

**AUGUST 20, 2015**

**The Board of Trustees of the Village of Chestnut Ridge convened in regular session on August 20, 2015 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**

**ABSENT: HOWARD COHEN - TRUSTEE**

**PRESENT:**

**WALTER R. SEVASTIAN - VILLAGE ATTORNEY**

**FLORENCE A. MANDEL - RECORDING SECRETARY**

**1. Pledge of Allegiance.**

**2. Mayor's report.**

- We have been productive. We had a nice return on tax bills. I appreciate the staff being on top of that.
- Roads are being paved; potholes are being fixed.
- I had an opportunity to attend a picnic over at Children's Park with a different group of forty or fifty folks with their families. It is nice to be thought of.

**3. Open Floor public discussion of Agenda Items.**

**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** on **Agenda Items.**

**4. Approval of Minutes of Previous Village Board Meeting of July 16, 2015.**

**MOTION:** Deputy Mayor Brock

**SECOND:** Trustee Valentine

**The Board** was polled and voted **3-0** to **Approve** the **Village Board Minutes of July 16, 2015.**

**5. a. Public Hearing on the Special Permit Application of Congregation Ohr Mordechai relative to the premises known as 2 Madeline Terrace, Chestnut Ridge, NY 10977 (tax designation 62.8-1-19).**

**Michael Klein – Klein & Klein P.C. – 2 Executive Blvd., Suite 300, Suffern, NY 10901.**

- I am here representing Rabbi Rosenbaum of 2 Madeline Terrace, Chestnut Ridge, NY 10977. He is the resident living there with his family from Congregation Ohr Mordechai. He is the officiating Rabbi.
- Jesse Cokeley, Maser Consulting, 777 Chestnut Ridge Rd., Chestnut Ridge, NY 10977 – Design Engineer for this project.
- Mr. Cokeley will briefly review the Site Plan Application.
- We've submitted a very detailed narrative summary which I'm sure you had the opportunity to review; what the project is about, where we have been, where we want to go.

- Congregation Mordechai is a New York religious corporation that owns the 28,000 square ft. lot at 2 Madeline Terrace at the corner of Hungry Hollow Rd. It's in an R-25 Zoning District. The property has been before the Planning Board for site plan review.
- It's before you for a Special Permit review and we have an application pending before the Zoning Board of Appeals for variances.
- It's the intent of the applicant to seek to remove completely the existing building at 2 Madeline Terrace and to replace it with a much more attractive and larger structure that will continue to house Rabbi Rosenbaum and his family. Also, synagogue use and include a michva.
- Rabbi Rosenbaum and the congregants love living in the Village of Chestnut Ridge.
- They love living in large lot single family homes. They have no intent to do anything to change the character of the neighborhood where they reside. However, they are Orthodox Jews. They seek a comfortable location to worship, to pray communally with other members of their congregation.
- We began our journey over five years ago; Planning Board to Zoning Board. Went back again to Planning Board for quite some time.
- There was a primary issue; access. It was the applicant's initial request that access to the site be on Hungry Hollow Rd. We appeared before the Highway Department. The Planning Board made it crystal clear that although that may be possible they preferred access on Madeline Terrace. The Congregation met. They discussed what to do. They agreed to re-do the entire plan and site and raise the existing building that is there now to enable access onto Madeline Terrace. Based on the proximity of the stream and where the house was located, it was nearly impossible to do and keep the existing building.
- Advised Maser to redesign the site completely. Contemplate removing the building and building a new building closer to Hungry Hollow Rd. set back from Madeline Terrace and that resolved what had been the primary obstacle before the Planning Board. Once that was done, new plans were submitted.
- The Planning Board conducted a detailed SEQRA review and ultimately gave us a negative declaration of SEQRA which we have applied for before you and then apply for with the Planning Board.

**Jesse Cokeley – Maser Consulting – 777 Chestnut Ridge Rd., Chestnut Ridge, New York 10977.**

- Mr. Klein gave you a pretty good history of the site. I brought you a current lay-out plan that we developed based on the revisions we've gone through over the five years. You can see the outline of the existing residence and synagogue. That is approximately 40 ft. off the road way on Madeline Terrace. Originally, as Mr. Klein said the design was going to have the access off of Hungry Hollow Rd. with the parking lot behind the building.

- That was a critical issue with the Planning Board and members of the public on that radius of Hungry Hollow Rd; blind spots, people speeding, etc. The Rabbi authorized us to come up with a revised plan. In doing so we shifted the building roughly 100 ft. off the roadway and now the parking resides in the front yard.
- This site does present some unique constraints as it's a corner lot on Madeline Terrace and Hungry Hollow Rd. but the fact that Hungry Hollow Rd. and Madeline Terrace are not exactly 90 degrees, it's an acute angle, the lot gets narrower as it goes toward the southern end.
- Another obstacle this site presents is the existing stream on the western boundary so we had to be cognizant of that in giving this layout.
- In the SEQRA process one of the issues raised was the visual impact that a larger structure could have in the area. We prepared visual analysis showing landscaping that would be planted in the front and sides yards along Madeline Terrace and Hungry Hollow Rd. to mitigate that visual impact and break up what people were thinking might be a larger structure.
- Showed a couple of pictures showing the proposed landscaping from different angles; about what it would look like.
- Taken from Google street view pictures and supplemented with Evergreen trees and the building approximate in height. A little bit of architecture is visual as well. You can see with the landscaping how it breaks up the visual impact of the building. As we get closer we need full site plans to the design and the other concerns of Storm water and things like that.

**Mayor Presti:** Questioned street on the left.

**Jesse Cokeley:**

- Explained the pictures from different directions.
- If this was only a residence only one area variance would be needed.
- In terms of impact it's within the character of the neighborhood in that respect.

**Walter Sevastian – Village Attorney:**

- You are saying that would be the only bulk residence required if a residential building was built the size that you propose.

**Jesse Cokeley:**

We had put on the plan for comparison only; if it was a single family use. It was a rear set back and also the floor area ratio as they are.

**Walter Sevastian:**

- We have not heard from the Rockland County yet which means we can't close the Public Hearing.

**Deputy Mayor Brock:**

- Wanted to know if all the County agencies that have to be notified were been contacted?

**Walter Sevastian:**

- We've circulated this plan from a Special Permit standpoint. That letter was actually in response to the Zoning Board.
- Yes. It's County Planning.
- County Highway was already dealt with the Planning Board part of the SEQRA process.
- We have to get Martin Spence as part of the Final Site Plan. He is our Flood Plan Administrator to certify they are in compliance with the Flood Plan regulations..
- We are waiting to hear back from County Planning.

**Michael Klein:**

- When reviewing this Special Permit Application the Village of Chestnut Ridge Zoning Board identifies a few more factors for the Board to consider: These are in Article X11.
- Location, size and character use. Height of building is similar to the building now; somewhat bigger.
- Pedestrian Vehicle Traffic would be hazardous? We've mitigated that with basically agreeing to remove the entire building and construct a new building with access onto Madeline Terrace.
- Location and height of building; professional landscaping and development and use of adjacent land.
- Based on the redesign of the building and the landscaping plan and size of the building, that issue has been resolved.
- A problem with additional public services at the expense of the Village; that will not happen. Public services provided now will be provided then.

**Mayor Presti:**

- Currently, what is the number of congregants?
- Are you able to estimate based on the type of traffic near the site?

**Michael Klein:**

- On a regular basis there are between ten and thirty congregants.
- There is no traffic on Friday evening and Saturday.
- There are about ten cars on an ordinary day. Some congregants walk; other drive there.

**Motion to Close the Public Hearing and adjourn until September 17, 2015.**

**MOTION:** Trustee Grant

**SECOND:** Deputy Mayor Brock

**The Board was polled and voted 3-0 to Close the Public Hearing and continue the Public Hearing for September 17, 2015.**

**b. Resolution No. 2015-76**

**Resolution to continue the Public Hearing until September 17, 2015.**

BE IT RESOLVED, that the Public Hearing on the Special Permit Application of Congregation Ohr Mordechai relative to the premises known as 2 Madeline Terrace, Chestnut Ridge, NY 10977 (tax designation 62.8-1-19) is **adjourned until September 17, 2015 at 8:00 pm.**

**MOTION:** Trustee Valentine

**SECOND:** Deputy Mayor Brock

**The Board was polled and voted 3-0 to adjourn the Public Hearing on the Special Permit Application of Congregation Ohr Mordechai until September 17, 2015.**

**6. Resolution No. 2015-77:**

Resolution approving the South Spring Valley Fire District's request to extend their building permit until October 31, 2015.

RESOLVED, that the Building Inspector is authorized to extend the building permit currently held by the South Spring Valley Fire District until October 31, 2015 at no additional cost to the permit holder.

**Mayor Presti:** I had an opportunity to speak with Scott Dow. As a result with the difficulties with the previous contractor on the job, they were delayed with the building of the facility. They have a new contractor. All is going well. Mr. Dow assures me that things are moving along. He had sent us a letter in July that he would wrap it up in ninety days. Their permit expired and they paid the full permit fee when they were supposed to. The Fire Department is very important to the Village. They do a lot of good things. Their request is if we could just extend it for three months. In speaking with Mr. Dow, the work should be completed by October 31, 2015 and doesn't for see

any further difficulty. In event there is a problem; Mr. Dow will talk with us further. They are a sub government entity.

**MOTION:** Deputy Mayor Brock

**SECOND:** Trustee Valentine

**The Board was polled and voted 3-0 to approve Resolution No. 2015-77.**

**7. Resolution No. 2015-78:**

RESOLVED that the Village Clerk is authorized to complete an agreement with B&B Pool & Spa to winterize the water feature at the Village Park.

**MOTION:** Deputy Mayor Brock

**SECOND:** Trustee Valentine

**The Board was polled and voted 3-0 to approve Resolution No. 2015-78.**

**8. Resolution No. 2015-79:**

Resolution accepting the annual Justice Court Audit for fiscal year June 1, 2014 through May 31, 2015 and authorizing the Village Clerk to submit the report to the New York State Office of Court Administration.

WHEREAS, State law requires the Village of Chestnut Ridge to conduct an annual audit of its Justice Court's operation; and

WHEREAS, the Village's financial consultant, Marvin Nyman, has completed the audit for fiscal year June 1, 2014 through May 31, 2015, and issued his report,

NOW THEREFORE BE IT RESOLVED that the Village Board of Trustees has reviewed the report prepared by its financial consultant, and hereby accepts the same; and

BE IT FURTHER RESOLVED that Village Clerk is directed to submit the report to the New York State Office of Court Administration, Attention: Joan Casazza, Internal Control Liaison, 2500 Pond View – Suite LL01, Castleton on Hudson, NY 12033.

**MOTION:** Trustee Valentine

**SECOND:** Deputy Mayor Brock

**The Board was polled and voted 3-0 to adopt Resolution No. 2015-79.**

**Resolution No. 2015-79A:**

Resolution to adjust the salary of Pat Gliniecki our new part-time Court Clerk for an additional \$2.00 an hour to \$20.00 an hour.

**MOTION:** Trustee Valentine

**SECOND:** Deputy Mayor Brock

**The Board** was polled and voted **3-0** to approve **Resolution No. 2015-79A.**

**9. Resolution No. 2015-80:**

RESOLVED, that **General Fund Claims** set forth on pages **1 through 3** in the aggregate amount of **\$238,786.14** as set forth on **Abstract No. 2015-8** dated **August 20, 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. 2015-80.**

**OPEN FLOOR PUBLIC DISCUSSION**

**Richard Cunningham – 10 Appledale Lane, Chestnut Ridge, New York 10977:**

- Questioned whether residents of the Village can succeed from the Village of Chestnut Ridge and form their own village?

**Mayor Presti:**

- My understanding is they need five square miles to do that.

**Walter Sevastian:**

Provisions of law that allow other municipalities to annex land from adjacent land.

They need to get a certain amount of the owners.

**Deputy Mayor Brock**

- There are some Federal Laws that you cannot circumvent.
- We are superseded by the Federal government. Whether you became your own Village or not you would have to abide by.
- Many of those laws would prevent you from doing some of those things I think you are thinking of.



- You can bring that back to the people.

**Motion to close the public portion of the meeting.**

**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** and enter into **Executive Session.**

**MOTION:** Deputy Mayor Brock

**SECOND:** Trustee Valentine

**The Board** was polled and voted **3-0** to Adjourn Meeting.

**MEETING ADJOURNED: 8:35 P.M.**

**Respectfully submitted,**

**Florence A. Mandel**

**Village Clerk**

