

APPROVED

VILLAGE OF CHESTNUT RIDGE

PLANNING BOARD MINUTES

September 6, 2018

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
MARTIN SPENCE	VILLAGE ENGINEER
MARY BALLEK	PLANNING BOARD CLERK

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

Congregation Ahavas Yisrael –972 Chestnut Ridge Road Sign Plan approval
Tax Designation: 67.08-1-73 Zone R-25

Morton Silberberg, 8 Judith Lane, Wesley Hills, NY 10952

The Board discussed the above application.

Chairman Rubin stated that in reviewing the application the Board became aware of the fact that there was a verbal description on the building itself that included a logo but no plan had been submitted for review.

The Board sent a request to the Building Inspector asking that he review both the freestanding sign and the building sign and advise the Board if the latter sign was legal and if the Board had the opportunity to approve or disapprove the sign. As of right now, the Board has not received a response from the Building Inspector.

Mr. Silberberg stated that the words on the building replace what was previously on the building 45 years ago. And the logo replaced the congregation's logo. Mr. Silberberg didn't have a photo of what was there prior to being replaced but did offer to bring testimony for the Board to review that would state what wording was on the building.

The only thing that changed was the face of the sign; which was covered up and the current wording was added.

Mr. Luciano felt that the application was incomplete. Mr. Wasserman wants to wait until the Building Inspector renders a determination and not be in a rush to approve.

Mr. Baum stated the applicant has an application for a free-standing sign and the board should review. If an issue arises due to the letters on the building the applicant can file a new application at that time.

Mr. Levine suggested doing both at the same time; modify the application so it includes the letters on the building as well as the free-standing sign. Chairman Rubin suggested submitting a narrative explaining what was on the building previously.

Chairman Rubin said the Planning Board would send a second letter to the Building Inspector stating that he's holding up the Board's ability to move forward with the application.

Trailing Ridge—Continuation of Public Hearing Preliminary Site Plan and Conditional Use

Applicant is seeking Final Site Plan & Conditional use approval. Proposed use as an outdoor recreation facility to include the construction of a private swimming pool, tennis court, cabana and play area to be owned and used exclusively by residents of the Alexa townhouse development on adjacent lot to the south in the borough of Montvale. 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

Stuart Strow, Brooker Engineering 74 Lafayette Avenue, Suffern, NY 10901
Ira Emanuel, Attorney for applicant, 4 Laurel Road, 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 reviews:

Mr. Baum's review memo dated August 27, 2018.
Mr. Stach's review memo dated August 27, 2018.
Mr. Spence's review memo dated September 5, 2018.

Documents received August 10, 2018

Narrative summary dated August 10, 2018.
Site Plans dated June 19, 2018, rev. August 10, 2018.
Drainage report dated August 10, 2018.
Approved Montvale Landscaping plan dated July 6, 2017, rev: October 4, 2017.

Resolutions:

Adopted Resolution declaring Notice of Intent to be Lead Agency.
Draft resolution declaration of Lead Agency dated September 6, 2018.

Agency correspondence:

RC Environmental Health letter dated August 6, 2018.
RC Planning letter dated August 17, 2018.

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Mr. Strow confirmed receipt of all documents *except* Mr. Stach's August 27, 2018 memo. Ms. Ballek gave copies to Mr. Strow and Mr. Emanuel.

Mr. Strow stated that in addition to the narrative dated August 10th, he also supplied an item by item response to all the comments received to date.

Mr. Strow wanted to mention the following:

1. A well was being proposed that was intended to serve the clubhouse. The Health Dept. determined that this would constitute a public water supply system. Instead a water main extension along Red Schoolhouse Road has been proposed.
2. Discussion on the solid vinyl fencing that is being proposed
3. Additional landscaping that matches what is being built in Montvale.

The trees on the Montvale site are in very poor condition and some aren't able to be saved. The solid vinyl fencing that's being proposed will go on the northerly side of the property.

Mr. Strow said he can address the items on Mr. Spence's September 5, 2018 review memo.

Mr. Spence stated that he could review any drainage related comments 'off line' with Mr. Strow.

Discussion on the zoning district in Montvale and the residential shopping center. Since the area is considered multi-family, there would be a 50-foot buffer in addition to the regular 30-foot set back which would be a total of 80 feet from the property line.

Chairman Rubin stated the Planning Board never received plans to review this project. Mr. Strow said that the Montvale plan was approved in either 2006 or 2007.

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Discussion on the Environmental Assessment form (EAF)

The description of the project has changed due to the removal of the private well as earlier discussed and is not part of the application anymore. Mr. Stach would like Mr. Strow to update the EAF to reflect the change and resubmit.

Mr. Stach said the landscaping plan that was submitted is ok as a placeholder but would like to see a plan that's a little more elaborate and detailed. Mr. Stow explained he will revise the plans to enhance the landscaping.

Chairman Rubin requested realistic color copies of all proposed trees. Mr Strow will submit photos like he has before, he'll show at nursery and maturity.

Mr. Levine suggested extending the trees along the property line to the playground. Mr. Strow agreed to extend the landscaping to the playground area; the northerly property line.

Mr. Stach suggested breaking up the tree types along the property line instead of doing all the same type.

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Chairman Rubin opened the meeting to the public.

1. Magali Dupuy, 49 Spring Hill Terrace, Chestnut Ridge, NY 10977

Questioned the 6-foot fence on the property line and asked if the rules were the same for residential and commercial properties when it came to fences. Mr. Baum stated that the rules are the same for both residential and commercial properties and he isn't aware of a provision that states permission is needed from neighbor. Mr. Stach read from the code: a common fence may be constructed on the property line with the consent of the neighbor, otherwise it has to be 1 foot from the property line.

No one else wished to speak.

Chairman Rubin made a motion to approve the resolution for Declaration of Lead Agency for Trailing Ridge Site Plan/Conditional Use. Mr. Wasserman seconded the motion. All those in favor, upon vote, the motion carried.

Trailing Ridge—Continuation of Public Hearing Preliminary Site Plan and Conditional Use

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Mr. Emanuel requested the Board to review the EAF Part II and if in agreement to proceed to adopt a Negative Declaration, followed by Preliminary Site Plan approval. After a discussion the Board decided they wanted to discuss the EAF Part II in detail at the Workshop on September 24, 2018.

Mr. Emanuel asked the Board to be prepared to make a determination on the EAF Part II at the October 4, 2018 Planning Board meeting. If in agreement to proceed to adopt a Negative Declaration followed by Preliminary Site Plan approval.

Mr. Strow will submit revised plans which will include revised landscaping plans directly to the consultants and the balance to Ms. Ballek by the end of the week of Friday September 14, 2018.

Chairman Rubin moved to adjourn the Public Hearing for Trailing Ridge Preliminary Site Plan and Conditional Use to the October 4, 2018 Planning Board Meeting. Ms. Arin seconded the motion. All those in favor, upon vote, the motion carried.

Gold Land Industrial Park (Informal Discussion)

Applicant is proposing a 146,089 sq. foot industrial building in the PI zone that will accommodate several different businesses as a corporate park. The building will be co-owned by 2 different owners. A large portion of the building will be used by a food manufacturer with the remainder being rented out for industrial use.

Tax Designation: 57.17-2-38 Zone PI

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

Leonard Jackson, Leonard Jackson Associates, 26 Firemens Memorial Drive, Pomona, NY 10970

Oliver Wilhelm, Architect, 13-26 Orchard Street, Fair Lawn, NJ 07410

Chairman Rubin stated the applicant appeared at the Planning Board Workshop on August 27, 2018.

Since this isn't a public hearing the public isn't able to participate in tonight's meeting. The Board will be discussing different aspects of the project.

He then read from the list that detailed items that will need to be reviewed. Copies were given to the Board as well as Mr. Emanuel & Mr. Jackson.



"Goldland Industrial Park"
September 6, 2018 Planning Board meeting
For informal discussion

Agenda items:

Plans & narrative—concept of project
Appropriate zoning
3 CDRC members memos-items for discussion
Wetlands/Drainage Issues
Bulk requirement such as FAR/setbacks/yards/etc.
Tenants anticipated? Areas of each
Trash & garbage removal
Parking & calculations to determine # required
Vehicle circulation—discuss potential problems if any
Bldg. lighting and exterior street lighting
Hours of operation of tenants
Trucking delivery schedule
Signs if any
Special features if any
Landscaping
Site tree removal and grading plan
Phasing of work site
State permit for curb cuts on Route 45-State Road
Electrical service underground
How work at site will affect Route 45 re: connections for water, gas, sewer, etc.
Traffic study if required
Location of nearest fire hydrant to site
Comments to plan from Emergency services: Fire, ambulance, Police
Location of exterior emergency generators if any proposed
Site signs, directional for driveways, parking, handicapped spaces etc.
Dumpster location with hose bib connection
Buffers such as walls, berms, fencing, trees, foliage etc.
Variances required if any
Municipal agency approval such as: NYS DOT, Rockland County Planning, Rockland County Dept. Of Health, NYS Thruway Authority, etc.
Villages use of special consultants if required by your project

- Any and all other items which may be required but are not specifically listed above.

Agenda items listed by

Allan Rubin, Planning Board Chairman

For Planning Board and Consultant use and review.

PLAN CONCEPT

Located loading docks in front of building facing
Route 45 in lieu of in rear or on side/on sides of bldg.
"For Planning Board and Consultants discussion & review

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Main item of discussion at the Workshop was the loading docks in the front of the building facing Route 45. In lieu of moving them to the back of the building. If they're kept in the back of the property it would affect a number of homes on Gilman Terrace.

Discussion on moving the loading docks to the north side of the property. Mr. Emanuel said that since the wetlands are located on the north side this wouldn't be an option.

There are currently 12 truck bays.

A trucking schedule will need to be submitted.

The Board to discuss if they'll be accepting the approved concept or if changes are appropriate. Mr. Levine would be in favor if the proper variances were granted and there was a guarantee that no headlights would come from Route 45 and adequate screening is provided. Ms. Arin and Mr. Wasserman were both in favor of moving the loading docks to the back of the building. Mr. Luciano is ok going forward as is stating the applicant is aware of the risks.

Regarding the narrative dated June 19, 2018, Chairman Rubin noted an error: 'on the northside of Route 45 approximately 1000' feet west of College Road which is in Nanuet.

Correction needed for application: Page 1 should be Town of Ramapo and not Spring Valley.

The vicinity map on drawing 1 of the plans doesn't show the continuation of Garden and Banker Streets or Gilman Terrace. These same streets are shown on the survey that was completed by Jay Greenwell, PLS dated January 29, 2017, rev. May 18, 2018. Power lines are not shown on the survey.

Discussion about easement for the transmission lines which is north of the property.

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Mr. Jackson showed an aerial photo superimposed of the building so it can viewed in relation to the homes. This also included the driveway around the building.

CDRC to review zoning once formal application is submitted.

Mr. Wasserman and Ms. Arin were in favor of moving the loading docks.

Variances would need to be granted for the loading dock in the front yard.

Discussion on the wetlands disturbance. Mr. Jackson stated the Army Corp. of Engineers (ACOE) has jurisdiction over all wetlands. This particular wetland is under ½ acre; if more than ½ is disturbed a permit is required. This project would require approximately 15,000 sq. feet of wetlands disturbance.

The applicant is willing to take the risk by not going to the Army Corp. of Engineers (ACOE) 1st.

Mr. Levine raised a concern if the Army Corp. of Engineers (ACOE) provides a proposal could the Board deny it? Mr. Baum stated that if the proposal is approved by the by the Army Corp. of Engineer but the application doesn't conform to the Village code then the Board can deny the application.

How will the residents be impacted if the wetlands are moved closer?

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Mr. Levine questioned the easement and why it wasn't showing on the survey. Mr. Jackson said a drainage pipe runs through the property. Mr. Stach questioned the easement of 6,343., sf. Mr. Jackson will verify.

Mr. Stach mentioned the possibility of moving certain parking spaces as discussed at the workshop.

Mr. Jackson's objectives:

1. The Board will accept the layout and allow the loading docks to go in front of the property.
2. The Army Corp of Engineers will approve the wetlands.
3. Requesting a waiver from the Board that would reduce the 75-foot buffer to 50 feet.

Once a Preliminary Site Plan is submitted the Board can work on setting up a time for a site visit. A decision would also be made at the time of site plan submission regarding using a landscape architect.

The applicant would need to have a formal application for Preliminary Site Plan pending prior to going to the Zoning Board. This would be a Type 1 action and require a coordinated review. A full SEQRA review as well as a Negative declaration would need to be submitted before the Zoning Board could decide on the variances.

Mr. Emanuel argued that his client would rather pay the fees for the Village's consultant to review the wetlands earlier rather than at the time of formal submission.

The applicant is going to revise the plans to show moving the loading docks to the northerly lot line as discussed. If that isn't possible the Board has asked that the applicant show how and why this doesn't work.

Piazza Subdivision—5th 90-day extension request from Ira Emanuel for Final Subdivision

Ms. Arin made a motion to approve the resolution as drafted for Piazza Subdivision the 5th 90-day extension for Conditional Final Plat approval. Mr. Wasserman seconded the motion. All those in favor, upon vote, the carried.

Minutes

Mr. Wasserman moved to approve the August 2, 2018 Planning Board minutes. Mr. Luciano seconded the motion. All those in favor, upon vote, the carried.

New Business:

Fox Development:

Applicant appeared at the August CDRC meeting and they were to revise their plans and appear at the September CDRC meeting. The applicant later decided that wanted to appear at the Planning Board and have an informal discussion on the application. The applicant will appear at the October 4, 2018 PB meeting.

Chestnut Ridge Ventures

The Board will have further discussion at the September 24, 2018 Workshop.

Mr. Baum gave an update: A supplemental stipulation was submitted in regard to Bldg. 17 (the social hall) now proposing to use 5 classrooms and adding 100 kids, as well as 4-5 additional buses. The Board will review for signage and parking. They can also look at the impact on Route 45.

The Board also has to discuss whether or not they wish to hold a public hearing. Mr. Levine and Ms. Arin both in favor of public hearing; Chairman Rubin, Mr. Wasserman and Mr Luciano aren't in favor of a public hearing.

Discussion on ESCROW and Informal appearances

An applicant should only be allowed 1 informal appearance at either the CDRC or Planning Board. After which time a formal application will need to be filed and an escrow account will need to be established. Mr. Baum and Ms. Ballek will work on changes to the application and the Board can discuss further.

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

