

**MINUTES OF THE BOARD OF TRUSTEES
THE VILLAGE OF CHESTNUT RIDGE
SEPTEMBER 17, 2015**

The Board of Trustees of the Village of Chestnut Ridge convened in regular session on September 17, 2015 at the Village Hall, located at 277 Old Nyack Turnpike, Chestnut Ridge, NY 10977.

PRESENT:

ROSARIO PRESTI, JR.	-	MAYOR
JOAN BROCK	-	DEPUTY MAYOR
HOWARD COHEN	-	TRUSTEE
GRANT VALENTINE	-	TRUSTEE

PRESENT:

WALTER R. SEVASTIAN	-	VILLAGE ATTORNEY
FLORENCE A. MANDEL	-	RECORDING SECRETARY

1. Pledge of Allegiance.

2. Mayor's report.

Police Chief Brower is here with us this evening; so I will modify the meeting a little and introduce Chief Brower.

A

- We have a Youth Academy,
- We take thirty students. I am not here to recruit. It is on a first come, first serve basis.
- Begins next Thursday for all students in the eleventh and twelfth grades from Spring Valley High School, Suffern High school, Ramapo High School.
- We take ten students from each school.
- It is an opportunity for anyone.
- You have to sign up.
- Receive a certificate after the ten weeks.
- Talk about what they learned and think about the course.
- About 1,000 kids graduated the Academy.
- They became police officers, firemen; a fellow joined the secret service.
- We are promoting law enforcement and we are promoting the Town of Ramapo Police Department.
- It's a no lose situation.
- It's all about law enforcement.
- We talk about active investigation, homicide investigation.
- We have the judge come in and talk about the Court.
- It's not just police work, it all about law enforcement.

B.

Recruitment and Opportunity – November, 2016 will be the next Rockland County Police exam.

- You have to be 18 years old, no older than 35 years old to take the test.
- Requires two years college, two years work experience or three years military.
- If you are in the military, we will hold the test back for you. When you come back you can take the exam.
- There are 3,500 applicants.
- Seventeen hundred will pass.
- Have to take a physical, medical examination.
- Eight hundred and fifty students will pass.
- You must be a Town of Ramapo resident to be hired.
- Left sample questions. Duplicate them
- Strongly suggests go down to Barnes and Nobles. Get section on Civil Service Testing.
- You may want to take a Regents Prep Course.
- It's a very rewarding career and has many benefits.
- We still have a pension.
- We have a health plan

C. I will be retiring next week. It's always a pleasure to serve this Village. I always enjoyed coming down here. I think the Ramapo Police Department is an excellent Police Department. I take exactly no credit for it. It is all the young men and women who have been hired in the last twelve or fourteen years. They are energetic. They want to serve. They understand the word service. I have been proud to be their Chief for the last eight years or so.

I want to thank you very much. You always made me feel comfortable here. There are two good captains up there. They haven't decided who will be the new Chief. There is a good police department there. This patch should read, Chestnut Ridge, Montebello, Hill burn, Sloatsburg; we believe we are your Police Department. Anything we could ever to do help this community out we are so anxious to do that. That's not from me but from all the men and women up there. .

Ronald Miller – 4 Eagle Street, Chestnut Ridge, NY 10977:

- Questioned the Police Chief on the rash of car thief's in the Village.

Police Chief Brower:

- Airmont was hit a lot worse than Chestnut Ridge.
- All six vehicles were recovered in Newark, NJ.
- There is an organized gang.
- They had a task force for this particular problem.
- They leave it on the street in Newark, NJ for five or six days.
- If no one comes for the car they take it.
- They either strip the car or ship them overseas.
- Working closely with New Jersey authorities
- Six out of six vehicles had farbs (keyless entry).
- We believe they go up and down the street.
- When they get a radio wave, a reading they take the car.

Deputy Mayor Brock: Thanked Police Chief Brower for his service.

Mayor Presti:

- We know your force is very professional. We know they really do a great job and it is because they have great leadership. It is as the result of you. So thank you very much.

• The Village picnic will take place this Sunday, September 20th rain or shine, noon to 5:00 o'clock over at Children's Park. The weather is supposed to be beautiful. It should be a nice time. Hopefully all will come out to say "hello". It's always nice to see everyone come out.

• I resumed Sunday's with the Mayor. It was this past Sunday. Usually the first Sunday of the month but because of the holidays it was the second Sunday. If for some reason you cannot get me during the day or during the week at Village Hall, you always know you can come for a cup of coffee. I have Sunday with the Mayor.

3. Open Floor: Public discussion of Agenda Items.

No one from the public wish to speak.

• Motion to Close the Public Portion of the Meeting in Regard to Agenda Items Only.

MOTION: Trustee Grant

SECOND: Deputy Mayor Brock

The Board was polled and voted **4-0** to close the **Open Floor Public Discussion** on **Agenda Items only.**

4. Approval of Minutes of Previous Meeting, August 20, 2015.

Minutes were not voted on. Minutes will be approved at the next Village Board Meeting of October 15, 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).

Mayor Presti:

• I see we have Michael Klein, Jesse Cokeley- Engineer, and Rabbi Rosenbaum here. Folks are here to support the application. Residents are here.

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

Overview of the Application - Special Permit

- I know the board has read the detailed narrative we submitted with the Application.
- Discussion of the why the applicant needs to meet a Special Permit standard which is really the issue before us this evening.
- Congregation Ohr Mordechai is a New York, not for profit, religious corporation.
- It is located at the corner of Madeline Terrace and the corner of Hungry Hollow Rd.
- There is an existing building which is used for Rabbi Rosenbaum who is the officiating clergyman at the synogue, and the lower level of the building is used for a place of worship.
- We seek to remove the entire existing building and build a new one.
 - This is a dramatic change from the plan that was submitted a number of years ago.
- We believe we were able to build a safe place of worship and Rabbis' residence with the existing building, but the Planning Board, over quite a period of time, insisted that it could be better. They did not like the access onto Hungry Hollow Rd.
- Despite the traffic studies that we submitted that we felt this was a very workable solution, Rabbi Rosenbaum said, let's make a better project.
- They agreed to revamp the entire operation.
- They listened to the Planning Board. We think the project before you is a better project.
- We are looking for a neighborhood place of worship.
 - We have congregants who are required to walk to their place of worship.

- We are not looking for a mega church.
- They need a place in close proximity to where they live. That is the intent of this building.
- This building is to serve the needs of the people who are in walking distance to Madeline Terrace.
- We initially appeared before the Planning Board; we were referred to the Zoning Board for interpretation as to whether we could have a Rectory and a place of worship in the same building.
- It was ultimately decided by the Zoning Board that said we could.
- We then went back to the Planning Board for Site Plan Review. The Plan was revised as described.
- The Planning Board issued a Negative Declaration from the State Environmental Quality Review Act (SEQRA), which is detailed part III EAF which is part of that review.
- The Planning Board's report again basically concluded that we've now satisfied the criteria and the project as proposed will not have any significant damaging impact.
- It involves the review of traffic; the review of ground water, review of sewers, an analysis that was submitted based on a visual analysis of a landscaping plan.
- All those factors were considered and resulted in the Environmental Impact study, part III EAF and made a Negative Declaration by the Planning Board Lead Agency.
- We now seek Special Permit approval for a project we are proud of and we hope the Village will be proud of.
- Jesse Cokeley will describe the project in detail; explain what happened initially, how the building has been changed, has been set back.

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

- Showed plan that was originally submitted to the Board.
- It's been a couple of years.
- Originally, the plan was to keep the Rabbi's residence where it is and expand on the side.
- Driveway access was on Hungry Hollow Rd.
- Through the Planning Board meetings, listening to the neighbors that it wasn't the safest, the site distance is difficult.
- We had approval from the County Highway Department; but after looking at it they decided the entrance would be better if it came off of Madeline Terrace.
- We tried looking at keeping the Rabbi's residence and the current place of worship where it is and doing an expansion and having access on Madeline Terrace.
- This is a unique site in that it does have two lot entrances on Madeline Terrace and Hungry Hollow Rd; so the set backs make it difficult to slide a building east or west.
- There is an existing stream that runs on the western side of the property. So trying to squeeze a driveway in next to the residence really wasn't going to work.
- Taking the whole existing building down and building a new building further back into the lot, and allowing access on Madeline Terrace; parking in the front that also raised some concerns because of the visual impact. If you would be driving by you would see a parking lot a larger structure toward the back.

- We were able to come up with some renderings architecturally of what the landscaping could look like.
- We have a berm and some trees which we will propose to plant in that area to help mitigate that impact. .
- The Planning Board noted that in the EAF part III and felt that could be mitigated.
- I have a couple of pictures on the back of the board from a couple of different vantage point.
- It obviously just a draft, but you can get a good feel for of how high the proposed trees would be along the road.
- a) Upper left, driving southbound on Hungry Hollow rd. and Madeline Terrace; there is a right hand turn there, with the trees that we are proposing the new building is fairly visible only to the top.
- b) The picture upper right, if you were on Madeline Terrace, driving eastbound, so towards Hungry Hollow Rd., as you can see with the landscaping, the building is mostly shaded and the set back now that's its further into the lot will also help mitigate the visual impact.

Walter Sevastian – Village Attorney:

- From a dynamic standpoint though, you can go to this Board for a Special Permit.
- You have to go back to the Planning Board to get final site plan approval where these types of decisions are set in stone.

Jesse Cokeley -

- This was something through the SEQRA process with the Planning Board; they wanted to see what our plan was to mitigate the visual impact.
- This was a draft option that was put before them and to see what could be done; we agree with that..
- We do have to go back to them for final approval which will include a vigorous review of the landscaping plan and other design plan we develop.

Mayor Presti:

For educational purposes:

- The process with regard to the Special Permit they are applying for a use for the most part is permitted there.
- Building, size, location, landscaping still has to be approved by various boards in the Village; the Planning Board, the Zoning Board and the Architectural Review Board.
- They will have to do a presentation such as this for the approval of the respective Board they will be before.
- Everyone will get notice of what's going on at every point in time.
 - If you are trying to follow this to make sure, to see what's going on, you will always be appraised as to what's going on with the applicant; exactly where they are at as far as the parcel is concerned and the actual design that they will be proposing.
 - So you will see basically what they want to do or what they want to set in stone.
 - Right now, these are proposals will, at least initially, comply with what the Planning Board was trying to have them do as far as the concept is concerned that meets the approval of also the applicant.

- So the applicant has been trying to accommodate the initial review boards at least to come to the table so that they can now go into the fine design as to what's being proposed.
- The hearing we are having this evening, we are not approving any type of building; we are not approving any type of actual, physical development. What we are considering this evening is issuing the permit so that they can go to the respective boards to propose the actual building that would be put on the property.
- After the narrative, folks will have an opportunity to ask questions.
- This explains why the applicant is actually here.

Jesse Cokeley:

- Perfect summation.
- We have put these concepts and proposals together to get through the SEQRA process with the Planning board; to come to an understanding and have them determine this will have no environmental impact.
- Once we went to that point, now we come to the Village Board for the Special Permit. Then we still have to go to the Zoning Board for the variances necessary, back to the Planning Board for full site Plan Approval which will include the building, the grading, the parking, the storm water, sewer, utilities, landscaping, lighting and any other things which could come up.

The Architectural Review Board will have a big say in the process.

Mayor Presti:

- As a matter of procedure, I think it would behoove you to address the four standards of what a Special Permit requires; how the applicant is basically representing to the Board that you are fulfilling the standard as the law say you should.

▪ **Michael Klein:**

The Village Zoning Law set forth four factors for this Board to consider when the Special Permit Application is before you.

- 1) Location, size and character use. (Building was set back, landscaping was proposed, parking was changed from the original plan all to enhance the project with the character of the area.

Had we been before you only for a residence for exactly the size building we are proposing this would require only minor variances as a residence.

- 2) Whether pedestrian and vehicle traffic would be hazardous?

We changed the vehicle access to and pedestrian access to Madeline Terrace rather than Hungry Hollow Rd.

- Location and Height of the building: professional landscaping and development and use of adjacent land.

- 3) Public services that will be required are very similar to a single family house. Sewer, water; there will be no additional costs to the Village as a result of those services.

- Since we are here on August 20th, the Board did receive a letter from the Rockland County Planning Department.
- The County is required to submit a letter commenting on the project.
- The County Planning Department's comments are a place of worship is an R-25 Zone. should be on a five acre letter conforming to the bulk requirements of the Village's Zoning law.
- County Planning, in my view, is sticking their head in the sand and is ignoring reality and the law.
- The Village's zoning law contemplates a large building on a five acre lot.
- If you have a five acre lot and based on a FAR (floor, ratio, area) .20 you are allowed to build a place of worship for 43,000 square feet.
- Without area variances, the Zoning Law does not accommodate a relatively modest size neighborhood place of worship on a typical residential lot serving the religious needs of those worshipers who have to walk to pray.
- Large size lots which might meet those needs are just not available.
- There are about twenty lots on Madeline Terrace. If you assume each of them is relatively close to the 25,000 square foot minimum for an R-25 Zone, we would have to buy half the street in order to meet the five acre minimum which the County seems to suggest we look into. It's ridiculous.
- If you look at impacts, a 43,000 square foot building, in an R-25 zone in this type of neighborhood, what they would prefer to a small neighborhood place of worship.
 - It also says the Board should evaluate the impacts the building would have including traffic.
- The County is issuing its' letter, but never read the Negative Declaration and the EAF Part III which we submitted with the application which was referred to the County Planning Department. It concluded after a long, detailed study there will be no significant impact.
- Land Use – The County Planning Department submits pg. 2 in the back submits we haven't' bothered to evaluate the application under RLUPA you should do so yourself.
- We are going to comment on the application anyway but not have any criteria under that Federal law.
- RLUPA's general rule make it unlawful for land use regulations to impose a substantial burden on a religious exercise unless the regulation advances compelling government interest and it's the least restrictive means of furthering that interest; and we have to follow that.
- The Courts have held that this application is subject of RLUPA criteria. It's a religious use of land.
- Certainly the Board in reviewing this in the Zoning law it's applicable; is a burden on religious use.
- The County then says you consider it; we are not going to consider those criteria.
- If there is a denial of an application such as this; it's clearly a substantial burden on a religious exercise.
- You have an applicant whose been working with this board; that has completely modified the application to address the concerns of the Village.

- You have a religious use that has been here for quite some time trying to work and do everything legally; but to try to get the Board's consent to build a project that they are proud of and the Board is proud of.
- The County is saying we are not considering RLUPA, although we recognize it's the Law of the Land, you should consider it, and if there's a problem with RLUPA, the county's not liable, the Village is liable.
- Those are my comments of the County's letter to this Board and I think there is more than ample justification to override their justification.

Mayor Presti:

- What is number of congregants that would be anticipated on a regular basis?
- I believe the response from Rabbi Rosenbaum was between ten and thirty regular congregants.
- Is that a correct recollection as to what was discussed?

Michael Klein:

- I believe that was his testament for people on a daily basis; staggered times, with morning prayers; essentially before they commute to work.

Mayor Presti:

- Is there a maximum that you would anticipate at any given point time within the house of worship?

Michael Klein

- On maximum use let's say the Sabbath; I believe the Rabbi's estimate, seventy.

Mayor Presti:

- On high holy days service what would you anticipate the amount of cars?

Michael Klein

- There would be no cars on Friday night, Saturday morning and holidays such as Rosh Hashanah, Yom Kippur; those holiday which there is no driving and they would have to walk.

Deputy Mayor Brock:

- There could be cars that would be driven there on Friday afternoon and left there the whole weekend until Saturday night.

Michael Klein:

- There is an existing Synagogue there now and you can use the functionality now to estimate with a larger Synagogue if approved.

Baruch Feder – Gabbi (Rabbi's Assistant, right hand man) – 33 Beckett Court, Chestnut Ridge, New York 10977:

- We have on Friday an early 1:30 p.m. service.
- We are talking maybe four cars in the driveway and four or five cars out. Nine cars maximum they would leave over the weekend.
- People go early to work. Later; it's not going to be seventy people at one time.
- On High Holidays can be seventy.
- Anticipate parking spaces sixteen cars maximum.

Mayor Presti:

- Between November 1 and April 1 there is no parking on the streets regardless.

Trustee Cohen:

- Mr. Cokeley when you were here in June you had some figures of the square footage of the synagogue.
- You gave me some figures.

Jesse Cokeley:

- The total figures, the narrative top of page 4, the synagogue totaling 29,000 square feet first and second levels.
- The residential space will be 3,000 square feet on the first and second levels.
- They will have a separate small basement area that will connect to the residence.
- I believe part of the basement also has the ritual bath.
- The basement has an additional 3,500 square feet for the baths and showers/religious use; A little less for residential use, about 500 square feet.
- Only a small portion of the basement is part of the residence.

Trustee Cohen:

- So the religious use comes out to be larger than the residence.
- The mikveh will be in the basement as part of the religious use.
- Roughly, you are looking at a structure of about 6,000 square feet.
- Are there in the surrounding area other residences of this size?

Jesse Cokeley:

- If you go up and down the area, I think the total square footage is larger, but I think the appearance would be in kind with what would be in the area.

Trustee Cohen:

- On Jon Leif Lane I think there are some large structures there; all on R-25 lots.

Deputy Mayor Brock:

- There are two mikvehs there?

Jesse Cokeley:

- I believe one for the women and one for the men.

Deputy Mayor Brock:

- You anticipate on big holidays seventy people worshipping.

- That would not allow for Bar Mitzvahs, Weddings.

Michael Klein:

- On the plan we do a maximum calculation. That's how the number seventy is stated.
- On our narrative we basically anticipate fifteen to twenty or thirty on a staggered period of time.
- On Sabbath worshipers we think normally the fifty range.
- The seventy is what we put on the plan is the maximum number that we are accommodating based on the calculations.
- This is not a catering facility.

Deputy Mayor Brock:

- Where would the children be Bar Mitzvah?
- I want to make sure there are not two hundred people for a Bar Mitzvah.

Baruch Fedder - Gabbi:

- I know we all look the same; orthodox, but in Judaism there are all different kinds.
- We are Chasidic.
- We Bar Mitzvah at a catering hall during the week.
- It can be on a Sunday, Monday, Tuesday.
- It can be at the Atrium Plaza.
- Sometimes in their home if there are not a lot of people
- We don't do it in a Synagogue during other services.
- There are other people who do it in our community.

▪ Gale Ragusa – 8 Allan Drive, Chestnut Ridge, New York 10977

- How is the Mikveh going to work with the water supply in a residential area?

Michael Klein

- There are not going to be separate people coming for the Mikveh and separate people coming to pray. It's exactly the same people.
- The men come to the Mikveh; go into the ritual bath and then go to pray, and go to work. It's another step in their prayer ritual.
- The number of women who would come to the Mikveh on the Sabbath is a very, very small number.

Rosario Presti:

- Ten and thirty folks on a regular basis; that's part of that ten to thirty.

Walter Sevastian:

- The reason you said seventy is that the parking we allow under our code says seventy.

Lucile Redman – 1 Madeline Terrace, Chestnut Ridge, New York 10977:

- I am really concerned with the parking lot being in the front.
- My bedroom faces the front.

Mayor Presti:

- We have letters from the County agency that also doesn't want to see lights going out onto the road which may be blinding to people as far as driving is concerned..
- The applicant is going to have a landscaping buffer which is going to prevent light spillage.

Jesse Copeley:

- We have a photo metric plan. It will have light levels on it.
- We will try to limit the height as much as we can to illuminate the parking lot but to not have lights spill out.
- The newest lights we would like to propose on this job are LED – they are dark side compliant where they don't flair up. If you are under it, it is bright. Beyond it, we can put shields on it to prevent spillage onto the road.
- We will develop a site plan to address that.
- They would be downward facing; just for the parking lot.
- They would be just for hours of operation.

Rosario Presti:

- The Planning Board does have certain requirements.
- On the plan itself, you will actually see how the light will come off of the source.
- You will see where it will spread to.
- You will see how that lighting is only going to light the general vicinity for safety and security of the parking lot or the Rabbi's residence at night during a certain point in time..
- What normally will happen is that the Planning Board will probably have the applicant confirm that it's not going to be a twenty four hour lighting operation.
- There is going to be a certain point in time where you will not have that light to worry about.
- You will have an opportunity to see exactly what they are proposing.

Lucile Redman:

- Is the entrance to their parking lot going to be directly across from my driveway or off to the center?

Jesse Copeley:

- Off center; exactly where their driveway is now. It's just getting bigger to allow for the two way traffic now that it's a parking lot.
- Showed Mrs. Redman on the plan; the existing driveway, the new driveway.

Winston Jacobs – 82 Hungry Hollow Rd., Chestnut Ridge, New York 10977:

- Wanted clarification of the size of the structure.

Jesse Copeley:

- The building will be two stories with a basement below grade.
- The total square footage was the summation of the two stories plus the basement.
- The total square footage is somewhere in the 8,000, 9,000 total square foot range.

Mayor Presti:

- What's the building from the outside?

Jesse Copeley:

- The footprint would probably be 3,500 to 4,000 square feet.
- The front portion of the building is probably sixty feet long; seventy feet deep. but does cut back significantly in the back.
- If you were to square it off, sixty by seventy feet.
- The square footage breakdown has gone through some iterations just because of the proposed design because of what's going to be residence and what's going to be house of worship.
- Building will be about fifteen per cent of the lot area.
- Only one per cent bigger.
- The coverage numbers will be further addressed in the Planning Board.

Morty Silver – 7 Allen Drive, Chestnut Ridge, New York 10977:

- Is there a restriction on the height of that building?

Jesse Copeley:

The zone has a restriction of 35 feet; right now we are proposing thirty.

Morty Silver -

- Has it been taken into consideration that in the winter time, Friday night comes, it's dark at 4:00 o'clock and there are a lot of people walking on Hungry Hollow Rd. on Madeline Terrace. It is not well lit.
- Isn't there a synagogue ¼ mile away on the other side of the Thruway on Nyack Turnpike and Hungry Hollow Rd?
- Does that have a mikveh?
- I'd like to know if there is a redundancy.
- How many mikvehs do you need?
- The next synagogue that's proposed will be less than 1- ½ mile away.

Mayor Presti:

I don't know what's in that facility on the corner of Hungry Hollow Rd. and Old Nyack Turnpike. That's not Chestnut Ridge.

Trustee Cohen:

- Mr. Silver is talking about the people walking along Madeline Terrace and Hungry Hollow Rd..
- I would assume he is thinking about the safety aspects.

Michael Klein:

- Vehicle traffic will be addressed by the Planning Board.

Morty Silver:

- Is there going to be ground level entrance to the mikveh?

- There will be access to the building, not from inside the building necessarily.

Jesse Cokeley:

- I believe the plan is to have the sidewalk come down.

Morty Silver –

- The garments are black. Everybody is tolerant.
- Walk the children on the inside of the road, single file, not on the outside of the road.
- I understand we are supposed to be alert because pedestrians come first.
- If the building had a certain height and you are trying to illuminate it for safety, it may illuminate that area; what's happening up the block on that dangerous curve on Hungry Hollow Rd?
- I assume when you say these have been addressed, as to the negative environmental impact that's the environmental impact.

Gale Ragusa - 8 Allan Drive, Chestnut Ridge, New York 10977

- I am assuming there is a camp there.
- A lot of children.

Mayor Presti:

- There is no day care.
- The applicant is here for a Special Permit to move forward on a concept plan for a house of worship and for a residence.
- Right now the applicant is here to provide for the Board and for the public a concept of what they are proposing.
- The applicant has to address safety not only for the Village but for the County; has to weigh in on safety.
- In addition as to the lighting in that area.
- Safety is going to be a number one priority.

Michael Klein:

- There currently is a State License for child care in that building.
- That license expires once the building is removed.
- The license is purely with the State.
- It has nothing to do with the Village.

Mariola Kind – 11 Beckett Ct., Chestnut Ridge, New York 10977:

- What is the current construction on the property?

Baruch Fedder - Gabbi

- There is no current construction.
- There is a Sukkah which is a temporary structure.
- The patio does not require a permit, that stays.
- The Code Enforcement and Village Engineer came out to look at it.

Mariola Kind

- I want to understand how this building when built is going to affect my taxes.
- Voiced how dangerous walking in the dark on Shabbos was.
- Stated how dangerous the intersection is on Hungry Hollow Rd. and Madeline Terrace.
- Stated somebody from the Village to stand on the corner and should direct the traffic.

Mayor Presti:

- The State of New York sets the perimeters as far as tax abatements and tax exemptions with regard to various not for profit organizations.
- They could apply for some type of tax exemption with regard to a portion of the premises which would then reduce their share of the taxes.
- If they are paying a little bit less and requires more it gets made up in other places.
- The various agencies that have to oversee this do a traffic study.
- Mr. Klein, have you done any kind of a traffic study?

Michael Klein:

- When we had the building access on Hungry Hollow.
- I believe foot traffic was discussed as well.

Jesse Copeley

- There will be striping for crosswalks, signage, and advanced signage further down the road.
- New reflective type of signage that will alert motorists that there are pedestrians over here.
- We are primarily focused with lighting in the site.
- Outside the site that's not the Rabbi's property; that would have to be something the County would have to do.

Deputy Mayor Brock:

- Hungry Hollow Rd. is a County Rd.,
- The Village doesn't deal with that.

Trustee Cohen:

- Overall safety requirements are dealt with by the County because it is a County Rd.
- We have looked into the possibility of doing sidewalks there, and the County says we don't do sidewalks.

Mariole Kind:

- Voiced her concern that the building would be larger than any other building in the area.

Mayor Presti:

- You will be hearing the actual numbers once the physical building is set as far as any fine design that may need to happen.
 - Concerns I would like to address as a follow up to the information that's been given here.
- The Board having had an opportunity to review the Narrative, the applicant's presentation and to take into account the residents in the area.

- I would ask if the applicant would be amendable to consider as far as we go from here the fact that you will be going through three different Boards.
- If this Board is inclined to grant a permit, we probably would then request that you come back to us to basically reaffirm, tie up the Special Permit itself so that we will get another look at the final look at the final project.

Walter Sevastian:

- When this Board looked at the Foster Church application they granted a Special Permit; the Board wanted to make sure that nothing changed in the course of going back to Zoning, Planning or Architectural Review that could affect the basis of their decision.
- We put a condition on the Special Permit that they come back to this Board to ratify.

Mayor Presti:

- That's in fairness with and being consistent with similar types of permits of this use.

Michael Klein:

- We agree to that condition.

Mayor Presti:

- You would have to do this as a matter of course.
- The Rockland County Department of Planning letter dated April 2, 2015 obviously would have to be a contingency with regard to the Permit.
- They may be disapproving but depending on the vote of the Board, any other items they come up with obviously you would have to comply with.

Walter Sevastian:

- In their letter on September 2, 2015 they designate what they consider to be additional concerns; specifically they reference a County of Department Highway letter dated August 13, 2015.
- A letter from the Town of Ramapo, Department of Public Works dated July 28, 2015;
- Another letter from the Rockland County Sewer District, Number 1, and obviously all those things would have to be complied with.

Michael Klein:

- I believe that the Planning Board would be the most appropriate body to review the conditions in those letters and see if the Planning Board agrees to disagrees with the conditions of those letters.

Mayor Presti:

- What I would also like to propose not only to give comfort to the applicant but also to the neighbors, we talked about numbers as far as congregants, using your seventy maximum as the number.
- We did this with the Foster Church application.
- We actually had the applicant come back; we set a timeline for five years.
- In the event there is a growth as far as the number of congregants that are now visiting the house of worship.

- It's built for seventy people.
- If then you're getting eighty, one hundred, one hundred fifty people that plan is really not adequate and appropriate for the increased numbers.
- We would want then for the opportunity for you to come back and now we need to modify the plan so that we can accommodate the increased numbers with the least amount of impact so now we can accommodate the neighbors and to allow the applicant to use his property properly.

Walter Sevastian:

- Just for clarity and the way it was done with Foster Church; that the Special Permit was renewable every five years.
- The condition read without further application to the Village Board provided that the Building Inspector provides a memo and confirms that all the conditions with the Special Permit are being complied with.
- The Applicant submits certification as to the membership of the Congregation not exceeding ex number.
- In the event either of those conditions aren't met, the applicant will be required to submit a plan to the Village Board to remedy the non-compliance and demonstrate the site does not negatively impact the properties; like traffic control
- If the thing grew, there would have to be some type of plan to accommodate.

Michael Klein:

Membership

- I certainly have no problem with me being held accountable for the number of users based on the plan being submitted, but I don't want to create a bureaucracy to do that when the Building Inspector is capable.

Walter Sevastian:

- On reasonable notice applicant shall grant access to Village employees; that's always ongoing.
- Taking in account the general idea that uses permitted by Special Permit are uses essentially permitted by right.
- The law recognizes these types of uses have the potential to have a greater affect than the normal use permitted by right in the zoning district; so monitoring is required.
- Some municipalities sometime have annual review.
- They don't necessarily make the people come back.
- In five years you wouldn't have to come back as long as all the conditions are being complied with.
- I think that's automatic.
- That's sort of an accepted practice.
- If something big changes either earlier or later it has to be addressed

Michael Klein:

- If something, fire such as well as other issues, we don't want that occurring unless it's pursuant to code
- I think we want to do things right.

I think the applicant certainly demonstrated their good intentions.

Mayor Presti:

Are you able to say for the most part services will never really be going later than 11:00 p.m. midnight?

By midnight everybody's done.

Barauch Feder, Gabbi

- Usually never later than midnight.
- There may be once or twice a year.

Mayor Presti:

- Special Occasions.

▪ It would be appropriate for us to direct the Village Attorney to draft a resolution that would be encompassing all that we discussed here this evening in addition to incorporating the presentation of the applicant.

▪ At our next meeting we would probably be in a position to vote on the permit.

Trustee Cohen:

▪ Asked if Public Meeting be left open and close it at that time or close it at this point.

Walter Sevastian:

- I think it should be closed.
- We are not going to be taking any further evidence.

Mayor Presti:

- We are trying to be consistent.
- My recollection is we didn't do that with the other one so we shouldn't do that with this one.

Motion to Close the Public Hearing.

MOTION: Trustee Cohen

SECOND: Trustee Valentine

The **Board** was polled **4-0** to **Close the Public Hearing.**

b. Motion to direct Village Attorney to prepare Resolution on application.

MOTION: Deputy Mayor Brock

SECOND: Trustee Cohen

The **Board** was polled **4-0** to prepare a **Resolution on Application.**

6. Resolution No. 2015-81 to appoint Edie Finkelstein to the position of part-time Clerk-Typist at an hourly rate of \$15.00 per hour.

MOTION: Trustee Valentine

SECOND: Deputy Mayor Brock
The Board was polled and voted **4-0** to approve the appointment of Edie Finkelstein as part-time Clerk-Typist.

7. Resolution No. 2015-82:

RESOLVED, that **General Fund Claims** set forth on pages 1 through 3 in the aggregate amount of **\$370,562.79** as set forth on **Abstract No. 2015-9** dated September 17, 2015 as submitted by the Village Treasurer, are hereby approved.

* **Deputy Mayor Brock:** I just want to say for the record is that the reason this abstract is so astronomical is due to the paving costs \$187,000.00.

MOTION: Deputy Mayor Brock

SECOND: Trustee Cohen

The Board was polled and voted **4-0** to approve **Resolution No. 2015-82.**

OPEN FLOOR PUBLIC DISCUSSION:

No one from the public wished to speak.

Motion to Close the Open Floor Public Discussion.

MOTION: Trustee Cohen

SECOND: Trustee Valentine

The board was polled and voted 4-0 to Close the Open Floor Public Discussion.

Motion to Adjourn:

MOTION: Trustee Cohen

SECOND: Trustee Valentine

The Board was polled and voted 4-0 to Adjourn the Meeting.

MEETING ADJOURNED: 9:48 P.M.

Respectively submitted,

Florence A. Mandel
Village Clerk

