

**MINUTES OF THE BOARD OF TRUSTESS
VILLAGE OF CHESTNUT RIDGE
FEBRUARY 12, 2015**

The Board of Trustees of the Village of Chestnut Ridge convened in regular session on February 12, 2015 at 8:00 P.M. at the Village Hall, located at 277 Old Nyack Turnpike, Chestnut Ridge, NY 10977.

PRESENT:

ROSARIO PRESTI, JR. - MAYOR

JOAN BROCK - DEPUTY MAYOR

GRANT VALENTINE - TRUSTEE

FLORENCE A. MANDEL - RECORDING SECRETARY

ABSENT:

HOWARD COHEN - TRUSTEE

WALTER R. SEVASTIAN - ATTORNEY

1. Pledge of Allegiance

2. Mayor's Report –

- **February 1, 2015 held Sunday with the Mayor**
- **Attended a symposium at Green Meadow School.**
They spoke about diversity, education and the East Ramapo District.
It was well attended by students, parents and adults.
Back in three months and will interpret the data.

- **Held a moment of silence in respect for Trustee Howard Cohen's father who passed away.**

3. Open Floor Public Discussion.

No one from the public wished to speak.

MOTION: Deputy Mayor Brock

SECOND: Trustee Valentine

The Board was polled and voted 3-0 to Close the Open Floor Public Discussion.

4. Approval of Minutes of Previous Meeting of January 15, 2015.

MOTION: Trustee Valentine

SECOND: Deputy Mayor Brock

The Board was polled and voted 3-0 to Approve the Minutes of January 15, 2015.

5. Resolution No. 2015-12:

RESOLVED that the contract for the annual maintenance of emergency generators at the Village's municipal buildings with Valentine Electric of Blauvelt, New York in the amount of \$885.00 for the period of January 1, 2015 through December 31, 2015 is hereby approved, and be it further

RESOLVED, that the Mayor is hereby authorized to execute said contract and take all actions necessary to implement this resolution.

MOTION: Deputy Mayor Brock

SECOND: Trustee Valentine

The Board was polled and voted 3-0 to adopt Resolution No. 2015-12.

- **The test cycle is during the day.**

6. Resolution No. 2015-13:

To Prosecute Village Code/Traffic Violations in the Chestnut Ridge Justice Court.

RESOLVED that Joseph P. Villanueva, Esq. is hereby retained at an hourly rate of \$115.00 per hour effective 3/1/2015.

MOTION: Deputy Mayor Brock

SECOND: Trustee Valentine

The Board was polled and voted 3-0 to adopt Resolution No. 2015-13.

7. Resolution No. 2015-14:

RESOLVED that approving E Z Electric Services, Inc. is an approved electrical inspector for the Village of Chestnut Ridge.

MOTION: Trustee Valentine

SECOND: Deputy Mayor Brock

The Board was polled and voted 3-0 to adopt Resolution No. 2015-14.

8. Resolution No. 2015-15:

RESOLVED, that General Fund Claims set forth on pages 1 through 3 in the aggregate amount of \$135,282.92 as set forth on Abstract No. 2015-2 dated February 2015, as submitted by the Village Treasurer, are hereby approved.

MOTION: Deputy Mayor Brock

SECOND: Trustee Valentine

The Board was polled and voted 3-0 to adopt Resolution No. 2015-15.

9. Public Hearing on proposed Local Law #1 of 2015, a proposed local law entitled “A Local Law Amending Local Law No. 20 of 1987, the Zoning Law of the Village of Chestnut Ridge, to add ‘Assisted Living Residences’ as a permitted use in the NS Zoning District”.

Ira M. Emanuel, P.C. – 4 Laurel Road, New City, NY 10956-0629:

- Application we are making to amend the Zoning Code to allow for Assisted Living residences within the Village of Chestnut Ridge.
- My client, Artis Senior Living is an organization that specializes in providing assisted living facilities for those with memory impairment. This is a fairly new concept.
- Offers special programs, special layouts for those with memory impairment.
- Location on Rt. 45 near Red Schoolhouse Rd. in the NS zoning district.
 - Nice frontage; 5-1/2 acres.
- Code does not provide for this kind of facility anywhere within the Village. •••
- Esplanade came about as a result of the Use Variance that was granted.
- Use variance is not the appropriate way to go here.
- The appropriate way is the determination by you as a Legislature body of Village as to whether or not this is the type of facility is appropriate.
- We are asking that this use be allowed as s Special Permit use.

- It is different from the normal NS type of use that you have?
- We believe it does have people coming and going.
- The access is very good for this type of facility.
- More control putting it in as an NS zone.
- The petition goes into quite a bit of detail as to how we feel the zone ought to be defined.
- Weeks of discussion with Robert Geneslaw, Planning Consultant
- Issued to Planning Board which focused more on site plan not on zoning issue.
- Hearing will be continued next month.
- To help the process along we have with us:
 - Max Ferentinos – Representative of Artis Senior Living -
 - Stuart Strow – our Professional Engineer and the Consultant Engineer on the project
 - Harry Baker – our Traffic Consultant
- We have done some research from conversations concerning parking with Board workshop, Planning Board and Mr. Geneslaw.
- Mr. Baker is in the process of putting together a report of both traffic and parking.
- Prepared to provide the preliminary results to you this evening.
- Description of what the program is going to be at the facility; staffing, hours of operation.

Mr. Max Ferentinos – Representative Artis Senior Living:

- 64 bed, single story, memory care assisted living facility. The building is completely & totally designed for the care of individuals with Alzheimer's and other memory disorders.
- Divided into four wings– resident wing, living room, dining room and kitchen
- Common area for all the residents, music room, activity room, health, beauty shop
- Front of house is only portion open to the public (administrative office, conference room, accounting office).
- Everything beyond that area is secure.
- The building is enclosed on three sides by a fence.
- Residents have the ability to go in and out of the facility
- Staffing – 3 shifts: 7 am to 3 pm – 16 full time employees (includes administrative staff).
3 pm -11- 14 employees, 11pm to 7am. - 6 employees
- Residents live there so building operates 24/7.
- Visitation is difficult with people with Alzheimer's. Not as robust as you think.
- In operation three years.
- The founders' officers of this operation all came from Manor Care. No longer interest in that company.
- Artis Senior Living has six properties we own out right.
- Have twenty one sites; Ohio, Florida, Maryland, Great Falls, Virginia.
- We have extensive experience in this type of facility. We feel we are a fifth generation of that building.

Ira Emanuel, P.C.:

- Peculiarities to the site. Site is addressed in the Zoning Code. Site is split in half. The front part is in the NS district, the rear is in a Residential District R-25.
- In addition, there is a covenant that was given many years ago when the site was approved for use as a restaurant.
- The covenant basically said the front part NS would be used for the development of a restaurant, the rear portion of the R-25 would effectively be left alone.
- Intend to honor both the zone line and the covenant in terms of the site plan.
- We want to show you how we are proposing to accomplish that; how the building lays out, how the fence is.

Stuart Strow – P.E. Site Plan

- Property slopes off toward the back into wet lands.
- Two equal areas - 2.7 acres.
- To place this single story building on this site requires some fill in the back of the site to create a level plateau.
- We've looked at the site on a preliminary basis in terms of the engineering.
- One other consideration is the point of access into the parking lot.
- The road actually goes downhill or uphill as you go southerly.
- The location that you see at the entrance on the plan has been carefully chosen to make the driveway function with the grade of Rt. 45 and the need to create this plateau.
- The parking has all been placed in the front. We will have further discussion on the parking and provide you with details.
- We've provided enough parking in front of the building to accommodate the employees; the shift changes and what we expect to be the visitation.
- Couple of peak days during the year when we expect visitation to be higher. We can discuss that further.
- The other considerations: fire safety, emergency services.
- I met with the Fire Chief and with the Fire Inspector to discuss this project on a preliminary basis.
- Building has to meet all of the required fire codes in terms of construction of the facility; •
- Is a sprinkler building.
- Issue with this building and the site as I described; is it is not practical to create a driveway that goes around the entire building. In many other projects, that's always been a desire of the fire department to have as much access as they can get. We understand that.
- We want to create a safe facility.
- There are codes with minimum requirements that dictate how a fire plan should work.
- The plan that you are looking at does meet those codes. The fire truck can enter into the driveway, make a left turn; has the proper staging area. That area satisfies the distance requirements for all parts of the building, even to the back.
- The requirement is that the fire apparatus has to be within 300 feet of all parts of the building.
- Those locations will satisfy that. I will get you the exact number. It is approximately 175' x 100' across.
- I did meet with Fire Chief. We've had some discussions with providing emergency, additional access. The intersection always confuses me in terms of the direction. Possibly, we will provide a turn around.

- Plan shows additional area to provide emergency access. Just to give you an idea that we are thinking about these things.

Mayor Presti: Is that the side that will have your dumpsters, deliveries?

Stuart Strow, P.E.

- Yes. The gate would be controlled.
- Deliveries would be through that area. No trailer trucks; smaller box trucks would be used to bring deliveries.

Ira Emanuel – P.C.:

- Fire Department requires a lock box on the gate. Whatever they want they'll get.
- Parking area came about as result of what the Board had an issue about with the overflow parking, not the daily parking.
- We could potentially set up parking places on the grass for the employees for the two, three or four days that we may need it.
- You don't want to pave an area that you know you're not going to use.

Deputy Mayor Brock:

- You said 16 people coming from 7 a.m. to 3 p.m. and 14 people coming from 3 p.m. to 11 p.m. In that overlap, I would assume the people coming in at 3 p.m. shift has to get information from the people who are leaving at 3 p.m.
- You have 30 spaces taken every day just by staff for about one half hour.

Ira Emanuel – P.C.:

- I've got a detailed breakdown of when everyone comes and goes.
- This graph shows hour by hour expected usage of the parking area; a maximum of 28 parking spaces in that one half hour period.

Mayor Presti:

- In New City you have Assisted Living and Memory Impaired.
- In the proposed facility you will have all memory impaired.
- Is there really a difference?
- Will that possibly lessen as opposed to increase if that is even available?

Harry Baker – Traffic Consultant:

- In Assisted living some people own cars.
- In memory impaired that doesn't apply.
 - How many spots? Thirty five already provided. Perfect staff wise already thirty.
- Ramapo requires one space for every two beds.
- Clarkstown requires one space for every four beds, and one space for every employee.
- At sixty four beds, sixteen employees that comes out to thirty two parking space.
- We are providing thirty five. Numbers don't come out of thin air.
- My role is to look at the traffic that would be generated by this facility and to look at the parking.

- While there are standards in the I.T.E, which is Institute of Transportation Engineers; the best thing is to go to the facility and see what is actually going on.
- Went last Friday to Sunrise Assisted living; a ninety four bed facility in New City, N.Y.
- We counted all the vehicles entering and exiting between at 7 a.m. and 9 a.m.; 11 a.m. and 1 p.m., and 4 p.m. to 6 p.m. We did lunchtime. Family members would come. We tried to get a broad spectrum.
- Facility has 94 beds, 48 memory loss, remainder are assisted living. Currently have eighty seven residents; seven beds available in the memory loss. They have thirty seven parking spaces. Their ratio is .4 parking spaces per day.
- When we did the traffic count in the morning; 7 a.m. to 8 a.m. – twelve cars entered, five cars left. Eight a.m. to nine a.m., only five came in and one left. Clearly, they have a seven o'clock shift.
- When we started there were nine cars in the parking lot.
- Eleven a.m. to twelve p.m. – tens cars entered, four left. Noon to 1:00 p.m., eleven cars entered and twelve left; 4 p.m. to 5 p.m. – twelve in and eight out; 5 p.m. to 6 p.m., eleven in and fourteen out. They run multiple shifts. It's not a big generator of traffic. In this count there were three delivery small box trucks.
- There were sixteen vehicles that came in and out; taxis, in and out. With the sixteen cars, they were there one half hour or less.
- According to the ITE generation, morning peak hours, ITE it would generate fourteen trips; nine entering, five exiting; almost on par. In the afternoon, twenty-one exiting; nine entering, twelve exiting.
- Why the difference? ITE is a weighted average from numerous studies that is done across the country.
- In the industry this is what we use when we do our traffic study.
- I also took a look on Saturday using ITE – Sunday mirrors Saturday. Saturday, using ITE, thirty one trips generated on a Saturday peak hours between 11a.m. and 2 p.m., not the morning rush. On Sunday thirty six vehicle trips; fifteen entering and twenty one exiting.
- If we compare it to the proposed facility which is only sixty four beds would only generate nine trips. In the evening, would generate fourteen trips as opposed to twenty one trips with the 94 bed facility. In the evening, fourteen trips as opposed to twenty one – one third less right on the ratio. Saturday, twenty one trips, Sunday twenty four trips.
- Rt. 45, State Highway; there is approximately 10,000 vehicles. We are talking about adding one and one half to two percent of traffic.
- When we compare Sunrise to the proposed facility, the ratio in terms of what we saw and what was generated are very similar. Almost 2/3 is memory loss.
- Noted the number of cars on an hourly basis. At sunrise. .4 ratio.

Mayor Presti:

- In New City you have Assisted Living and Memory Impaired concentration.
- In the proposed facility you will have all memory impaired.
- Is there really a difference?
- Will that possibly lessen as opposed to increase if that is even available?

Harry Baker – Traffic Consultant:

- In Assisted Living some people who live there own their own cars. They travel in and out during the day. In memory impaired that doesn't apply.
- Sunrise has changed their model to more memory care than assisted living; forty six verses forty four.
- Noted the number of cars parked on an hourly basis; .4 ratio Sunrise.
- Needed to look at what is the accumulation of the people physically parked on the site?
- How many spots; thirty five already provided.
- Perfect staff wise already thirty.
 - By 8 a.m. twenty cars 54%; by 11 a.m., 65%; by noon 73%. They run multiple shifts.
- Doctors, staff.
- Similar to proposed facility they have the overlap shift because they have a second shift.
- At 4:00 o'clock in the afternoon they max out 84%; thirty one car spaces, 5:00 o'clock down to twenty eight; the evening less than that. Thirty seven spaces, ratio .4.
- In our industry when you consistently reach 85% that is when you need to look. Then you are staffed to 100%.
- Based on the proposed facility following the same 64% beds, same ratio as Sunrise you will need 26 parking spaces. They are now provided 35. You've got just under a third.
- My personal feeling, even with the overlap is not everyone is in everyday. People are out in the field, not every day. Administrative people can be out, marketing people can be out.
- There is a designated bus that runs along Rt. 45.
- Even if five percent or 6 percent come by mass transit you could be at twenty eight.
- I do think there is sufficient parking based on the thirty five spaces.
- Even if you looked at the ratio Ira talked about, visitors don't stay.
- People are coming in and out.

Mayor Presti:

- Bristol is more Assisted Living, verses memory impaired. It is local. Just to compare numbers, ratios. I think that's what we need to do.
- You mentioned in your response the letter dated February 12th. We have that on record.
- I know remote parking was mentioned that Pan handle is now in play; if that is an area you may be working on with regard to addressing the additional parking.
- Are you still pursuing remote parking possibilities?
- What is Plan B?

Ira Emanuel, P.C.:

- Nineteen additional parking spaces are available.
- Plan B is to look at remote parking areas. It would be for employees during heavy usage days.
- We don't want to have visitors going to remote location. It's expensive because we would have to provide a shuttle service.
- Much better off putting the employees at some off-site location.
- There are many off-site locations that may be available.
- There is an office building one lot over. Office buildings are usually not heavily used over the weekends; even if they are medical office buildings.
- There are a number of schools in the area.

- There are a number of facilities in the area within one mile or one mile and one half that could provide for the over flow of parking.

Mayor Presti:

- Do you have occasion to need a van?
- Frequency of ambulance?

Matt Ferentinos – Representative Artis Senior Living:

- Do not have a van.
- Do not do outings.
- Family takes residents out.
- There is a nursing staff 24/7. There is a RN and an LPN during the day
- At night, a LPN.
- There are handrails; common areas.
- People who come in are ambulatory.
- We are not equipped for residents who are not ambulatory.

Trustee Brock:

- People fall. Staff does not want to take the responsibility of picking them up. Falling is always a problem.

Max Ferentinos: Our building has been designed with handrails, throughout.

Trustee Valentine:

- Concerned with Fire Trucks ability to get to other side of building.

Ira Emanuel, P.C.

- We have been working with the Fire Chief and the Ambulance Corps. to make sure they are comfortable with the situation.

Max Ferentinos:

- We are licensed by the State of New York. Our facility is reviewed on the State level in addition to the local level.
- They can access the whole building by walking around it.
- There are emergency exits on all sides of the building.
- Building is accessible to people and emergency providers
- Once they get a vehicle in they do have access around the whole building.
- One wing can be shut off and the residents moved to another wing.
- If Alzheimer's or Dementia progresses and we cannot take care of them to their final days, it will be ours and a family decision to send them elsewhere.

Ira Emanuel, P.C.

- We have been working with the Fire Chief and the Ambulance Corps. to make sure they are comfortable with the situation.
- Sometimes we think we need more than we need.
- Clearly people living there and people who are impaired.

- He has insurance he has to worry about. If things aren't right, his insurance goes up.

Mayor Presti:

- If there is anything that came to the Planning Board and did not come to the Village Board please send us that documentation.

Ira Emanuel, P.C.

- I think there is one letter that may have gone to the Planning Board that did not go to the Village Board; I'll check. You'll have full information.

Mayor Presti: I will entertain a motion to adjourn the public Hearing to March 19, 2015.

MOTION: Deputy Mayor Brock

SECOND: Trustee Valentine

The Board was polled and voted 3-0 to adjourn the Public Hearing until March 19, 2015.

OPEN FLOOR PUBLIC DISCUSSION:

Steven Slackman - 30 Sephar Lane, Chestnut Ridge, NY 10977.

- Follow-up on fees regarding the neighborhood shopping development.

Mayor Presti:

- We are on a payment plan.
- You may foil the document accordingly.

CLOSE THE OPEN FLOOR PUBLIC DISCUSSION:

MOTION: Deputy Mayor Brock

SECOND: Trustee Valentine

The Board was polled and voted 3-0 to close the Public Portion of the Meeting.

MOTION TO ADJOURN:

MOTION: Trustee Valentine

SECOND: Deputy Mayor Brock

The Board was polled and voted to adjourn the meeting.

MEETING ADJOURNED: 9:05.

Respectively Submitted:

**Florence A. Mandel
Village Clerk**

