, Attorney for applicant, 67 North Main Street, New City, NY 10956

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:

Consultant review memos:

Mr. Rocks review memos dated September 15, 2017, and revision dated November 14, 2017, December 11, 2017, January 8, 2018 and February 9, 2018.

Mr. Baum's review memo dated November 9, 2017.

Agency Correspondence:

Letter from RC Planning dated October 13, 2017, GML review for Zoning Board.

NYS DOT letter dated October 13, 2017.

Spring Valley Fire Department email dated October 16, 2017.

Resolutions:

Lead Agency determination dated August 3, 2017.

Zoning Board Resolution approving Use Group J dated January 29, 2018.

Mr. Baum's updated Draft Resolution for Preliminary Site Plan dated February 27, 2018.

Adjournment requests:

Ms. Barese's email dated September 27, 2017 requesting adjournment to the November 2, 2017 meeting.

Ms. Barese's letter dated November 1, 2017 requesting adjournment to the December 7 2017 meeting.

Ms. Barese's letter dated December 7, 2017 requesting adjournment to the January 4, 2018 meeting.

Ms. Barese's letter January 22, 2018 requesting adjournment to the March 1, 2018 meeting.

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

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**Tax Designation 57.17-2-27, Zone PO**

Documents received June 26, 2017:

Narrative dated June 26, 2017.

Color Photo from Meckler Associates.

Documents received August 22, 2017:

Comment response memo dated August 21, 2017.

Short EAF Part I with EAF mapper.

Letter from Meckler Associates dated August 21, 2017.

Site Plans dated December 2, 2016, rev. August 21, 2017.

SWPPP rev. August 21, 2017.

Proposed Drainage Map dated December 2, 2016, rev. August 21, 2017.

Existing Drainage Map dated December 2, 2016, rev. August 21, 2017.

Documents received November 3, 2017:

Comment response memo dated November 2, 2017.

SWPPP rev. November 2, 2017.

Site Plans dated December 2, 2016, rev. November 2, 2017.

Proposed Drainage Map dated December 2, 2016, rev. November 2, 2017.

Existing Drainage Map dated December 2, 2016, rev. November 2, 2017.

Documents received from Mr. Sarajian November 21, 2017:

Cover letter dated November 20, 2017.

Energy logic article.

Internet article (19 pages form [www.motherearthnews.com](http://www.motherearthnews.com))

Documents received November 28, 2017:

Comment response memo dated November 28, 2017.

SWPPP rev. November 26, 2017.

Site Plans dated December 2, 2016, rev. November 26, 2017.

Proposed Drainage Map dated December 2, 2016, rev. November 26, 2017.

Existing Drainage Map dated December 2, 2016, rev. November 26, 2017.

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**Tax Designation 57.17-2-27, Zone PO**

Documents received December 19 2017:

Letter from Mr. Sarajian regarding the Site Plan.

Documents received:

Received from Mr. Sarajian February 14, 2018; both letters dated January 22 2018.

Documents received February 1, 2018:

Comment response memo dated January 31, 2018.

SWPPP rev. January 31, 2018.

Site Plans dated December 2, 2016, rev. January 31 2018.

Proposed Drainage Map dated December 2, 2016, rev. January 31 2018.

Existing Drainage Map dated December 2, 2016, rev. January 31 2018.

Mr. Sarajian stated that some engineering issues still need to be resolved between Ms. Barese and Mr. Rocks. Once this is complete Mr. Stach can proceed with the Negative Declaration.

Chairman Rubin asked Ms. Barese if there was anything in the February 13, 2018 CDRC minutes that needed to be discussed.

What follows is a discussion on parking: Ms. Barese stated that one of the comments makes mention of parking being requested 8 ½ feet in the rear for employee parking.

Ms. Barese said there will be customer parking in the front of the facility. This parking will be the standard 9-foot width.

**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**

Mr. Rocks February 26, 2018 review memo:

Page 1: Sheet 1:

6). Ms. Barese said the applicant doesn't have a need for loading zones. There will be small box trucks with deliveries. Mr. Baum stated that the draft resolution clarifies that loading berths will not be required.

8). The proposed fence for the front yard will be specified to be a 4-foot-high fence.

Mr. Rocks is concerned with water from the street getting on the driveway. Ms. Barese said that it's now been graded so it will come up slightly before it comes down onto the sight.

Page 2: Sheet 2:

22). Ms. Barese will speak with the manufacturer regarding the discrepancy between the HDPE pipe and CMP pipe.

23). Will make sure the water service matches the existing water main.

24). The planter detail will be revised so that only 1 outlet pipe is shown.

26). Will specify a type of guard rails.

Page 2 Stormwater Pollution Prevention Plan (SWPPP):

The Stormwater planters are decorative and the roof leaders will go into.

Sheet 3:

28). Ms. Barese stated that a note has been added to the plans that specifies if a tree is removed that was intended to be preserved a new tree must be planted to replace that tree. There is a listing of approved plantings that the Board could choose from. The highest caliper is 30 inches. Preserved trees are in the rear of the property.

Mr. Levine asked what the impact would be to the building across the street in the event that trees are accidentally cut down.

Mr. Stach suggested if a tree is accidentally removed it be replaced with an appropriate replacement; i.e. evergreen for evergreen, deciduous for deciduous as listed on the planting plan. If the tree is over 12-inch in caliper it will have to be replaced by 2 trees. The Board was in agreement with this suggestion. Pin oak and maple are the deciduous trees currently on the site that both are 2 ½ to 3 inches. Chairman Rubin wants the caliper to change to 4 in.

**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**

December 11, 2017 SWPPP comments:

8). The 15-inch outlet is included because the water is going to be routed through the detention system.

Mr. Rocks said he needs to see that the water is routed in 2 steps.

Chairman Rubin mentioned the single-family residence to the east of the applicant. He doesn't remember if the resident that lives at the residence came to any meetings or if they had any comments.

Chairman Rubin opened the meeting to the public.

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

Chairman Rubin stated the Public Hearing will remain open.

Mr. Stach referenced a RC Planning letter from March of 2017 where they issued a disapproval based on a map they reviewed dated December of 2016. Mr. Stach said the disapproval was issued because RC Planning misunderstood what the applicant was doing; which is to say the business that is operating at the location now will not be the same once it's approved. He suggested that Ms. Barese meet with RC Planning with an explanation and they'll reissue the letter resulting with an approval.

Mr. Sarajian pointed out that RC Planning received a much later dated map as part of the ZBA application and the map was again misread. Mr. Sarajian tried calling and setting up a time to meet with someone to discuss and was told there wasn't enough staff to meet with him. He will send another letter requesting a meeting. Mr. Baum doesn't agree that RC Planning should be sent another review. They were given the opportunity to review. The Board is in agreement.

Mr. Rocks will meet with Ms. Barese to discuss changes as discussed at tonight's meeting.

Chairman Rubin made a motion to adjourn the Public Hearing for Complete Auto Repair Preliminary Site Plan to the April 5, 2018 Planning Board Meeting based on Ms. Barese meeting with Mr. Rocks within the next 2 ½ weeks to discuss changes as discussed at this meeting and then submitting revised documents no later than March 26, 2018 in order to attend the April meeting. Mr. Wasserman seconded the motion. All those in favor, upon vote, the motion carried. Ms. Arin was 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

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:

Consultant review memos:

Mr. Baum's comment review memo dated January 30, 2018.

Mr. Rocks comment review memo dated February 26, 2018.

Resolutions:

Mr. Baum's updated draft Resolution -Final Subdivision Plat Approval dated March 1, 2018.

Documents received February 27, 2018:

Cover letter to Mr. Rocks dated February 27, 2018.

Letter from James Murphy, Chief Bureau of Nonpoint Pollution Control dated March 9, 2018.

Hydro International Operation & Maintenance Manual. First Defense & First Defense High Capacity.

Documents received February 16, 2018:

Narrative summary dated February 14, 2018.

Drainage Analysis rev. February 13, 2018.

Final Subdivision Plat dated December 29, 2017, rev. February 14, 2018.

Mr. Emanuel said it was his understanding that there is very little left to discuss.

Mr. Rocks February 26, 2018 review memo:

1). This is part of the Storm Management system.

**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**

Mr. Rocks February 26, 2018 review memo:

- 1). Mr. Strow's response memo dated February 27, 2018 is in response to this item on Mr. Rocks' memo.
- 2). Mr. Strow stated that when tree mapping was first discussed he mentioned using average density trees. There was brief discussion on Note 24 on plans and what would be done if trees accidentally cut down.
- 4). Mr. Strow will supply information on a catalog cut for the Nyloplast "Drain Adapter".

Chairman Rubin asked Mr. Strow if there were any items in the February 13, 2018 CDRC minutes to be addressed. Mr. Strow stated he'd review Mr. Rocks comments further. Further stated that the items from Mr. Baum's January 30, 2018 review memo were addressed item by item in his February 14, 2018 narrative summary. Mr. Baum stated everything was satisfactory, anything that wasn't satisfactory was incorporated into the draft resolution.

Mr. Rocks stated that Mr. Strow's memo dated February 27, 2018 addresses his comment 1.) on his February 26, 2018 review memo.

There was a discussion regarding the proposed street name; SalBello Court. The Board was in agreement with this.

Chairman Rubin opened the meeting to the public.

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

Chairman Rubin made a motion to close the public hearing. Mr. Wasserman seconded the motion. All those in favor, upon vote, the motion carried. Ms. Arin was absent.

Mr. Wasserman made a motion to approve Bello Vista Final Subdivision Plat approval resolution dated March 1, 2018. Mr. Luciano seconded the motion. All those in favor, upon vote, the motion carried. Ms. Arin was absent.



## Minutes

The minutes below were all approved at the February 26, 2018 Planning Board Workshop.

Mr. Wasserman made a motion to approve the May 4, 2017 Planning Board minutes as amended. Mr. Luciano seconded the motion. Ms. Arin was absent. All those in favor, upon vote, the motion carried.

Mr. Levine made a motion to approve the June 1, 2017 Planning Board minutes as amended. Mr. Luciano seconded the motion. Ms. Arin was absent. All those in favor, upon vote, the motion carried.

Chairman Rubin made a motion to approve the November 2, 2017 Planning Board minutes as amended. Mr. Luciano seconded the motion. Ms. Arin was absent and Mr. Wasserman abstained. All those in favor, upon vote, the motion carried.

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

### New Business:

Proposed Local Law to amend Zoning code for Houses of Worship.

There was a brief discussion on this topic.

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

