

**Village of Airmont
Planning Board Meeting
Thursday
March 28, 2024
In Person**

Members Present: Yehuda Friedland, PB Chairman
John Cornelius
Pinkas Glauber
Mordechai Grinberger
Alan Liani

Members Absent: Shimon Blumenberg, Ad Hoc Member

Others Present: Rob Knoebel, PB Village Attorney
John Nosek, Village Engineer, and Village Planner
Lou Zummo, Building Inspector
Suzanne Carley, P&Z Clerk

The meeting was called to order by Chairman Friedland at 7:02 pm followed by the pledge of allegiance and roll call. Yehuda Friedland made a motion to approve the minutes from February 22, 2024, which were seconded by John Cornelius. Mordechai Grinberger abstained as he was absent for that PB meeting. All others in favor, motion carried. Chairman Friedland opened the meeting.

CONTINUED PUBLIC HEARING-Mikvah of South Airmont 52 Campbell Avenue
Proposed Freestanding Place of Worship with a Special Permit
Re-Revised Proposed Site Plan & Architecturals

The applicant's attorney requested an adjournment to the Wednesday, May 1, 2024, PB Meeting in an email dated March 15, 2024. Chairman Friedland made a motion to continue the public hearing to the May 1, 2024, PB Meeting at 7:00PM at Village Hall which was seconded by Mordechai Grinberger. All in favor motion carries.

CONTINUED PUBLIC HEARING - Minkautch School 14 S. DeBaun Avenue
Proposed School & Special Permit
Revised Proposed Site Plan & Architecturals

The applicant's attorney requested an adjournment to the Wednesday, May 1, 2024, PB Meeting in an email dated March 25, 2024. Chairman Friedland made a motion to continue the public hearing to the May 1, 2024, PB Meeting at 7:00PM at Village Hall which was seconded by Mordechai Grinberger. All in favor motion carries.

WORKSHOP- 233 Route 59 LLC

233 Route 59

Proposed Offices with Parking

Proposed Site Plan

(There is No Public Comment for a Workshop)

The applicant was represented by Paul Baum as attorney, Devon Crithew from Civil Tech Engineering and Ron Reiman Traffic Engineer from Colliers Engineering. The applicant is proposing an office building with parking. The total square footage of the office is 6,000 SF. There is an existing residence on site that will be removed. The property is in the NS zone where local office businesses are a permitted use. An additional 50' ingress/egress easement was located per Liber 197 at page 56. Based on that, the access has been relocated to the easement.

Based on the size of the office, 30 parking spaces would be required. 26 parking spaces are provided. A parking waiver is requested. The prior plan had 26 spaces, but three of those were land banked. This plan does not include any land banked spaces. Public sewers and water will be utilized. Stormwater has been designed for zero net runoff.

The proposed building is 6,000 sf with 3500 of occupancy. The first floor will have an overhand, there will be a basement area, the lobby 370 sf, and two staircases. The second floor will have two offices, a conference room and there will be a third floor with a total of 3,589 sf two staircases, elevator from the basement up, and the building will be a height of 30 ft.

Revised architectural drawings were just submitted and have to go out for comments. There is a 50 ft. utility easement on the vicinity map. The entrance is right turn in and out only. They are proposing a fence on a section of the property that is adjacent to the ambulance corps. They will need the following variances:

1. Minimum Lot Area 20,000 SF Required, 17,167 SF Provided
2. Minimum Front Setback 30 FT Required, 20 FT Provided
3. Minimum Front Yard 20 FT Required, 11 FT Provided
4. Minimum Side Yard 10 FT Required, 0 FT Provided (5 ft buffer required between NS and R40 residential zones, variance needed)
5. Minimum Rear Yard 10 FT Required, 1.6 FT Provided
6. 8' high fence

John Cornelius noted that the screening is poor, and they have never done this before. He inquired if the building could be made smaller. The engineer noted that it really cannot be made any smaller and the building is only approximately 3,500 as it is. They did initially try but without the easement there is not proper circulation for a fire truck. Chairman Friedland inquired about the width of the access road which the engineer responded 24 or 26 ft.

Letters read into the record are RC Planning GML dated 3/26/24, RC Sewer dated 3/4/24, Tallman FD dated 3/8/24, DOT dated 3/20/24, RC Health dated 3/26/24 the PB Traffic Engineer NPV dated 3/21/24.

The PB inquired as to what the exact measurement of the TOR utility easement is which they will have to confirm but it was noted that there can't be any plantings in the easement. Ron Reiman reviewed the traffic letter and the comments from the PB Traffic Engineer Osman Barries dated 3/21/24. The PB noted that they did not feel a traffic study is required. Mordechai Grinberger asked if the applicant had any idea of who would rent, and they did not know at that time.

John Nosek reviewed his review letter dated 3/25/24. He noted that the drainage will be increased with the project and the storm water needs to be updated to address it. The applicant's attorney requested that an NOI be sent out. The PB engineer requested that they confirm the columns and the handicap specs.

Chairman Friedland made a motion to determine the proposal as an Unlisted Action for SEQRA and circulate an NOI which was seconded by Mordechi Grinberger once the items were updated and re-submitted. All in favor motion carried. The applicant's representative noted that they will re-submit and look into the items requested.

PUBLIC HEARING – Route 59 Office LLC

365 Route 59

Proposed Addition of 26,428 SF of Office Space
Proposed Re-Revised Amended Site Plan

The property is located at 365 Route 59 in the Village of Airmont. The site plan was known as Culinary Depot. The lot contains an existing office building and parking lot as part of a previously approved and constructed site plan. This application is to add an additional 26,428 SF of office space. The property is in the PO zone and offices are a permitted use.

The existing office building is filled at 100% occupancy. The applicant has indicated that the parking lot is generally only partially filled at any given day/time. There are 167 existing spaces of which approximately 2/3 are usually in use, including the 34 spaces in the basement. The basement is usually only about half full. The proposed plan will require a parking variance. Based on the current parking for the existing building (works out to approximately 1 space per 400 SF in usage rather than the required 1 space per 200 SF), even with the additional building and the additional parking proposed, there would still generally be about 15 open spaces at all times. A parking variance will be required. In addition, the applicant will seeking a variance for the height of the proposed building. The height will result from the raised structure while still allowing ample space between floors. A slight variance is also requested for the FAR. 0.4 is permitted and 0.42 is provided.

Public sewer and water will be used. Stormwater runoff has been reviewed and mitigation is provided.

There is an onsite floodplain and wetland area. A small amount of wetland disturbance is proposed, less than 0.1 acres, as permitted by ACOE.

The applicant's attorney Brian Singsbauh indicated that when they were last before the PB it was requested that an NOI to go out which the PB Attorney did indicate was circulated. They complied with the Tallman FD letter dated 2/28/24 and eliminated one parking space for the turning radius and went from 212 to 211 spaces. They discussed the previous parking variance from the initial project which was 353 spaces, 220 built and the balance land banked. The DOT review letter dated 3/27/24 was discussed in great detail by their traffic consultant Harry Baker. He went over his parking analysis which was requested by the PB at the last meeting. The PB Traffic Letter from Osman Barrie dated 2/15/24 still noted that they were awaiting responses to his traffic comments so that he can complete the review in its entirety.

It was discussed that a bridge is proposed in the area of where the land banked parking will go which is to the left of the wetlands. A slight FAR variance is needed. John Nosek reviewed his letter dated 3/25/24.

Chairman Friedland opened the public hearing which was seconded by John Cornelius. All in favor motion carried. Five residents spoke and noted their concerns about the current lighting, noise, garbage dumpster noise in particular, the size and how it is uncharacteristic to the neighborhood, water and drainage issues with flooding and run off problems, traffic and all the effects in the area it will cause with more cars.

Chairman Friedland made a motion to close the public comments which were seconded by Pinny Glauber, All in favor motion carried.

Dan Richards, the attorney for the applicant indicated that they would address any concerns. The applicant will reach out to the neighbors on the items brought up at the meeting. It was noted that the ZBA cannot act without SEQRA being completed but they can submit to the ZBA with the understanding of this. It was noted that there are some further responses needed to the traffic impact study, filling and mitigation information so SEQRA cannot be completed until those items are finalized and submitted for review.

Chairman Friedland made a motion to continue the application for 365 Route 59 to the May 1, 2024, PB Meeting at Village Hall at 7:00pm. Motion was seconded by John Cornelius. All in favor, motion carried. Chairman Friedland made a motion to adjourn the meeting which was seconded by Pinny Glauber. All in favor motion carried. Meeting ended.