

**Village of Airmont
Planning Board Meeting
February 28, 2019
Village Hall
7:30pm**

Members Present: John Cornelius, Chairman
Doug Whipple
Russell Hock
William Phillip
Joseph Toss
Ken Brezner, Ad Hoc
Pavle Lecei, Ad Hoc

Others Present: Dan Kraushaar, Deputy Village Attorney
Adriana Beltrani, Village Planner
Eve Mancuso, Village Engineer
Lou Zummo, Building Inspector
Suzanne Carley, P&Z Clerk

Others Absent: Shlomo Pomeranz, Fire Inspector

The meeting was called to order at 7:33 pm followed by the pledge of allegiance and roll call. Chairman Cornelius made a motion to approve the meeting minutes from September 28, 2018. Doug Whipple seconded it. All in favor, motion carries.

Ramapo Pinnacle Properties

222 Route 59

Office Building

Request for an Extension of Revised Site Plan Approval with Ingress only off DeBaun Avenue

Mary Lou Chatteron, attorney present for the applicant. She noted that they are trying to obtain final approval for the extension of the revised site plan approval with ingress only off DeBaun Avenue. They have had two six month extensions already and are seeking an additional six month extension from today 2/28/19. She explained that there were submissions for CDRC and that some final items needed to be complied with such as a SWPP. They will not be able to get onto a CDRC agenda until 3/12/19 and will need to time to comply with all the outstanding conditions. She also noted that based on an agreement with the applicant and the Village Attorney that the matter was stayed until a decision of the Appellate Division came down which did today 2/28/19. She provided a copy to the PB Members and Clerk for the record. They court did not agree with the Village Attorneys request.

Dan Kraushaar asked the applicants attorney if she had an issue for him to recap the events. He explained that back in 2/27/17 the PB was compelled to approve/modify a prior approval that PB granted with prior conditions. They may have not yet submitted or complied with all these issues and the secondary issues are whether or not the changes to the plan approved are consistent with the 2/27/17 approval, whether or not calculations that went into determining the PB decision of 2016 and 2017 were accurate calculations which may impact the ultimate site plan amendment.

Whether or not new plans need to comeback, or need to be done contemporaneously requiring further site plan approval does not impact the Board for this tonight. The Board is only looking at the conditions listed for ingress only from DeBaun Avenue. The calculations were raised to the Appellate court and rejected. It is mandatory to approve. They are here before the PB to seek an extension of time required to approve and trying to satisfy other conditions not mandated and do a SWPP. They need time to comply with the conditions.

Village Engineer noted that a one way entrance from DeBaun plus addressing all outstanding conditions and items along with agency responses was submitted in an item by item submission from the applicants engineer (Leonard Jackson Associates aka LJA). She compared the list and when looking at some of the items she saw some different DEC drainage substitutions and introduction of phasing the project. They submitted to CDRC for Chairman's endorsement but it appears they may need to come back for an amended site plan. She also noted that the owner is also performing and submitting interior modification plans as of July/August 2018. There appears to be a discrepancy with the approved set of plans vs. the LJA plans and it remains to be resolved. She discussed her letter and noted that there were three items that needed to be reviewed before she could recommend that the Chairman sign off which are 1) the phasing plan, 2) the building sq. footage and 3) associated parking.

Chairman Cornelius asked the PB if anyone had any issues which they did not. Chairman made a motion to approve the extension for one year from 2/28/19 to provide ample time and not return to PB for another extension. The motion also noted the fact that they work with CDRC to determine the proper review and application process of what the applicants were originally approved for based on the plans last approved on 12/27/17 and any proposed changes made or intended to be made to the site. In addition that LJA get the sign off from the DOT Agency. Doug Whipple seconded the motion.

The Village Engineer noted that the same set of plans were revised and slightly address items however they include additional items that were not approved outside of CDRC to approve for such as the phasing, sq. footage and parking calculations for the record.

Roll Call Vote:

Member Hock	Yes
Member Philip	Yes
Member Whipple	Yes
Member Toss	Yes
Chairman Cornelius	Yes

All in favor. Motion carries 5 to 0. One year extension approved.

**Public Hearing – Ascension Cemetery
650 Saddle River Road
Addition of a Funeral Gazebo with Service Walk
Amended Site Plan**

Steve Secon architect, present to represent the Archdiocese for Ascension Cemetery. He explained that the cemetery has 200 acres and future demands require them to provide more space for ceremonies in an underdeveloped area. They are proposing a gazebo which would hold 60-80 people. The objective idea is to be minimally evasive and have a driveway with an open structure. The gazebo is pre-fabricated in PA and will require a 1 ft. height variance based on the geometry of the roof. They will also need a variance to exceed the number of accessory structures which is limited to 3 and this would count as the fourth. They went before the BOT before the moratorium had ended to get approval to proceed and they have been before the CDRC. The project is roughly 600-700 ft. from Saddle River Road which is a County Road. Chairman Cornelius asked if you can see if from the road and Steve advised that you can not.

Village Planner asked if there would be any lights at night. Steve Secon advised that this is only operational during the day. The Planner also noted that this question was raised by Chestnut Ridge and that there should be a response prepared to them. She noted that the applicant will need to be referred to ZBA, that this is a Type 2 action and that the parking requirements are to capacity, 40 vehicles. She referenced the RCP letter with regard to RCP being sent copies of the request for variances and the P&Z Clerk advised that she would send it to them at the appropriate time. The Village Planner noted that they are well within the bulk requirements and setbacks leaving plenty of space.

Village Engineer noted the only concern is drainage. The access is pervious, no run-off for foundations. She also noted that they mitigated any run-off issues.

Building Inspector noted that he agreed they need two variances, the height of the structure and the number of buildings on a property as per the code. They currently have three structures and the gazebo would make it the fourth which is over the allowed amount. He noted that this is off an internal way and that there is no new entrance off Saddle River Road.

Russell Hock noted that on the short EAF they needed to look at #6 and #16. He also pointed out that #10 on the water supply. Steve advised that it is ornamental irrigation. Village Planner asked that they make necessary changes and use the new form effective 1/1/19 which has the EAF mapper.

Dan Kraushaar noted that they need to update their application to indicate that they are requesting variances. They also need to submit an affidavit to show that Scott Hanley is authorized to sign on their behalf as owner, which needs to be signed and notarized.

Ken Brezner brought up #13 of the EAF where it asks if any wetlands are proposed in the area. He indicated that there is a small stream in front of Saddle River Road in front of the property hundreds of feet away. There is no buffer. He asked if this was regulated by the NY State Division of Cemeteries and if they needed any authority from there? Steve Secon noted he was not aware and that there may be a difference for public vs. private. Need to check jurisdiction with RC Health to see if they need to be involved.

Chairman Cornelius opened the public hearing at 8:15pm, Doug Whipple seconded it. Donna Murio -36 Hillside Avenue noted she had no objection. She came to see if it could be seen from her residence which it does not. No one else present. Chairman Cornelius made a motion to continue the public hearing without a date certain based on the fact the applicant seek all required variances. Doug Whipple seconded the motion. All in favor, motion carries.

Chairman Cornelius made a motion that the PB be lead agency for the application for Ascension Cemetary at 650 Saddle River Road. Doug Whipple seconded it. All in favor motion carries.

Chairman Cornelius made a motion to declare the application Type II requiring no further review under SEQR. Doug Whipple seconded it. All in favor motion carries.

Chairman Cornelius made a motion to refer the applicant to the ZBA of Airmont for two variances- height and number of buildings on the property. Doug Whipple seconded. All in favor motion carries.

P&Z Clerk advised that there would be a meeting on March 28th at 7:30pm. Chairman Cornelius made a motion to adjourn the meeting at 8:37pm. Joseph Toss seconded it. All in favor. Meeting adjourned.