

**Village of Airmont
Planning Board Meeting
November 25, 2019
Village Hall
7:30pm**

Members Present: John Cornelius, Chairman
Russell Hock
Joseph Toss
William Philip
Dennis Cohen
Doug Whipple, Ad Hoc

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

Others Absent: Joel Shandelman, Ad Hoc
Shlomo Pomeranz, Fire Inspector

The meeting was called to order at 7:37 pm followed by the pledge of allegiance and roll call. John Cornelius made a motion to approve the PB Minutes from July 25, 2019 seconded by Joseph Toss. All in favor motion carries. Chairman Cornelius thanked Ken Rosen for his service on the Planning Board as Ken recently moved out of the area.

Panera

15-17 North Airmont Road

Request for first 90 day extension of final subdivision site plan approval

P&Z Secretary, Suzanne Carley read into the record the letter dated November 18, 2019 from the applicant's attorney Ira Emanuel for a first 90-day extension request of the final plat subdivision approval from the PB. The signed PB resolution was filed November 14, 2019. The applicant is still coordinating the final items as per the resolution prior to Chairman's Endorsement and needs more time.

Chairman Cornelius made a motion to approve the 90-day extension as requested. Dennis Cohen seconded it. All in favor, none opposed motion carries 5 to 0.

Rubin

48 S. Airmont Road

**Proposed Tree Removal Plan with
Redesign to address Storm Water**

Applicant is represented by their engineer Rachel Barese, PE and attorney Joseph Churgin.

Applicants Engineer advised that they would be doing soil testing to ensure the drainage design was there and would provide to the Village Engineer. The layout is consistent with what the Village requested.

The Village Engineer wanted to ensure that there is zero runoff applicant will need a storm water management agreement with security of \$5,000. Schedule A needs to be completed with the perimeter drains, seepage pits, piping clean. Homeowner needs to submit annual reports and demonstrate that inspections are completed. Village Engineer noted that even after the five-year agreement it is the applicant's responsibility to continue to maintain the system.

The PB reviewed and read into the record the following letters:

- County of Planning GML dated 5/22/19
- Village Engineer memo dated 11/22/19.
- Rockland County Sewer memo dated 5/3/19 & 11/8/19.
- Rockland County Dept. of Environmental Health memo 5/20/19.
- Town of Ramapo Dept. of Public Works memo dated 5/8/19.
- Memo from the RC Highway dated 5/6/19.
- Alignment with the scope of services from the Consulting Arborist dated 9/10/19.

Village Engineer discussed the need for an as built plan, engineering inspection fees. It was also discussed to have escrow for the plantings and a planting plan agreement for the buffers which should be guaranteed for two growing seasons. The engineer wants to ensure the planting plan matches the approval. Deputy Village Attorney will send applicants Attorney a planting agreement. Applicants attorney agreed they had no issue with this request.

It was discussed to attend a final CDRC Meeting to review all the documents prior to Chairman's endorsement.

Chairman Cornelius opened the public hearing at 7:54pm. Jim Burns neighbor expressed his concern that they are seeking approval for cutting down trees after the fact. He is concerned about the many violations that the applicant has incurred without authorization. He requested that the PB take this into account.

During the course of all the public hearings neighbors expressed concerns in reference to the trees being cut down without a permit, property maintenance, property violations, drainage, noise, trash and concerns that it would be used as a camp.

Chairman Cornelius pointed out that they discussed the violations, the number of trees cut down and had requested the arborist and their report and that the applicant plans to comply with the arborists recommendation on replanting and replacing. It was requested by the Planning Board for the Applicant to pay for a consulting arborist to get an outside independent opinion about the significant trees already removed without a permit and the planting plan to ensure it was adequate replacement in terms of species, caliber and number of plantings which was reviewed at the September 26, 2019 PB Meeting.

Building Inspector noted that the rock wall needs to come out. Everything they did needs to come apart and reinstall. There is a tear in the layer of the patio will need to fix and correct. He also advised that the pool deck has to be sloped, perimeter drained around the patio to be moved around the perimeter and have under drains connecting and piped to drywells draining to the patio sitting area.

Applicant Sam Rubin spoke and respectfully requested that the PB approve his plan. He noted he has and will continue to comply with all the PB requests.

Chairman Cornelius made a motion to close the public hearing at 8:30pm. Dennis Cohen seconded it. All in favor motion carries.

Chairman Cornelius made a motion to approve the application for Rubin -48 S. Airmont Rd Site Plan dated 2/4/19 last revised 11/17/19 and Tree Removal Plan dated 12/18/18 last revised 10/15/19 as set forth above, subject to the following conditions which was seconded by Dennis Cohen.

Compliance with the following:

- County of Planning GML dated 5/22/19
- Village Engineer memo dated 11/22/19.
- Rockland County Sewer memo dated 5/3/19 & 11/8/19.
- Rockland County Dept. of Environmental Health memo 5/20/19.
- Town of Ramapo Dept. of Public Works memo dated 5/8/19.
- Memo from the RC Highway dated 5/6/19.
- Alignment with the scope of services from the Consulting Arborist dated 9/10/19.
- A plot plan and an as built plan to be provided to ensure inspections match the approval.
- Approved plan to be implemented and if for some reason during inspection if the conditions vary then No C/O for improvements are to be issued until the site works.
- Enter into an agreement for a Tree Planting Plan and post escrow for two planting seasons to ensure trees growing appropriately and replaced as necessary.
- Rock wall needs to come apart along with everything else including a layer of the patio which will need to be fixed.
- Pool deck has to be sloped, perimeter drained around the patio to be moved around the perimeter and have under drains connecting and piped to drywells draining to the patio sitting area.
- Ensure drainage improvements are implemented according to the plan especially during construction.
- Stormwater agreement with appropriate security to be determined by the Village Engineer.
- Payment of professional fees due or become due
- Payment of inspection fees determined by the Village Engineer.
- A current condition as built is required prior to final approval as well as final as built once the work is completed as per item #8.

Roll Call Vote

Hock	Yes
Toss	Yes
Philips	Yes
Cohen	Yes
Chairman Cornelius	Yes

All in favor. Motion carries 5 to 0. Planning Board Clerk advised that there was no new business.

Chairman Cornelius made a motion to adjourn the meeting at 8:45pm which was seconded by Russell Hock. All in favor meeting adjourned.