

VILLAGE OF CHESTNUT RIDGE
ZONING BOARD OF APPEALS
AUGUST 19, 2019

Present: Stephen Liebman-Chairman, Susan Silverman-Deputy Chairperson, Duane Penister,
Stanley Waldbaum, Michael Grossman, Donald Cornwell

Also Present: Walter R. Sevastian-Village Attorney, Lise Chanin-Treasurer, Cheryl Sluys-Recording
Secretary

Absent: Michael Williams-Alternate, Mary Ballek-Secretary to the Board

The meeting was called to order at 6:00 P.M. by Stephen Liebman-Chairman.

- 1. **107 Old Nyack Turnpike-Continuation of Public Hearing** to consider the application of 107 Vogel
LLC to consider variances from the requirement of Article XIII of the Zoning Code in order to
continue the multi-family use to allow 11 multi-family dwellings.

Tax Designation: 56.20-2-1, in the R-15 Zoning District

- Minimum Front Set Back: (Old Nyack Turnpike) 35 feet required where 20 feet is provided.
- Minimum Front Set Back: (Hungry Hollow Road) 35 feet required where 22 feet is provided.
- Minimum Front Yard: (Old Nyack Turnpike) 35 feet required where 20 feet is provided.
- Minimum Front Yard: (Old Nyack Turnpike) 35 feet required where 22 feet is provided.
- Minimum Side Set Back: 20 feet required where 1.7 feet provided.
- Minimum Rear Set Back: 35 feet required where 18.9 feet is provided.

Mr. Liebman said Mr. Churgin’s request for an adjournment to the September 16, 2019 meeting has
already been granted.

- 2. **Fox Development-Continuation of Public Hearing** to consider the application of Fox Development in
seeking the following variances from Article IV Table of Bulk Requirements Use Group J:

Tax Designation: 63.09-1-1 in the PI Zoning District

- Minimum Front Yard: (Route 45) 19.0 ft. requested for parking
- Minimum Front Set Back: (Scotland Rd) 46.7 ft. requested
- Minimum Front Yard: (Scotland Rd) 23.9 ft. requested for parking
- Minimum Rear Set Back: 10 ft. requested
- Minimum Rear Yard: 10 ft. requested
- Minimum FAR: 0.65 requested

And to consider variances from the Table of General Use Requirements Part II, PI District:
Regulations for the 66% limit on building size Column G (3)
Regulations for distance of 300 feet for loading dock Column G (5)

The applicant has requested an adjournment of the Public Hearing.

Mr. Liebman referenced an August 14, 2019 email from Hector Mosley, Public Affairs Specialist, U.S. Army Corps of Engineers and an August 15, 2019 letter from Alexandra Ryan, General Engineer/Project Manager, U.S. Army Corps of Engineers concerning proposed expansion into possible wetland areas. Both indicate Federal and State permitting is required.

Mr. Sevastian instructed this correspondence be put into the file.

Mr. Sevastian said we can't rule on this application until the environmental significance is determined. We do not have preliminary approval from the Planning Board. Mr. Sevastian then said the ZBA could do a SEQRA for zoning aspects along with the Planning Board doing a SEQRA for environmental aspects, i.e., noise, traffic, what the building looks like. Mr. Sevastian spoke with the Planning Board attorney who advised if the ZBA was going to do a SEQRA review a new escrow account will have to be received from applicant. Additionally, the Village Planner should come to ZBA meetings. Alternately, the Planning Board can do the SEQRA review and send applicant back to the ZBA after that review is completed. Mr. Sevastian does not feel the current situation is fair to us or the applicant.

3. Approval of Resolutions

Michael Grossman made a motion seconded by Donald Cornwell to approve the amended resolution entitled "In the Matter of the Application of Struli Oster the premises identified on the Town of Ramapo Tax Map as parcels 57.17-2-35.3, located on the west side of Sima Lane, Chestnut Ridge, New York 10977, for a area variance to increase a previously granted FAR variance by .04".

The following vote was taken: Stephen Liebman-yes, Susan Silverman-yes, Michael Grossman-yes, Donald Cornwell-yes, Stanley Waldbaum-yes, Duane Penister-yes.

Duane Penister made a motion seconded by Susan Silverman to approve the amended resolution entitled "In the Matter of the Application of Akiva Faerber the premises identified on the Town of Ramapo Tax Map as parcels 63.18-3-64, commonly known 7 Carlisle Road, Chestnut Ridge, New York 10977, for a variance from the provisions of Article V Sections 1 and 3 D of the Zoning Code to allow the use of a pre-existing adjunct driveway.

The following vote was taken: Stephen Liebman-yes, Duane Penister-yes, Susan Silverman-yes, Stanley Waldbaum-yes, Michael Grossman-yes, Donald Cornwell-yes.

4. Approval of Minutes

Susan Silverman made a motion seconded by Donald Cornwell to approve the June 17, 2019 meeting minutes with corrections. The following vote was taken: Stephen Liebman-yes, Susan Silverman-yes, Donald Cornwell-yes, Duane Penister-yes, Stanley Waldbaum-yes. Michael Grossman abstained as he was absent from the meeting.

Michael Grossman made a motion seconded by Donald Cornwell to approve the July 15, 2019 meeting minutes with corrections. The following vote was taken: Stephen Liebman-yes, Michael Grossman-yes, Donald Cornwell-yes, Susan Silverman-yes, Duane Penister-yes, Stanley Waldbaum-yes.

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