

**BOARD OF TRUSTEES
OF THE
VILLAGE OF CHESTNUT RIDGE**

For the Regularly Scheduled Board meeting of July 16, 2020

8:00 pm

277 Old Nyack Turnpike

Chestnut Ridge, New York 10977

PRESENT

ROSARIO PRESTI, JR.

MAYOR

GRANT VALENTINE

DEPUTY MAYOR

RICHARD MILLER

TRUSTEE

CHAIM ROSE

TRUSTEE

PAUL VAN ALSTYNE

TRUSTEE

WALTER SEVASTIAN

VILLAGE ATTORNEY

FLORENCE A. MANDEL

VILLAGE CLERK

CHESTNUT RIDGE VILLAGE BOARD MEETING
MEETING AGENDA – JULY 16, 2020

For the Regularly Scheduled Board meeting of July 16, 2020 - 8:00 pm

277 Old Nyack Turnpike

Chestnut Ridge, New York 10977

On March 7, 2020, in Executive Order No. 202.1, Governor Cuomo suspended certain provisions of the Open Meeting Law to permit a Village Board to meet and take actions authorized by law without permitting in public in-person access and authorizing such meeting to be held remotely by conference call or similar service, provided that the public has the ability to view or listen to such proceeding and that such meetings are recorded and later transcribed. The Village will be activating a remote meeting platform for the **Thursday July 16, 2020** Village Board Meeting, which will enable residents to watch a livestream of the meeting and comment on the Zoom platform in compliance with the Executive Order:

Phone in: 646-568-7788

ID#: 756-079-8481

URL/ID: <https://zoom.us/j/7560798481>

1. Pledge of Allegiance.
2. Mayor's report

Welcome everyone.

Executive order 202.1 certain provisions suspended. Complying with Executive order. We are complying.

3. Open Floor: Public discussion of Agenda Items.

No one from the public wished to speak. Left for end of meeting.

4. Approval of Minutes of Previous Meeting, June 18, 2020

MOTION: Trustee Miller

SECOND: Deputy Mayor Valentine

The Board was polled and voted 5-0 to Approve the Minutes of June 18, 2020.

5. a. Public Hearing for Special Permit Application of Threefold Educational Foundation and School – west side of Hungry Hollow Road (66.16-1-4 & 56) - request for a Special Permit for a new school of general instruction building (the “Otto Specht School”).
- b. **Resolution No. 2020-42.** Resolution approving Special Permit application.

1. **Resolution No. 2020-42.** Resolution approving Special Permit Application of Threefold Educational Foundation and School – west side of Hungry Hollow Road (66.16-1-4 & 56) - for a new school of general instruction building (the “Otto Specht School”).

WHEREAS, an application under Zoning Code Articles XVI and XVII has been made to the Board of Trustees of the Village of Chestnut Ridge by Threefold Educational Foundation and School (the “Applicant”), for approval of a new school building (a “School of General Instruction”), on the west side of Hungry Hollow Road (66.16-1-4 & 56) (the “Otto Specht School”), in the RR-50 Zoning District, and

WHEREAS, on October 3, 2019, the Village of Chestnut Ridge Planning Board (“Planning Board”) declared itself Lead Agency for SEQRA purposes during the preliminary site development plan review process commenced simultaneously with the Special Permit Application, and on November 7, 2019, the Planning Board determined that the proposed project was a Type I action under SEQRA and issued a Negative Declaration under SEQRA (which determination is made a part hereof and incorporated by reference hereto), and

WHEREAS, on July 16, 2020, after due public notice, the Chestnut Ridge Board of Trustees held a public hearing on the Special Permit Application, and

WHEREAS, referrals of the Special Permit Application pursuant to the provisions of the General Municipal Law (Rockland County Planning Department), and other interested agencies (N.Y.S. DOT) were made, and the public and such agencies have had opportunity to be heard and have submitted comments thereon, all of which have been reviewed and considered by the Board of Trustees,

WHEREAS, based upon the Village Board’s consideration of the record before it in the context of determining the conformity of the proposed use and proposed development to the conditions and standards set forth in the Village Zoning Law, the Board finds:

(A) That the proposed use is not detrimental to the site or adjacent properties. This finding is based upon:

1. The SEQRA Negative Declaration made by the Planning Board in connection with the pending Site Development Plan; and
2. Based upon the Village Board members' familiarity with the long-standing prior use of the premises, to wit, that:
 - i. that a New York State chartered school use, and attendant and accessory facilities relating to education, arts, agriculture, science,, economics and medicine have been in existence at the site since approximately 1926,
 - ii. The structure proposed to be located at the premises appears to be well integrated into the existing overall site payout, and will not substantively modify the current operations as they exist at the site;
 - iii. That an additional school building, if part of an approved Site Development Plan, would enhance the existing use at the site and

(B) That the proposed use and the nature and intensity of the operations involved, when considered in connection of the site layout, provide for safe pedestrian and vehicular access to and from the site. This finding is based upon:

1. The Planning Board's initial preliminary Site Development Plan review conducted to date, and the conditions on the grant of the Special Permit included below (which largely relate to appropriate Site Development Plan issues to be reviewed and incorporated into Final Site Plan Approval by the Planning Board).

[In light of the condition set forth below mandating compliance with conditions of the Planning Board's Final Site Plan review of the project, the Village Board finds that the vehicular traffic access to and from the site, as well as emergency access to the site, are acceptable].

(C) That the location and height of the building proposed by the Applicant, and the attendant improvements to the site, such as fences and landscaping, will not hinder or discourage the development or use of adjacent land or buildings. This finding is based upon:

1. The Planning Board's initial preliminary Site Development Plan review conducted to date, and the conditions on the grant of the Special Permit included below (which largely relate to appropriate Site Development Plan issues to be reviewed and incorporated into Final Site Plan Approval by the Planning Board).

[In light of the condition set forth below mandating compliance with conditions of the Planning Board's Final Site Plan review of the project, the Village Board finds that the attendant improvements to the site, such as fences and landscaping, will not hinder or discourage the development or use of adjacent land or buildings].

2. Given the location of the proposed building on the site, and the proposed landscaping (as reflected in the Applicant's submission to the Planning Board), the Village Board finds that the proposed improvements associated with the establishment of the use will have little or no effect on the development of adjacent properties.

(D) That the proposed use will not require additional public facilities or services (such as water, sewer, police and schools), or create a fiscal burden on the Village greater than those associated with uses permitted by right. This finding is based upon:

1. The Planning Board's initial preliminary Site Development Plan review conducted to date, and the conditions on the grant of the Special Permit included below (which largely relate to appropriate Site Development Plan issues to be reviewed and incorporated into Final Site Plan Approval by the Planning Board).

2. The Village Board's knowledge that the proposed use has been in operation at the site for many years, and the lack of any evidence that there would be a demonstrable increase or burden on public facilities should the Special Permit be granted. Therefore, the Village Board finds that the impact of granting the Special Permit will not be overly burdensome on community services.

NOW, THEREFORE, BE IT RESOLVED that the application of Threefold Educational Foundation and School, for approval of a new school building (a "School of General Instruction"), on the west side of Hungry Hollow Road (66.16-1-4 & 56) (the "Otto Specht School"), in the RR-50 Zoning District, and, **is hereby granted**, subject to the following conditions:

1. Obtaining Final Site Plan Approval and compliance with all conditions prescribed by the Planning Board during the Site Plan review process.

As part of the Final Site Development Plan approval, the Planning Board shall consider and address the recommendations in the letter from the Rockland County Planning Department to the Village Board of Trustees dated March 20, 2020. It is a specific condition of the grant of the Special Permit that the issues raised by the County Planning Department ac comments numbered #1 through #22 shall be addressed and complied with (unless a variance is obtained from the Zoning Board regarding item #12 that affects the "land banked" parking reference in that comment).

2. Obtaining and complying with all conditions placed on the grant of the variances by the Zoning Board of Appeals.

AND BE IT FURTHER RESOLVED that the Village Clerk is directed to send a copy of this Resolution to the Rockland County Department of Planning.

Motion to Close the Public Hearing with regard to the Otto Specht School Special Permit.

MOTION: Trustee Miller
SECOND: Trustee Van Alstyne
The Board was polled and voted 5-0 to Close the Public Hearing.

Approving 2020- 42 Special Permit. For the Otto Specht School Special Permit.

MOTION: Trustee Valentine
SECOND: Trustee Miller
The Board was polled and voted 5-0 to Approve the Special Permit.

6. Resolution No. 2020-43. Appointing Joseph Weiner to the Planning Board for a term to expire April 2021.

- **Mr. Lucino** resigned from the Planning Board. Mr. Weiner offered to move over to the Planning Board. Sure he will be an asset. Thanked Mr. Lucino for the years he volunteered on both Boards.

MOTION: Trustee Rose
SECOND: Trustee Miller
The Board was polled and voted 5-0 to Approve the appointment of Joseph Weiner as a member of the Planning Board

8Resolution No. 2020-44. Refunding a portion of a building permit fee (\$2,845) to correct an error in calculation (re: property ID # 67.08-1-45).

RESOLVED that the sum of \$2,845 be refunded to the property owner of Ramapo Tax ID# 67.08-1-45 for an overpayment of a building perm it fee.

MOTION: Trustee Miller
SECOND: Deputy Mayor Valentine
The Board was polled and voted 5-0 to Approve Resolution No. 2020-44.

7. Resolution No. 2020-45

RESOLVED, that General Fund Claims set forth on pages 1 through 3 in the aggregate amount of \$258,148.60 as set forth on Abstract No. 2020-7 dated July 16, 2020, as submitted by the Village Treasurer, are hereby approved.

MOTION: Trustee Miller
SECOND: Deputy Mayor Valentine
The Board was polled and voted 5-0 to Approve the Abstract of Audited Funds.

9.Open Floor: Public Discussion
No one from the public wished to speak.

Motion to Close the Open Floor Public Discussion.

MOTION: Deputy Mayor Valentine

SECOND: Trustee Miller

The Board was polled and voted 5-0 to Close the Open Floor Public Discussion

10. Motion to Adjourn

MOTION: Deputy Mayor Valentine

SECOND: Trustee Miller

The Board was polled and voted 5-0 to Adjourn the Meeting.

10. Meeting Adjourned.

ADJOURNED: 8:17 P.M.

Respectfully submitted,

Florence A. Mandel
Village Clerk
Recording Secretary

Resolutions:

1. **Resolution No. 2020-42.** Resolution approving Special Permit Application of Threefold Educational Foundation and School – west side of Hungry Hollow Road (66.16-1-4 & 56) - for a new school of general instruction building (the “Otto Specht School”).

WHEREAS, an application under Zoning Code Articles XVI and XVII has been made to the Board of Trustees of the Village of Chestnut Ridge by Threefold Educational Foundation and School (the “Applicant”), for approval of a new school building (a “School of General Instruction”), on the west side of Hungry Hollow Road (66.16-1-4 & 56) (the “Otto Specht School”), in the RR-50 Zoning District, and

WHEREAS, on October 3, 2019, the Village of Chestnut Ridge Planning Board (“Planning Board”) declared itself Lead Agency for SEQRA purposes during the preliminary site development plan review process commenced simultaneously with the Special Permit Application, and on November 7, 2019, the Planning Board determined that the proposed project was a Type I action under SEQRA and issued a Negative Declaration under SEQRA (which determination is made a part hereof and incorporated by reference hereto), and

WHEREAS, on July 16, 2020, after due public notice, the Chestnut Ridge Board of Trustees held a public hearing on the Special Permit Application, and

WHEREAS, referrals of the Special Permit Application pursuant to the provisions of the General Municipal Law (Rockland County Planning Department), and other interested agencies (N.Y.S. DOT) were made, and the public and such agencies have had opportunity to be heard and have submitted comments thereon, all of which have been reviewed and considered by the Board of Trustees,

WHEREAS, based upon the Village Board’s consideration of the record before it in the context of determining the conformity of the proposed use and proposed development to the conditions and standards set forth in the Village Zoning Law, the Board finds:

(A) That the proposed use is not detrimental to the site or adjacent properties. This finding is based upon:

1. The SEQRA Negative Declaration made by the Planning Board in connection with the pending Site Development Plan; and

2. Based upon the Village Board members' familiarity with the long standing prior use of the premises, to wit, that:

i. that a New York State chartered school use, and attendant and accessory facilities relating to education, arts, agriculture, science , economics and medicine have been in existence at the site since approximately 1926,

ii. The structure proposed to be located at the premises appears to be well integrated into the existing overall site payout, and will not substantively modify the current operations as they exist at the site;

iii. That an additional school building, if part of an approved Site Development Plan, would enhance the existing use at the site and

(B) That the proposed use and the nature and intensity of the operations involved, when considered in connection of the site layout, provide for safe pedestrian and vehicular access to and from the site. This finding is based upon:

1. The Planning Board's initial preliminary Site Development Plan review conducted to date, and the conditions on the grant of the Special Permit included below (which largely relate to appropriate Site Development Plan issues to be reviewed and incorporated into Final Site Plan Approval by the Planning Board).

[In light of the condition set forth below mandating compliance with conditions of the Planning Board's Final Site Plan review of the project, the Village Board finds that the vehicular traffic access to and from the site, as well as emergency access to the site, are acceptable].

(C) That the location and height of the building proposed by the Applicant, and the attendant improvements to the site, such as fences and landscaping, will not hinder or discourage the development or use of adjacent land or buildings. This finding is based upon:

1. The Planning Board's initial preliminary Site Development Plan review conducted to date, and the conditions on the grant of the Special Permit included below (which largely relate to appropriate Site Development Plan issues to be reviewed and incorporated into Final Site Plan Approval by the Planning Board).

[In light of the condition set forth below mandating compliance with conditions of the Planning Board's Final Site Plan review of the project, the Village Board finds that the attendant improvements to the site, such as fences and landscaping, will not hinder or discourage the development or use of adjacent land or buildings].

2. Given the location of the proposed building on the site, and the proposed landscaping (as reflected in the Applicant's submission to the Planning Board), the Village Board finds that the

proposed improvements associated with the establishment of the use will have little or no effect on the development of adjacent properties.

(D) That the proposed use will not require additional public facilities or services (such as water, sewer, police and schools), or create a fiscal burden on the Village greater than those associated with uses permitted by right. This finding is based upon:

1. The Planning Board’s initial preliminary Site Development Plan review conducted to date, and the conditions on the grant of the Special Permit included below (which largely relate to appropriate Site Development Plan issues to be reviewed and incorporated into Final Site Plan Approval by the Planning Board).
2. The Village Board’s knowledge that the proposed use has been in operation at the site for many years, and the lack of any evidence that there would be a demonstrable increase or burden on public facilities should the Special Permit be granted. Therefore, the Village Board finds that the impact of granting the Special Permit will not be overly burdensome on community services.

NOW, THEREFORE, BE IT RESOLVED that the application of Threefold Educational Foundation and School, for approval of a new school building (a “School of General Instruction”), on the west side of Hungry Hollow Road (66.16-1-4 & 56) (the “Otto Specht School”), in the RR-50 Zoning District, and, **is hereby granted**, subject to the following conditions:

1. Obtaining Final Site Plan Approval and compliance with all conditions prescribed by the Planning Board during the Site Plan review process.

As part of the Final Site Development Plan approval, the Planning Board shall consider and address the recommendations in the letter from the Rockland County Planning Department to the Village Board of Trustees dated March 20, 2020. It is a specific condition of the grant of the Special Permit that the issues raised by the County Planning Department ac comments numbered #1 through #22 shall be addressed and complied with (unless a variance is obtained from the Zoning Board regarding item #12 that affects the “landbanked” parking reference in that comment).

2. Obtaining and complying with all conditions placed on the grant of the variances by the Zoning Board of Appeals.

AND BE IT FURTHER RESOLVED that the Village Clerk is directed to send a copy of this Resolution to the Rockland County Department of Planning.

2. **Resolution No. 2020-43.** Mayor appoints Joseph Weiner as a Planning Board member for a term to expire April 2024.

RESOLVED that the Mayor's appointment of Joseph Weiner as a Planning Board member for a term to expire April 2024 is hereby approved.

3. **Resolution No. 2020-45.** Refunding a portion of a building permit fee (\$2,845) to correct an error in calculation (re: property ID # 67.08-1-45).

RESOLVED that the sum of \$2,845 be refunded to the property owner of Ramapo Tax ID# 67.08-1-45 for an overpayment of a building permit fee.

4. **Resolution No. 2020-44.** Approving Abstract of Audited Claims.

RESOLVED, that General Fund Claims set forth on pages 1 through ___ in the aggregate amount of \$ _____ as set forth on Abstract No. 2020-7 dated _____, as submitted by the Village Treasurer, are hereby approved.

July, 2020