

APPROVED

VILLAGE OF CHESTNUT RIDGE

PLANNING BOARD MINUTES

JUNE 1, 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.

Chestnut Ridge Ventures, LLC—Review of Master Site Plan pursuant to Court Order. Property is located on the West side of Chestnut Ridge Road and NYS Route 45, 356 feet North of Scotland Road.
Tax Designation: 63.05-1-8, Zone RCSD#1

Chairman Rubin referenced a letter dated, May 26, 2017 from Ira Emanuel, attorney for the applicant requesting an adjournment to the July Planning Board meeting.

Chairman Rubin made a motion to adjourn the Master Site plan application for Chestnut Ridge Ventures, LLC to the July 6, 2017 Planning Board meeting. Mr. Luciano seconded the motion. All those in favor, upon vote, the motion carried.

Bello Vista Subdivision- Continuation of Public Hearing for Preliminary Subdivision Approval.

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.

Tax Designation 62.15-1-42, 62.15-1-45, Zone R-50.

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 November meeting. The following was read into the record:

Revised Preliminary Site Plan, revised April 24, 2017

Narrative

Mr. Stach's review memo dated May 8, 2017

CDRC minutes from May 9, 2017 meeting

Mr. Stach's Lead Agency Notice of Intent dated June 1, 2017

Letter from Rockland County Sewer District #1 dated May 23, 2017

Long form EAF from Mr. Strow received on May 31, 2017

Letter from Mr. Strow dated May 31, 2017 which is an item by item response to Mr. Rocks's earlier review memo dated June 27, 2016.

Mr. Emanuel spoke briefly about the easement onto Saddle River Road and said the agreement has finally been agreed upon.

Chairman Rubin began a discussion about the traffic on the east side of Saddle River Road, with extensive work being done. This is in the same location as t/his proposed project. Mr. Strow stated he has met with the Rockland County Highway Department several times over the last few weeks and this issue wasn't brought to his attention. He will look into further.

Mr. Strow stated the subdivision plans were revised to provide overflow drainage for the on-site Storm water management system that is located on the Westerly side. This system is designed for a 200-year storm.

Mr. Strow went on to explain that after meeting with the Rockland County Highway Department on May 31st, they're favorable to what is being proposed and are currently reviewing some of the details.

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Chairman Rubin made reference of the EAF that was just received by Mr. Strow on May 31st and the need for it to be reviewed. All items were reviewed and discussed at the May 9, 2017 CDRC meeting. Mr. Strow's letter dated May 31 doesn't make reference to the Rockland County Sewer District #1 letter of May 23, 2017; rather it addresses specific comments from Mr. Rocks from 2016. Mr. Strow has no issue or comment with Mr. Rocks' memo.

Mr. Levine asked Mr. Rocks if anything special needed to be done in regards to the easement in order to stabilize the slope. Mr. Rocks said 2 of his comments dealt with areas that could be concerns: the steepness of the run & the backfill, both areas are being looked into.

Mr. Emanuel expressed the desire for a Negative Declaration to be granted by the Board. Mr. Stach pointed out the Lead Agency Notice of Intent would be sent out on June 2, 2017, so the earliest a Negative Declaration could be granted is after 30 days; July 2, 2017.

Mr. Stach stated that while digging would be occurring along the right of way with the adjacent property would any digging occur in the root zones if so how would that affect the trees on the property?

Mr. Strow said the easement is 20 feet wide and a large portion is landscaped. Mr. Strow will look at more closely.

Applicant won't need to return to the CDRC for either the Negative Declaration or the Preliminary approval.

Mr. Rocks made mention of 3 of his prior review memos that were still outstanding; June 27, 2016, June 30, 2016 and September 22, 2016. Mr. Strow's letter dated May 31, 2017 was in response to Mr. Rocks' June 27, 2016 memo. Mr. Strow will look into his response for other 2 memos and respond accordingly.

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Mr. Wasserman asked if the maintenance agreement has been concluded for both the originally proposed drainage system as well as the newly proposed system. Who will untimely be responsible for maintaining the systems? Mr. Baum stated the Village will be responsible for maintaining the systems and the property owners will be responsible for maintaining the surface i.e.: cutting the grass etc.

Chairman Rubin opened the meeting to the public.

1. Rhonda Weinberger, 17 Joseph Street, Chestnut Ridge, NY 10977
 - a. Not familiar with the drainage systems discussed. Are they above-ground open pits or is drainage underground? Mr. Rocks explained the 3 underground systems "pipe manifold systems", explained the soil testing that was done. There is a dedicated outlet system if needed. Further explanation; area would be grass covered.
 - b. Would the subdivision be contracting with Orange & Rockland regarding streetlights? Who will put up and maintain the poles? Mr. Rocks explained that it's the applicant's responsibility to contract with Orange & Rockland to have the streetlights installed. Going forward the Village will pay an annual fee per streetlight.
2. Andrea Ritter, 7 Weiss Terrace, Chestnut Ridge, NY 10977
 - a. Wasn't sure where this property was located. Chairman Rubin said down Pinebrook Road off Route 45 it curves to the left before going uphill .
 - b. Asked if any of the houses would be taken down; Ms. Barese said that 2 of the smaller ones will be.

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

Bello Vista Subdivision- Continuation of Public Hearing for Preliminary Subdivision Approval.

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Tax Designation 62.15-1-42, 62.15-1-45, Zone R-50.

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

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

Chairman Rubin made a motion to adjourn the Public Hearing for Bella Vista application to the July 7, 2017. Planning Board meeting. Mr. Wasserman seconded the motion. All those in favor, upon vote, the motion carried.

Artis Senior Living— Public Hearing Final Site Plan Application

Applicant is seeking approval for the construction of an Assisted Living Residence and ancillary parking to serve individuals suffering from memory loss and other forms of dementia. Facility to serve 64 individuals.

Tax Designation: 62.16-1-34, Zone R-40 & NS.

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

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Mr. Emanuel stated that the Declaration of Covenants has been approved by the Village Board. This allows the property to be used from the rear. Mr. Emanuel will forward a signed copy of the Declaration to the Board tomorrow.

Chairman Rubin asked Ms. Ballek to read into the record any documentation that was received since the last time applicant appeared before the Board. The following was read into the record:

Revised Final Site Plan rev. April 14, 2017

Narrative

Revised application rev. April 14, 2017

Drainage analysis

Mr. Baum's review memo dated April 24, 2017

Mr. Rocks review memo dated May 8, 2017

Mr. Baum's review memo dated May 8, 2017

Letters from Hugh Gassner Fire Department dated May 3, 2017 and May 25, 2017

Letter from Wm. Faist ambulance dated May 3, 2017

Letter from Chestnut Ridge Fire Inspector dated May 3, 2017

Chairman Rubin mentioned the review memo from Hugh Gassner dated May 25, 2017 and mentioned a fire truck could access the drive that leads to the overflow parking.

Mr. Strow has had conversations with the Fire Inspector in regards to the mentioned letter. There are 2 gates on the property; one on each side. There is also a gate that precludes access to the overflow parking that currently exists.

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Mr. Strow said the applicant agrees to mountable curbs as well as any stripping the Board feels is necessary and will also remove the sprinkler connection.

Mr. Emanuel stated the code requires that all parts of the building be within 300 feet of where the fire truck would stop. Mr. Emanuel also stated that the applicant would be fine if as a condition of Final approval, the Board directed them to go back to the Fire department for clarification regarding the necessity of the gate and follow the recommendation.

Chairman Rubin explained that due to the volume of applicants coming before the Board, he wasn't sure if this applicant would be on the July agenda.

Mr. Baum pointed out that the letter from the Fire Inspector is inconsistent with the new letter from Hugh Gassner, SSVFD. Comments made in the April 30, 2017 letter from the Fire Chief aren't applicable. Mr. Strow confirmed this saying he spoke with Kim Wepler on June 1st who advised that he and the Fire Chief would be working together on their review.

Mr. Rocks stated that some comments from the May 9, 2017 CDRC minutes have outstanding comments that need to be addressed. This would include his review memo dated May 8 as well as Mr. Baum's review memo of same date.

Mr. Stach stated that the changes he requested are noted on the May 9th CDRC minutes; 1. Add a note regarding stones for the overflow parking and 2. The applicant to provide lighted bollards to the overflow parking.

Mr. Strow confirmed receipt of the May 9th CDRC minutes along with the attached review memos. The comments from the CDRC minutes are not on the current drawings.

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Chairman Rubin opened the meeting to the public.

1. Rhonda Weinberger, 17 Joseph Street, Chestnut Ridge, NY 10977

- a. Not familiar with location of project; thought it might be very close to the corner of Red Schoolhouse Rd. Chairman Rubin stated that's it's diagonally across from DaVinci's restaurant and South of the Barn shopping center.
- b. Raised a concern regarding parking and the need for it to be adequate for visitor's, employees etc.

Chairman Rubin explained that the applicant proposed an idea and the Board felt that there needed to be some additional parking; the applicant then provided overflow parking to address the Board's concern.

- c. Ms. Weinberger also mentioned that none of her neighbors received notice of this project. Chairman Rubin explained that if residents are within 500 feet of the proposed property they will receive a Public Hearing notice. They receive this notice the 1st time the applicant came before the Planning Board as a Public Hearing.

2. Andrea Ritter, 7 Weiss Terrace, Chestnut Ridge, NY 10977

Expressed a concern with the amount of waste that would be generated for a residential facility; asked how it would be addressed. Mr. Emanuel explained that a private carter would be involved. Questioned if there was proper access for the waste pick up.

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There was a discussion on the sign. Mr. Rocks asked the Board if they had reviewed the sign text.

Mr. Strow said the proposed sign has the following information: 801 Chestnut Ridge Road (top of sign), Artis Senior Living Memory Care Residence, Phone # and website info. Chairman Rubin said sign wasn't allowed to have all that information. Mr. Emanuel said that the Planning Board cannot regulate what the sign says citing the First Amendment. Mr. Baum explained that if the applicant has an issue with the sign it can be brought up with the Village Board. The Planning Board doesn't have the discretion to deviate from the Village Code.

Chairman Rubin said the applicant has 2 options: 1. Change the sign so it conforms to the Village Code or 2. remove the sign from the plans and file for a sign permit.

Mr. Baum referenced his memo of May 8, 2017 and specifically the Landscape plan.

Money in lieu of land was also discussed; the Board needs to make a determination whether this project will create a demand or impact on the villages recreational facilities. The Board didn't feel that this project would create a demand or impact.

Mr. Stach has only 2 minor items that can both be made a condition of final approval.

Mr. Strow will re-submit revised plans incorporating the CDRC comments as discussed earlier as well as comments from the Fire Department. He will send direct to Mr. Rocks, Mr. Baum & Mr. Stach with the balance to Ms. Ballek for distribution to the Board.

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

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

Mr. Levine asked if the clearing limit line hasn't been resolved. Mr. Strow said he's in the process of resolving now and will have complete by June 14-June 15.

Mr. Levine asked if the applicant had been before the ARB for approval. Mr. Strow said yes, the applicant appeared on May 24, 2017 and received approval.

Chairman Rubin made a motion to adjourn the Public hearing for Artis Senior Living Final Site Plan approval to the July 6, 2017 Planning Board meeting with the understanding that the engineer for the applicant will supply any missing information and submit revised plans by June 15, 2017. Mr. Luciano seconded the motion. All those in favor, upon vote, the motion carried.

Chairman Rubin proposed starting the July 6, 2017 Planning Board meeting at 7 pm. The Board agreed.

Banker Estates—Continuation of Public Hearing Final Subdivision 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.

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

Rachel Barese, Civil Tec Engineering & Surveying PC, 139 Lafayette Avenue, Suffern, NY 10901

Mr. Emanuel stated a Negative Declaration needed to be rendered by the Board. All necessary variances were granted by the Zoning Board.

Ms. Barese said technical items were addressed with Mr. Rocks.

Ms. Barese mentioned the ZBA resolution needing to be corrected; the original resolution left out the street frontage for Lot 3. This has been corrected.

Chairman Rubin asked Ms. Ballek to read into the record any documentation that was received since the last time applicant appeared before the Board. The following was read into the record:

Mr. Baum's review memo dated May 22, 2017

Mr. Rocks' review memo dated May 31, 2017

Letter from RC Sewer District #1 dated April 25, 2017

Letter from RC Health Dept. Mosquito Control dated April 24, 2017

Ms. Barese stated a field inlet will be added in the backyard. Mr. Levine asked if the catch basin would be going out to Old Nyack Turnpike, Ms. Barese yes, will tie into an existing catch basin.

Chairman Rubin asked Ms. Barese if the variances were checked against what was approved. Ms. Barese explained that they had been checked and that it was the main reason for getting the resolution corrected.

Banker Estates—Continuation of Public Hearing Final Subdivision

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.

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

Rachel Barese, Civil Tec Engineering & Surveying PC, 139 Lafayette Avenue, Suffern, NY 10901

Mr. Luciano questioned information that was missing on some of the drawings, specifically the Architectural Plans. The peak isn't indicated on the plans. Ms. Barese explained that the plans being referenced were supplied at the Building Inspector's request to review the calculation for Floor Area Ratio (FAR).

Chairman Rubin opened the meeting to the public.

Mr. Levine made a motion to declare the Planning Board Lead Agency for the Banker Estates Final Subdivision application. Mr. Wasserman seconded the motion, all those in favor, upon vote, the motion carried.

Mr. Stach said that after speaking with Mr. Rocks earlier today there are still outstanding drainage issues that need to be addressed before it can be said conclusively that there will be no impacts from storm water run-off. If these issues can be resolved, he can have a Part 2 and Negative Declaration ready for the next meeting.

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

Chairman Rubin stated holding off on setting an adjournment to a specific date until all is reviewed for the Public Hearing for Preliminary Site Plan.

1. Andrea Ritter, 7 Weiss Terrace, Chestnut Ridge, NY 10977

Asked if the houses that are currently there will be coming down. Ms. Barese demonstrated using the plans. There will be 3 buildings; a Single family and 2 2 family residences.

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.

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

Rachel Barese, Civil Tec Engineering & Surveying PC, 139 Lafayette Avenue, Suffern, NY 10901

Mr. Baum stated the Architectural plans show a side door going the basement level, but there isn't a walk width to the door or a landing. Ms. Barese will look into.

Mr. Stach mentioned items from his April 12, 2017 review memo that are still open. Mr. Stach stated there should be no parking where the right of way goes below 28 feet in width. Mr. Emanuel said it's not within the Planning Board jurisdiction to make this recommendation.

There will be parking on 1 side of the street, where it goes below 25 feet.

Mr. Baum mentioned not receiving a review memo from RC DPW.

Chairman Rubin opened the meeting to the public.

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

Chairman Rubin said the public hearing would be left open.

Chairman Rubin made a motion to adjourn the Banker Estates Public Hearing for Final Subdivision to the August 3, 2017 Planning Board meeting. Mr. Luciano seconded the motion. All those in favor, upon vote, the motion carried.

Chairman Rubin made a motion to adjourn the Banker Estates Public Hearing for Preliminary Site Plan to the August 3, 2017 Planning Board meeting. Mr. Luciano seconded the motion. All those in favor, upon vote, the motion carried.

Chairman Rubin made a motion to close the meeting. Mr. Wasserman seconded the motion. All those in favor, upon vote, the motion carried.