

APPROVED

Village of Chestnut Ridge
Zoning Board of Appeals
July 25, 2017

The meeting was called to order at 8:00 P.M. by Stephen Liebman, Chairman.

Present: Stephen Liebman-Chairman, Susan Silverman-Deputy Chairperson, Ally Thorne,
Stanley Waldbaum, Duane Penister, Ed Manning, Michael Grossman, Bruce Goldsmith-Alternate

Also Present: Walter R. Sevastian-Village Attorney, Mary Ballek-Secretary to the Board,
Cheryl Sluys-Recording Secretary

1. **Congregation Torah Uffilla-Continuation Public Hearing** to consider the application of Congregation Torah Uffilla who is seeking a Use Variance from Article III of the Zoning Code to allow for the applicant's place of assembly and place of worship within the PI Zone. This variance is sought for only a portion of the property; Suites 101 and 109 respectively.
Tax designation: 63.13-2-1, Zone PI

Mr. Liebman said item 1 was adjourned to August 29, 2017 at the request of applicant.

2. **Coptic Orthodox Church – Public Hearing to consider the application of Coptic Orthodox Church** for area variances relative to a project to construct a new Church and related Education building at the premises known as 9 Lynn Drive and 711 Chestnut Ridge Road, Chestnut Ridge, NY 10977. Variances as follows: **Tax Designation 63.09-1-59,60, Zone R-40.**

Proposed Church/Education Building

Maximum Development Coverage – Required 25%; Provided 40.7 % (with land banked parking)

Building Height – Required 35 feet

Provided Church Main Roof – 44.25 feet
 Church Main Dome – 61.0 feet
 Church Small Dome (2) – 51.0 feet
 Education Building – 36.0 feet
 Education Building Dome – 39.0 feet

The following variances are existing non-conforming dimensions:

	<u>Required</u>	<u>Provided</u>
Minimum lot width:	400 feet	316.58 (Existing Non-Conforming)
Minimum Street Frontage	300 feet	234.32 (NYSRT45)/144.21 Lynn Drive*
Minimum Front Setback	100 feet	55.9 (Manse)
Minimum Side Setback	100 feet	45.8 (Manse)
Minimum Side yard	75 feet	45.8 (Manse)

Terry Rice, Esq. (Attorney for Applicant), William Pfaff, Architect (208 Foss Drive, U. Nyack, NY) and Steve Grogg, Engineer (McLaren Engineering Group, 100 Snake Hill Road, W. Nyack, NY) appeared on behalf of applicant.

MEMORANDUM

Mr. Liebman said 10 years ago variances were granted to the Coptic Orthodox Church. Since no building was done the building permit and ZBA approvals expired.

Mr. Rice said the plan is to build a two story church building and a two story educational building totaling 52,000 square feet on eleven acres. Mr. Rice then said the maximum church capacity is 800 congregants but generally 100-300 attend Sunday services with increased attendance on Easter and Christmas. Applicant has submitted amended plans which include a) elimination of the free-standing bell tower, b) an increase of 245 square feet in the church building footprint, c) moving the main dome of the church building over the main altar/worship space, d) two sanctuary domes are now at the top of two entrance towers flanking the church's main entrance, e) the education building roof is now flat and raised to 478.00 feet to accommodate physical activity spaces in the upper level of the building.

Steve Grogg affirmed to tell the truth. Mr. Grogg said the church and education building are in the middle of the site with parking in the rear. Mr. Grogg then said the 1000 square foot manse located at the end of Lynn Drive has been renovated and is already occupied by the Bishop. The emergency access to the property on Lynn Drive was pointed out on the site plan.

William Pfaff affirmed to tell the truth and said that in addition to the increase in the footprint and repositioning of the domes, there will be a series of 12 windows at the base of the main dome. The dome height was raised but the roof height is unchanged. Mr. Pfaff then said a large component of the education building (upper level) will be used as a physical activity space. The lower level of the education building will be used for religious education in Sunday school and nursery school for up to 72 children. Mr. Pfaff continued the church building is two stories with a covered walkway to the entrance of the education building.

Mr. Liebman, the Board members and Mr. Grogg held a discussion of building heights.

Mr. Grogg said the nursery school will operate per village code, Monday – Friday, year round. After school programs are not envisioned.

Ms. Silverman asked about kitchen facilities.

Mr. Grogg said there are no plans for receptions or celebrations.

Mr. Rice said there is no intention for weddings or funerals.

Mr. Pfaff said there will be a social gathering for congregants at the end of Sunday worship.

Ms. Silverman then asked about lighting.

Mr. Grogg said a lighting plan has been submitted to the Planning Board. LED lights will be used for walks, parking lot and roadways. There will be no light spillage.

Mr. Sevastian said the site lighting is part of the site development plan before the Planning Board.

Mr. Grogg added there is a total of 226 parking spaces, 36 of which are land banked. There is no indication for fencing other than the existing fence along the Gould property.

Mr. Liebman, the Board members and Mr. Grogg discussed the balloon test based visual simulation of ten years ago which has been superimposed to show the 5 foot height increase in the main dome.

Mr. Liebman opened the meeting to the public.

Magali Dupuy of 49 Spring Hill Terrace affirmed to tell the truth and said she feels the applicant is being very open about the proposed project. Ms. Dupuy asked about Vacation Bible School, nursery school transportation and church schedule.

Mr. Liebman asked where most congregants presently live.

Sherif El Far of 917 Marie Court, Franklin Lakes, NJ affirmed to tell the truth and said he is a member of the church board and a representative of the congregation. Mr. El Far then said most congregants live in Rockland and North Bergen counties. Mr. El Far related the typical schedule of Wednesday morning Mass, Saturday night services, Sunday Mass from 8:30-11:30 and Sunday school. There is an Easter midnight Mass and Christmas celebration in January. Mr. El Far said there is an occasional one to two hour evening class in the summer. The nursery school is open to all. Children are dropped off; there is no bus service.

Carol Jacobs of 55 Spring Hill Terrace affirmed to tell the truth and voiced concern about the impact on Route 45 traffic.

Mr. Sevastian asked Mr. Grogg to briefly discuss traffic impact.

Mr. Grogg said the Planning Board has the updated Traffic Impact Study which reflects the addition of the nursery school, updated traffic counts, inclusion of an adjacent school that operates on Sunday and an update of adjacent developments.

Mr. Liebman, Board members, and Mr. Grogg discussed the second means of ingress to the property for emergency vehicles.

Michael Grossman made a motion seconded by Ed Manning to close the public hearing. The following vote was taken: Stephen Liebman-yes, Michael Grossman-yes, Ed Manning-yes, Susan Silverman-yes, Ally Thorne-yes, Stanley Waldbaum-yes, Duane Penister-yes.

Mr. Liebman noted no opposition to the application was voiced by residents of Lynn Drive or neighbors.

Mr. Sevastian said this application for variances is in connection with the establishment of religious use. The Board is to weigh variance factors. Under state and federal law it is to be deemed to be beneficial to the community and mandates no detriment to the community.

Susan Silverman made a motion seconded by Stanley Waldbaum to approve the variances submitted. The following vote was taken: Stephen Liebman-yes, Susan Silverman-yes, Stanley Waldbaum-yes, Ed Manning-yes, Duane Penister-yes, Michael Grossman-yes, Ally Thorne-yes.

3. MINUTES – Approve June 27, 2017 Meeting Minutes

Ed Manning made a motion seconded by Duane Penister to approve the June 27, 2017 meeting minutes as submitted. The following vote was taken: Stephen Liebman-yes, Ed Manning-yes, Duane Penister-yes, Susan Silverman-yes, Stanley Waldbaum-yes, Ally Thorne-yes, Michael Grossman-yes.

Ed Manning made a motion seconded by Duane Penister to adjourn the meeting. The following vote was taken: Stephen Liebman-yes, Ed Manning-yes, Duane Penister-yes, Susan Silverman-yes, Ally Thorne-yes, Michael Grossman-yes, Stanley Waldbaum-yes.