

APPROVED

VILLAGE OF CHESTNUT RIDGE

PLANNING BOARD MINUTES

June 7, 2018

MEMBERS PRESENT:

ALLAN RUBIN	CHAIRMAN
MARC LEVINE	DEPUTY CHAIRMAN
MYRNA ARIN	MEMBER
ANTONIO LUCIANO	MEMBER

OTHERS PRESENT:

PAUL BAUM	ASSISTANT VILLAGE ATTORNEY
MARTIN SPENCE	VILLAGE ENGINEER
MARY BALLEK	PLANNING BOARD CLERK

NOT PRESENT:

JEFF WASSERMAN	MEMBER
MAX STACH	VILLAGE PLANNER

Chairman Rubin 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 a 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
Amy Mele, 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:

The applicant last appeared before the Board at the March 1, 2018 meeting.

Adjournment requests:

Ms. Barese's letter dated March 29, 2018 requesting adjournment to the May meeting.

Ms. Barese's letter dated May 2, 2018 requesting adjournment to the June meeting.

Consultant review memos:

Mr. Rocks' review memos dated April 22, 2018 and May 23, 2018.

Mr. Baum's review memo dated May 30, 2018.

Documents received

Mr. Emanuel's letter dated June 1, 2018 re: Subdivision Time Waiver.

Documents received March 23, 2018

Comment letter dated March 22, 2018.

SWPPP dated March 23, 2017, rev. March 22, 2018.

Drainage maps: proposed and existing both March 7, 2017, rev. March 22, 2018.

Site Plan dated August 3, 2016, rev. March 22, 2018.

Subdivision Plan August 3, 2016, rev. March 22, 2018.

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Documents received May 9, 2018

Comment letter dated May 7, 2018.

SWPPP dated March 23, 2017, rev. May 7, 2018.

Drainage maps: proposed and existing both March 7, 2017, rev. May 7, 2018.

Site Plan dated August 3, 2016, rev. May 7, 2018.

Subdivision Plan August 3, 2016, rev. May 7, 2018.

Documents received May 16, 2018

Comment letter dated May 15, 2018.

SWPPP dated March 23, 2017, rev. May 15, 2018.

Drainage maps: proposed and existing both March 7, 2017, rev. May 15, 2018.

Site Plan dated August 3, 2016, rev. May 15, 2018.

Subdivision Plan August 3, 2016, rev. May 15, 2018.

Resolutions

Mr. Baum's draft Resolution Preliminary Site Plan and Conditional use updated May 30, 2018.

Mr. Baum's Adoption of LEAF Part II and Negative Declaration dated June 7, 2018.

Chairman Rubin read from Mr. Emanuel's letter dated June 1, 2018. There was a discussion on the dates Mr. Emanuel mentioned in regard to the application approvals. Ms. Mele stated that they'd like to delay the Final Subdivision approval to the same night of the Final Site Plan approval.

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Ms. Barese stated she worked with Mr. Rocks several times since last appearing before the Board. The drainage issue has been resolved.

Mr. Rocks May 23, 2018 review memo Subdivision comments:

Sheets 1 & 3

1. Ms. Barese will make the appropriate changes to the notes.

4. Sheet 4:

- a. Will review a tree replacement note.
- b. Will review shade trees.
- c. Will add inlet protection around the catch basin and will also provide a silt fence.

Site Plan comments:

1. Will revised the 1 note that's outstanding.

Stormwater Pollution Prevention Plan (SWPPP):

1. Ms. Barese said the attorneys would work out the Maintenance agreement.
2. The Notice of Intent will now be finalized and will include a full SWPPP.

Ms. Barese explained that the plan the Board is looking at is very similar to what they've seen previously.

Regarding the Landscaping plan there is a note that explains what will happen if a tree is accidentally removed. It will be replaced with an appropriate replacement; i.e. evergreen for evergreen, deciduous for deciduous. The Board was in agreement with this note.

Banker Estates— Continuation of Public Hearing Preliminary Site Plan

Applicant is seeking approval for a 3-lot subdivision with a 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.

Ms. Barese spoke of certain items being divided between the Site Plan and the Subdivision as listed below:

Subdivision:

1. Road widening of Banker Street.
2. Water main extensions.
3. Shared Drainage.
4. Sewer Spurs.

Site Plan:

1. Drainage: Rain barrels to be installed as each Building permit is issued.
2. Sewer & water services or as each Building permit is issued.

Ms. Arin made a motion to approve the resolution for Banker Estates Adoption of LEAF Part II and Negative Declaration. Mr. Luciano seconded the motion. All those in favor, upon vote, the motion carried. Mr. Wasserman was absent.

Mr. Baum stated that outstanding items will be reviewed at CDRC when Final Site Plan is submitted.

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 on the Preliminary Site Plan and Conditional use application. Mr. Luciano seconded the motion. All those in favor, upon vote, the motion carried. Mr. Wasserman was absent.

Banker Estates— Continuation of Public Hearing Preliminary Site Plan

Applicant is seeking approval for a 3-lot subdivision with a 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.

Mr. Luciano made a motion to approve the draft resolution for Banker Estates Preliminary Site Plan and Conditional Use Approval updated 5/30/2018 with the following modifications:

1. Eliminate condition No. 2
2. Eliminate condition No. 3
3. Eliminate 2nd sentence from Condition 10.

Ms. Arin seconded the motion. All those in favor, upon vote, the motion carried. Mr. Wasserman was absent.

It was discussed that the applicant will submit for Final Site plan approval and attend the July 10, 2018 CDRC meeting for Final Site plan and then aim for the August 2, 2018 Planning Board meeting for the Public Hearing on the Final Site Plan.

Chairman Rubin moved to adjourn the Public Hearing for Banker Estates Final Subdivision to the August 2, 2018 Planning Board Meeting. Mr. Luciano seconded the motion. All those in favor, upon vote, the motion carried. Mr. Wasserman was absent.

Biosphere-Request by applicant for extension of time to complete Site Plan work pursuant to an expired Site Plan

Tax Designation: 63.05-1-13

William Boyce Biosphere 9 Tallman Place Chestnut Ridge, NY 10977

Richard McLaughlin 101 East Broadway Hackensack, NJ 07601, Attorney for the prospective purchaser RC Chestnut LLC

Michael Korik, 381 Broadway Suite 300, Westwood, NJ 07675, Attorney for Mr. Boyce

Dale Creamer, J. Fletcher & Sons Inc. prospective tenant. 101 East Broadway Hackensack, NJ 07601

Chairman Rubin began by saying the Board thought it was best for Mr. Boyce to appear at this meeting to explain who the proposed owners are and what the plan for the property is.

There was a discussion that this site was originally designed for Mr. Boyce's business that included parking for different size vehicles as well as different areas to store materials. Chairman Rubin signed the Final Site Plan as approved on November 8, 2013. The site improvements needed to be completed within 36 months or approvals would be lost.

There is no approved Site Plan since the original approvals expired on November 8, 2016.

Mr. Levine said that this process was started in 2002.

Mr. Boyce said Site Plan approval was granted and some of the work had been started. This was before the Village misplaced the 1st approval. They appeared before the Board a second time for a new approval.

Mr. Levine thought Mr. Boyce could be referring to Preliminary approval and not Final approval; stating the applicant disappeared for a number of years after Preliminary approval was granted.

Mr. McLaughlin stated that the tenant is J. Fletcher Creamer & Sons, inc. a contractor with corporate offices in Hackensack, NJ. They do contracting work for Suez.

The intended use of the property would be a construction yard as per Mr. McLaughlin; specifically storing sand and stone as well as vehicles that will be used for contractors construction with Suez within Chestnut Ridge.

Biosphere-Request by applicant for extension of time to complete Site Plan work pursuant to an expired Site Plan

Tax Designation: 63.05-1-13

Chairman Rubin mentioned that while driving past the site on Route 45 large trucks can be seen on the site as well as construction materials that are piled on the West side of the house that's on the site. Mr. Boyce said this would be a temporary Sealand container as well as a construction trailer.

Mr. Boyce stated that the area on the original plans that was shown as an intended storage area has been completely cleaned out within the last 6 months. He would estimate that between 70 % & 80% of the site work is complete. This would include the cribs. Mr. Spence stated that based on the original Site Plan he'd estimate that approximately 10% of the site work was completed.

Mr. Creamer stated that this site would be used for office space and also store materials such as sand, stone and maybe some piping that will be used as overflow items to be used as needed and that would service Rockland County Suez.

Mr. McLaughlin explained RC Chestnut LLC is also under contract to purchase the single-family home that is on the property.

Mr. Levine stated that in 1999 Mr. Landscape's Site Plan was approved as an office with accessory parking and storage and a few years later Biosphere was approved as a Landscape Architect.

After a lengthy discussion on the use and whether this proposed use is allowed under Village zoning laws, it was decided that the applicant will seek an interpretation from the Building Inspector.

Minutes

Mr. Luciano made a motion approve the May 3, 2018 Planning Board minutes as amended. Mr. Levine seconded the motion. All those in favor, upon vote, the motion carried. Mr. Wasserman was absent.

Discussion of Alternate Meeting dates for May Workshop and July Meeting

There was a discussion on changing the date of the July meeting to Wednesday July 11, 2018.

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

