

**Village of Airmont
Planning Board Meeting
Thursday
February 24, 2022
7:00pm Via ZOOM**

Members Present: Russell Hock, Acting Chairman
Mordechai Grinberger
Maurice Roth
Morris Friedman, Ad Hoc

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

Absent: Yehuda Friedland, Chairman
John Cornelius

The PB Chairman was unable to attend the PB meeting and appointed Russell Hock to be the Acting PB Chairman for the evening. The meeting was called to order by Acting Chairman Hock at 7:03pm followed by the pledge of allegiance and roll call. Acting Chairman Hock made a motion to appoint Ad hoc Member Morris Friedman a voting member for the evening. Acting Chairman Hock made a motion to approve the minutes from 2/15/2022 which was seconded by Mordechai Grinberger. Morris Friedman abstained as he was not at the 2/15/2022 meeting. All in favor motion carried.

**CONTINUED PUBLIC HEARING – Yeshiva Eitz Chaim/Skill Building Center
Requested an adjournment to the March 24, 2022, PB Meeting**

99 Oratam Road, and 98 & 100 Hillside Avenue

Merger of Three Lots, Site Plan and Special Permit for Construction, Development & Operation

New Elementary School & Building

Site Plan & Map of Lot Line Adjustment

Acting Chairman Hock made a motion to open the continued public hearing for the application of Yeshiva Eitz Chaim/Skill Building Center. Maurice Roth seconded it. All in favor, motion carried. Applicant's Attorney Joseph Churgin's letter to the Planning Board dated February 7, 2022, was read into the record which requested an adjournment to the March 24, 2022, PB Meeting. Acting Chairman Hock made a motion to continue the application for Yeshiva Eitz Chaim/Skill Building Center 99 Oratam Road, and 98 & 100 Hillside Avenue to the March 24, 2022 PB Meeting either via zoom at 7:00PM if the Executive Order for remote meetings is extended or for an in-person meeting at Airmont's Village Hall 251 Cherry Lane Airmont at 7:30PM. Mordechai Grinberger seconded it. All in favor, motion carried.

CONTINUED PUBLIC HEARING – 10 S. DeBaun LLC
Requested an adjournment to the March 24, 2022, PB Meeting
10 S. DeBaun
Two Office Buildings
Amended Site Plan Application with Minor Modifications

Acting Chairman Hock made a motion to open the continued public hearing for the application of 10 S. DeBaun LLC – 10 S. DeBaun Avenue. Maurice Roth seconded it. All in favor, motion carried. Applicant's Attorney Amy Mele's letter to the Planning Board dated February 23, 2022, was read into the record which requested an adjournment to the March 24, 2022, PB Meeting. Acting Chairman Hock made a motion to continue the application for 10 S. DeBaun LLC – 10 S. DeBaun Avenue to the March 24, 2022 PB Meeting either via zoom at 7:00PM if the Executive Order for remote meetings is extended or for an in-person meeting at Airmont's Village Hall 251 Cherry Lane Airmont at 7:30PM. Morris Freidman seconded it. All in favor, motion carried.

CONTINUED PUBLIC HEARING – Stage Street – 124 Route 59
124 Route 59
Office/Warehouse Building
Amended Site Plan

Paul Baum applicant's attorney reiterated that they started this process in 2019 and went to PB Meetings and went to ZBA as an uncoordinated SEQRA for variances which they obtained. This project is for a 5600sf warehouse with 400 sf of an accessory office building with 8 parking spaces and three (3) loading bays. While at the ZBA they reduced the building in the rear by a 25 ft. setback and 25-foot buffer towards the Indian Rock Townhouse Complex in the rear. The plans are revised as of 2/11/2022 and we have addressed all the agency comments.

We submitted a response to the PB GML dated 6/26/2019 which was a disapproval. This was very similar to that of their ZBA GML review which was a disapproval and were granted the variances with overrides. We have responded to the Village Planner and Village Engineer comments. We have also submitted a response to part II of the SEQRA form prepared by NPV. No impacts were found to be significant and a Negative Declaration was recommended for the project.

Requesting two small waivers – 1) one parking stall length to be reduced from the required 19 ft. to 18 ft. and 2) requesting reduction on the size of the loading berth from 40ft to 18 ft. Small warehouse operation with no big trucks. They are limiting the size of the trucks with a 18ft nose to tail and put a note on the plan as recommended by the Village Planner. We are here this evening to continue the PB review of the project and are requesting 1) issue a Negative Declaration 2) grant two small waivers and we request that you override the GML to grant the special permit and site plan approval.

Here with Rachel Barese the engineer on the project. Available any questions and address any other comments. P&Z note that she did send out the revised plans for a new GML for the record as requested at the last meeting, however it went out after the meeting date which was less than the 30-day requirement to this meeting. Therefore, we did not receive the new GML as of yet on the updated plans. Paul Baum

noted he would like to get the other items out of the way as the Board cannot take action until the new GML is received.

Rachel Barese noted that they revised their responses to the EAF. Small possible change to the historical ecological and have the letter from SHPO so there is no impact same as before. Received the recent professional letters.

The Village Planner noted that there were a few process comments and provided a Part 2 EAF & provided additional detail recommended so that the PB can issue a Negative Declaration for the project. Noted item #17 of the prior GML if it's the same if keep same comments for one or two items. All outstanding site plan comments have been addressed.

The Building Inspector indicated that he had no further comments. The P&Z Secretary read the Village Engineer's letter 2-23-2022 dated into the record as the Village Engineer was not present. The letter from Tallman Fire Department dated 2-22-2022 was read by Acting Chairman Hock and the applicant indicated that there is no problem with putting a hydrant on the north side and would put it adjacent to 130 Route 59's hydrant. They already have one at the 130 Route 59 site with no problems. They also addressed the turnaround, so the applicant has no objections. Dan Kraushaar noted that the way the paragraph from Tallman Fire reads regarding the sprinklers that he interprets that regardless of whether they are required they want you to install a sprinkler system. Rachel Barese noted that they will comply with the building code if required. Paul Baum noted that if they are required yes, they will put them in, if not, not putting them in as their letter denotes "should be sprinklered" "separate for Buildings A & Building B" in the event the single building meets the code requirement. Paul Noted that they met with the Fire Department. This is a building code issue not based on location of a use or hindrance over and above NY State & Fire Code.

The Building Inspector suggested the Fire Inspector and the Fire Department should have a discussion based on the fire load and the distance of the demand from the fire hose. Paul said it was a good suggestion and even if the code doesn't require it, they will do what is needed for the construction of the building.

Danielle Meehan – 18 Ackerman Avenue inquired as to whether or not this property needed an ESA waiver? She noted that Sewer District #1 is in the ESA Waiver for existing sewers. Rachel Barese noted that they are not upgrading it is only a connection. Danielle indicated that other recent projects have had a profound negative impact and that there is a huge obligation to the residents as it is affecting their water quality. There are PFA's in the water and there is a lot of water in the back area of this property. She also noted that the traffic study is flawed as making a left out of Stage Street is almost impossible. This is a bad situation that will be made worse.

Acting Chairman Hock asked the PB Members if they had any questions or comments. Mordechai Grinberger asked to confirm that they cannot close the public hearing. Dan Kraushaar noted that he is correct, that they cannot close the public hearing yet because they would not be able to accept additional comments on the new GML which may be important. The Village Planner noted that they can vote on the Negative Declaration and clearly discuss the GML. She can draft a resolution for next month if they are fine with the waivers. She indicated that they should vote on the negative declaration and continue the public hearing.

Acting Chairman Hock made a motion declaring pursuant to SEQR that the application of 124 Route 59 will not have a significant impact on the environment and thus we are adopting a Negative Declaration. Maurice Roth seconded it. All in favor 4 to 0, motion carried.

Acting Chairman Hock made a motion to continue the public hearing for Stage Street – 124 Route 59 to Thursday March 24, 2022, via zoom at 7:00pm if the Executive Order on remote meetings is extended or at 7:30pm for an in-person meeting at Airmont Village Hall 251 Cherry Lane. Mordechai Grinberger seconded it. All in favor motion carried.

Mordechai Grinberger made a motion to adjourn the meeting which was seconded by Maurice Roth. All in favor, meeting concluded.