

**Village of Airmont
Zoning Board of Appeals
Village Hall
Thursday, November 14, 2019**

MEMBERS PRESENT: CHARLES PICARELLI, ACTING CHAIRMAN
ARTHUR KATZ
LAURIE DIFRANCESCO
SCOTT MEIER
MATT RYAN, AD HOC
ROBIN LUCHINS, AD HOC

MEMBERS ABSENT: CHAIRMAN MARTIN KIVELL

PRESENT: DAN KRAUSHAAR, DEPUTY VILLAGE ATTORNEY
LOUIS ZUMMO, BUILDING INSPECTOR
SUZANNE CARLEY, P&Z SECRETARY

The meeting was called to order at 8:07 pm by Acting Chairman Picarelli which was followed by the pledge of allegiance and roll call. Acting Chairman Picarelli appointed ad hoc, Matt Ryan a voting member for the evening.

Acting Chairman Picarelli read into the record the public hearing notice for Application of **Stage Street Associates, LLC – 130 Route 59, 22 & 24** Stage Street for the following variances:

Minimum Lot Width – 200’ required; 131’ proposed
Minimum Front Setback – 75’ required; 7’ proposed (existing non-conforming condition)
Minimum Front Yard - 15’ required; 7’ proposed (existing non-conforming condition)
Minimum Side Setback - 50’ required; 5’ proposed
Minimum Total Side Setback – 100’ required; 42’ proposed
Minimum Side Yard – 20’ required; 5’ proposed
Buffer to residential zone – minimum 50’ required; 0’ proposed
Parking inside yard – parking is not permitted inside yard. The parking spaces on the west side of the property will be 5.6’ from the property line.

Variances are being sought pursuant to Article IV Section 210-28 of the Village of Airmont Zoning Code to permit construction, maintenance and use with a special permit for 25,213 sf of warehousing and 11,250 sf office space with 83 parking spaces, 24 of the spaces to be located on Stage Street and 9 loading bays. The properties are located on the north side of Route 59 approximately +/- 200 feet west of Stage Street. The lots are designated as Section 55.10, Block 3 and Lot 10; and Section 55.07, Block 2, Lots 1 & 2 on the Town of Ramapo Tax Map. The properties are located in the LO zoning district and are comprised

of 148,489 sf. The street addresses are 130 Route 59, 22 & 24 Stage Street Suffern, NY 10901.

Paul Baum provided an overview and explained that they are here for an addition to an existing structure and three additional structures. They were before the PB on two occasions and they were referred to the ZBA as an uncoordinated review. This means that each PB and ZBA will do their own SEQRA, separately. All the variances are type 2 actions Requiring no further review. This application needs 8 variances as it was a residential area prior to being re-zoned to the LO zoning district. Not one single use can be built without a variance.

Rachel Barese the applicants engineer reviewed the variances that will be needed for the project. Laurie DiFrancesco noted that the side yard is abutting the neighbor and asked her to provide the distance width in between 130 ft. whole lot. She also asked if there is a buffer to them and the whole lot. She also asked what the distance is for the existing development coverage lot to residential homes. Paul Baum gave a handout which was an analysis on the surrounding properties near to 124 Route 59. He added the and labeled the numbers and the bulk table analysis. These were all granted relief for office buildings.

Paul Baum reviewed the balancing test. Is it an undesirable or detriment to the nearby properties? He noted that the impacts from traffic, drainage will be addressed by the PB. Looking at the variances, 3 variances are for conditions that existed for decades. The lot width and front setback all exist. All the construction for the property has been pushed as far back as possible. The rear setback and no buffer can't be done. They intend to heavily landscape. The Indian Rock development to this site development is 70 feet away from the structure to the lot line. Adequate fencing, landscaping will be provided. Granting these variances will not create any detriment and there will have no impact to the train tracks. Without the variances the site can never be developed. Can the site be achieved by any other means – No they have a negative building envelope and it is impossible to build without relief. Are the required variances substantial – he noted that they are existing conditions to the area and are all deficient and not self-created. He noted that the applicant is asking the Board to override the GML by asking no reduction in size.

The applicant gave an overview and history of his business with landscaping, grading drainage. He noted that they will follow the existing grade, will manage the tenants, all the drainage, dirt work etc. The entire project will be managed by his firm. He doesn't want a parking problem and met with the Fire Department to ensure they had a proper turning radius and he will be moving one fire hydrant and adding another one. He explained that the parking on Stage street will be for overflow parking. It will be by permit only and they will park and walk. He is trying to plan ahead and wants a successful site.

Lou Zummo asked who would be monitoring the employee permit parking and

how would it maintained and who and how often would it be policed? Larry Turco advised it would be part of the lease.

There were concerns by the ZBA for drainage and traffic and those items are PB related items. Laurie DiFrancesco asked if they thought looking at less parking or scaling it down so less variances would be required. Paul Baum explained that this is an undersized lot to begin with and nothing can be developed without a variance in this LO zone. He also explained that it is a tight lot. Laurie DiFrancesco asked if 120, 124, 126 before 130 Route 59 property line have any set backs? Paul responded that 130 Route 59 is the first new re-new development in that area. He explained that no rear setback is required as they a converting an existing structure in business. Paul also noted that 134 Route 59 was an existing structure and an office was built with parking in the back and was granted in 1985 by the TOR.

Laurie DiFrancesco made a motion to open the public hearing and Scott Meier seconded it. All were sworn in:

Shania & Jeff Peattie – 2 Stage Street – concerned with traffic, safety drainage, kids on the street and how this will affect them. Noted how the garbage men and snowplows have an issue as it is with turning around. No buffers, over development of lots, trees that will be removed, Traffic study not properly done didn't include all areas, lighting noise, environmental impacts fire safety and welfare, no turnaround, pollution. They cited sections of the code regarding loading bays, circulation prohibited driveway access,

Melissa Hart Gelardi – Eros Drive showed a video on the concerns

Pavle Lecei 13 Stage Street – concerned with the traffic and trucks noted that there is no way a truck could turn around on their street

Margaret Levine – 19 Stage Street

Ruggiero 16 Stage Street – concerns with run off, added trucks, parking and impervious surface

Kevin Whalen – 80 Lackawana concerned with buffer, trucks, noise, hours of operation impacting the neighborhood.

Frankel – concerned with no buffers and traffic and parking

G. Cohen 53 Lackawana -President of the HOA concerned w/out a buffer the noise level

Ghobriel -12 Stage Street – concerned with the additional traffic have enough as it is

Hirsch -126 Route 59 asked who is putting in plantings and it would be on his property line with the asphalt. Larry Turco stated plantings would be on the Turco property.

Ruggiero – 16 Stage Street Concerned about the value of his home once a big 3 story building is put up there. His house would be worth nothing. He moved here 12 years ago.

M. Benedict 1 Eileen Court – concerned with buffers, wetlands, parking. Mentioned that there are laws about parking in the wetland buffer. Paul Baum advised that they are required to get a permit.

F. Henry – 3 Stage Street noted that this is a hardship for the residents on this street.

Charlie Picarelli made a motion to close the public hearing on 130 Stage Street. Scott Meier seconded it.

Charlie Picarelli made a motion to close the public hearing on Stage Street, LLC – 130 Route 59, 22 & 24 Stage Street. Scott Meier seconded it. All in favor motion carries.

Laurie DiFrancesco made a motion to continue the application of Stage Street, LLC – 130 Route 59, 22 & 24 Stage Street for SEQRA and deliberation on December 12, 2019 at Airmont Village Hall at 8:00pm. Arthur Katz seconded it. All in favor motion carries.

Laurie DiFrancesco made a motion to continue the public hearing for Stage Street LLC – 124 Route 59 Street to December 12, 2019 at Airmont Village Hall at 8:00pm. Scott Meier seconded it. All in favor motion carries.

Scott Meier made a motion to adjourn the meeting at 10:45pm. Arthur Katz seconded it. All in favor motion carries. Meeting adjourned.