

**Village of Airmont
Planning Board Meeting
Via Zoom
Thursday
May 27, 2021
7:30pm**

Members Present: Yehuda Friedland, Chairman
John Cornelius
Russell Hock
Mordechai Grinberger
Maurice Roth
Joel Shandelman, Ad Hoc

Others Present: Dan Kraushaar, Deputy Village Attorney
Eve Mancuso, Village Engineer
Valerie Monastra, Village Planner
Lou Zummo, Building Inspector
Suzanne Carley, P&Z Secretary

The meeting was called to order by Chairman Friedland at 7:36 pm followed by the pledge of allegiance and roll call. Chairman Friedland made a motion to approve the minutes from the April 22, 2021, PB Meeting which was seconded by John Cornelius. All in favor motion carried.

**CONTINUED PUBLIC HEARING – Stage Street Associates LLC -130 Route 59
Requesting an adjournment to the June 24, 2021 PB Meeting
130 Route 59, 22 & 24 Stage Street
Proposed Office Warehouse
Site Plan**

Chairman Friedland made a motion to continue the public hearing for Stage Street 130 Route 59 to the Thursday June 24, 2021 PB Meeting via zoom if the Governor’s Executive Order is still in effect otherwise it will be in person at Airmont Village Hall 251 Cherry Lane at 7:30pm. Mordechai Grinberger seconded it, all in favor motion carried.

**PUBLIC HEARING - Central UTA of Monsey
236 Cherry Lane
Proposed Site Improvements
Amended Site Plan**

Ira Emanuel the attorney for the applicant reviewed the project for Central UTA of Monsey, a private school, for amended site plan approval pursuant to Site Plan Development Rules and Regulations of the Village of Airmont §210-76; and Special Permit pursuant §210-15 B (11) and consistent with the Stipulation of Settlement Agreement dated December 2020 to a) seek relief from a condition limiting the number of students that may be enrolled in the school it operates at the site as per the approval of the plans. The

condition provides the maximum number of students to be enrolled at any given time should not exceed 167 students. CUTA seeks a modification of the conditions to provided instead that “the total number of students that Central UTA’s school shall be controlled by the applicable occupancy regulations of the New York State Uniform Fire Prevention and State Building Code (Uniform Code) or the New York State Education Department; b) approval for the construction and maintenance of a new building to replace existing buildings 1 and 2; c) approval for the construction and maintenance of a temporary building to house the functions of the demolished buildings 1 and 2 while the new building is being built; d) recognition of all existing buildings on the site, and the new building described in (b) above, for school use; e) approval of the location of the temporary classroom trailers and bathroom trailer that were approved and issued certificates of occupancy by the Village Building Inspector for the current COVID-19 pandemic, per the parties’ stipulation of settlement; (f) approval for the construction and maintenance of a temporary building to provide expanded space as a lunchroom during the remainder of the current COVID-19 pandemic; and as the plan provides for the 75 parking spaces required by student population and shows 155 spaces in existing parking areas with 85 spaces in current impervious surfaces they are also seeking a Planning Board waiver for 70 overflow or land banked spaces not to be built until needed.

This is a type II action for SEQRA requiring no other environmental reviews.

The GML dated 5/14/2021 was read into the record along with letters were read into the record from RC Sewer, RC Dept of Health, RC Dept of Highways, Town of Ramapo Public Works.

Village Planner letter date 5/20 and Village Engineer letter dated 5/17 reviewed their letters. The Applicants engineer Rhonda Smith reviewed the project on the shared screen. There was a question from the Village Engineer on the huts and a request for a site visit which was agreed upon.

Applicants’ attorney reviewed their responses to the GML and other agency comments. Requesting overrides from #15, #19, #20 & #21. Dan Kraushaar noted that a fire lane agreement and stormwater agreement with security would be required. The PB asked about the student population which was 484 and they are seeking to go to 898 for capacity. There were questions on the number of additional buses and the response was 9 additional buses today with an increase of 1-2.

Yehuda Friedland opened the public hearing, John Cornelius seconded it. All in favor public hearing opened: There were a number of emails that were sent in and would be included and posted with the minutes once approved. Some letters are opposing the project and some are in favor of the project. There were a number of residents from the public that spoke some opposing the project and some in favor of the project.

232 Cherry Lane - Neighbor brought up the encroachment on their property which the applicants Attorney noted and said they would remove it.

There was a discussion on the temporary building and a discussion on the lunchroom. There are 3 trailers for classrooms and one for a lunchroom/cafeteria that are temporary. John Cornelius made a motion to approve the three trailer classrooms where presently located. Yehuda Friedland seconded it all in favor motion carried.

There was a discussion on the cafeteria trailer needed due to covid and the social distancing and separation requiring more room. Yehuda Friedland made a motion to approve a lunch trailer where shown on #18 on the site plan last dated 4/22/2021 for a period of time to correspond to their temporary trailers. John Cornelius seconded it. All in favor motion carried.

John Cornelius made a motion to continue the Public Hearing to June 24, 2021 for Central UTA of Monsey 236 Cherry Lane at the request of the applicant's attorney to the Thursday June 24, 2021 PB Meeting at 7:30PM via zoom if Governor's Executive Order is still in effect otherwise it will be in person at Airmont Village Hall 251 Cherry Lane at 7:30pm. Mordechai Grinberger seconded it, all in favor motion carries.

CONTINUED PUBLIC HEARING – RWE Solar Development LLC
375 Route 59
Battery Energy Storage System
Proposed Site Plan

Christine Cazares the applicant's representative for RWE Solar Development LLC for a Battery Energy Storage System (BESS) provided an overview of the project. The project is needed as the O&R electric grid that serves the Village has reached capacity and no longer meets local energy demands, especially during peak times. The project will supplement the O&R transformer by releasing energy during peak demand times and recharging/storing itself when demand is low. RWE Solar Development, LLC is proposing to construct the project on a +/- 1.5 acre privately-owned commercial parcel at 375 Route 59. The overall project size of the Airmont BESS will be 10 MW and 50 MWh.

Members of the PB asked why this location was chosen and it was explained that both circuits run through this parcel at this location which will serve the community more efficiently. The PB Members were offered to visit another site in Ozone Park however due to the distance and change in PB Members the screen was shared to show how this facility operates.

Anthony Natale from O&R reviewed how the remote access would work and showed with the shared screen the views of an actual battery storage center and how it works. Mr. Vendetti an outside battery consultant was hired as per the February Planning Board meeting request and reviewed his findings and his report. The items that he could not respond to were those that had not been completed yet and he would continue their review as the progress of the site development occurs.

PB asked how many other projects they have that are similar and they advised twelve (12). They explained that it is a directive from the Governor that going forward to install more of these. John Cornelius inquired about the lifecycle of the battery which is 15-20 years. The capacity for what they plan to put into Airmont will be approximately 10 megawatts which will last 10 years as designed. Mordechai Grinberger inquired about any noise from the batteries and was advised that you would not hear anything.

Applicant explained that there is no water or sewer lines being put in or utilized. The Village Engineer read her letter dated May 21, 2021. Discussions on the fence height and the landscaping were the main points. John Cornelius opened the public hearing and Russell Hock seconded it, all in favor motion carried. Esther Rivera from 6 Laura Drive had concerns with her children living close to the facility. Steve Klein 73 Regina Rd had concerns about it being near a neighborhood and was opposed to it.

Village Planner noted the Notice of Intent (NOI) had been completed and a Negative Declaration needed to be issued John Cornelius made a motion for the PB to Authorize a Negative Declaration for the battery storage facility at 375 Route 59 Airmont, NY. Yehuda Friedland seconded it, all in favor motion carries.

John Cornelius made a motion for RWE Solar to go to the ZBA for a variance developmental coverage. Yehuda Friedland seconded it, all in favor motion carries. Applicant will submit to the ZBA for variances and return to PB if variance is received.

it will be in person at Airmont Village Hall 251 Cherry Lane at 7:30pm. Mordechai Grinberger seconded it, all in favor motion carries.

**CONTINUED PUBLIC HEARING – Har Shalom Cemetery
44 Hillside Avenue
Proposed Cemetery
Site Plan**

Paul Baum Attorney for the applicant along with attorney Greg Faucher and engineer Dave Zigler gave a recap of the project and how they appeared before the ZBA in May to introduce it to that Board. He explained that the ZBA could not act on the project until a negative declaration is approved. They are here this evening seeking a negative Declaration and part 2 from the Board. He asked if there were any other presentation questions. The Village Planner also advised that the Negative Declaration is associated with the environmental portion for the Board which incorporates the wells that have to be outside the 100 ft. buffer. Valerie reviewed her letter and the lighting plan and the number of trees and phasing was discussed along with the 6 ft. chain link fence and plantings. Dave Zigler of Atzl, Nash & Zigler, discussed the lighting, the internal loop of the road. He discussed how the health department had no records on how and where the wells were constructed. The Village Engineer addressed her letter dated 5/21/2021 and most of her concerns were the same as the Village Planners' and her letter included the need for a SWPP and Stormwater management agreement.

Yehuda Freidland opened the public hearing, John Cornelius seconded it, all in favor continued public hearing opened: Paul Baum reviewed the traffic management plan as well as a letter from the neighboring cemetery Ascension Cemetery's Attorney Mr. Parisi who reviewed his letter dated 5/27/2021. Dan Finley concerned about traffic, and the traffic from the Mikvah going up across from the cemetery around the same time. Heather Federico concerned about the Skill Building traffic that may also affect everything. Were all these projects looked at in aggregate? Mr Kornhauser concerned with traffic, Mr. Phillips opposes project concerned with the buffer and trees going down. Steven Klein – opposes the project concerned about the trees being removed, water and traffic.

John Cornelius made a motion to Declare the Planning Board Lead Agency with regard to Har Shalom 44 Hillside Avenue and notes that the ZBA at it's meeting consents to the PB Being Lead Agency to the project. Yehuda Friedland seconds it, all in favor motion carries.

John Cornelius made a motion for a negative declaration for Har Shalom 44 Hillside Part 2 prepared by the Village in accordance with the SEQRA Regulations. Mordechai Grinberger seconded it. All in favor none opposed motion carried.

John Cornelius made a motion to continue the public hearing for 44 Hillside Avenue to the Thursday, June 24, 2021 PB Meeting at 7:30PM via zoom if Governor's Executive Order is still in effect otherwise it will be in person at Airmont Village Hall 251 Cherry Lane at 7:30pm. Mordechai Grinberger seconded it, all in favor motion carries.

Yehuda Friedland Made a motion to adjourn the meeting at 11:52pm. Russell Hock seconded it. All in favor motion carried meeting ended.