

**Village of Airmont
Planning Board Meeting
Monday
July 31, 2023
In Person**

Members Present: Yehuda Friedland, PB Chairman
John Cornelius
Pinkas Glauber
Alan Liani
Shimon Blumenberg, Ad Hoc Voting Member

Members Absent: Mordechai Grinberger, Member

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

The meeting was called to order by Chairman Friedland at 7:09 pm followed by the pledge of allegiance and roll call. Chairman Friedland made a motion to approve the PB Meeting minutes from 6-22-23 which was seconded by John Cornelius. Chairman Friedland appointed Ad Hoc PB Member Shimon Blumenberg a voting member for the evening. All in favor motion carries.

CONTINUED PUBLIC HEARING – Mikvah of South Airmont 52 Campbell Avenue
Chairman Friedland made a motion as per the letter dated 7/17/23 from the applicant's attorney requesting an adjournment to the 8/24/23, to continue the public hearing to the August 24, 2023, PB Meeting at 7:00pm at Village Hall which was seconded by John Cornelius. All in favor motion carried.

Application of Veolia Water NY–Tallman Well #26 PFAS 239 Route 59
Chairman Friedland made a motion as per the letter dated 7/28/23 from the applicant's attorney requesting an adjournment to the 8/24/23, to continue the public hearing to the August 24, 2023, PB Meeting at 7:00pm at Village Hall which was seconded by John Cornelius. All in favor motion carried.

CONTINUED PUBLIC HEARING – Club Pilates Suffern 5 N. Airmont Road
Chairman Friedland made a motion as per the letter dated 7/17/23 from the applicant's attorney requesting an adjournment to the 8/24/23, to continue the public hearing to the August 24, 2023, PB Meeting at 7:00pm at Village Hall which was seconded by John Cornelius. All in favor motion carried.

CONTINUED PUBLIC HEARING -Congregation Tehillah L'Dovid**1 Larissa Court**

Proposed Residential House of Worship

Proposed Site Plan & Architecturals

The applicant's attorney Paul Baum noted that they were last before the PB when a Notice of Intent was circulated. The Board can act on Lead Agency which is what they are seeking since the applicant's traffic consultant submitted a response to the PB Traffic Engineers comments of the traffic study at 6:22pm this evening. The PB Traffic Engineer will need to review and provide another response, and they will need to return to the PB for a Negative Declaration so that they can proceed to the ZBA for the ZBA to grant variances.

The applicant's engineer Paul Gdanski addressed the slope on the property and how they are getting the maximum number of parking spaces. The Fusco engineering review letter dated 7/30/23 was reviewed and discussed by the PB Engineer and Mr. Gdanski. C

Chairman Friedland made a motion to open the public hearing which was seconded by Member Cornelius. All in favor Motion carried. There were 3 people that spoke to for the project and one against questioning the numbers in the traffic study on page 24 prepared by Harry Baker.

Chairman Friedland made a motion to close public comment which was seconded by Member Cornelius. All in favor motion carried.

Chairman Friedland made a motion for the PB to Declare Lead Agency for SEQRA which was seconded by Member Cornelius. All in favor motion carried. It was stated the comments can be addressed in person for the negative declaration at the next PB meeting. Chairman Friedland made a motion to continue the public hearing to the August 24, 2023, PB Meeting at 7:00pm at Village Hall which was seconded by John Cornelius. All in favor motion carried.

CONTINUED PUBLIC HEARING - Yosef Beer**5 Beaver Hollow Lane**

Proposed Residential House of Worship

Proposed Site Plan & Architecturals

Brian Condon attorney for the applicant and Rachel Barese Engineer for the applicant present. They explained this project involves the construction of an addition to a single-family home in combination with a residential place of worship. The total area of the house of worship will be approximately 1,600 SF. The plans have identified a storm water collection and treatment system to address the increase in run-off. Also, additional parking has been provided to meet Village of Airmont code requirements. Finally, significant landscaping has been provided to screen adjoining property owners.

Chairman Friedland made a motion to open the public hearing which was seconded by Member Cornelius. All in favor Motion carried. There were three people that spoke that are against the project for traffic reasons, stormwater run-off concerns and drainage, the retaining wall, concerns that the EAF #4 was completed incorrectly, safety issues, buffering and privacy, noise and lighting concerns. Chairman Friedland made a motion to close public comment which was seconded by Member Cornelius. All in favor motion carried.

Based on careful review of the application and revisions thereto submitted by the Applicant, Short Form Environmental Assessment Form inclusive of parts 2 & 3, with supporting information demonstrating

adequate water, sewer, the Village Board has identified no areas of environmental concern in connection with the proposed project. The Planning Board declared the action unlisted for SEQRA and thereafter considered a Negative Declaration at the conclusion of the public hearing on July 31, plans have identified a storm water collection and treatment system to address the increase in run-off.

A motion was moved by PB Chairman Friedland and seconded by Member Cornelius to declare the action unlisted for SEQRA. Roll Call Vote 5 to 0 all in favor motion carried.

A motion was moved by PB Chairman Friedland and seconded by Member Cornelius to declare this application a Negative Declaration for purposes of SEQRA based on the review of the Planning Board, Village Planner and Village Engineer and for the Yosef Beer application. Roll call vote 5 to 0 motion carried. The negative declaration was granted.

The applicant is going to the 8/10 ZBA Meeting for variances and will return to the PB. The applicants engineer noted she will have time to update plans and make any recommended changes and could not return until the October 26, 2023, PB Meeting.

Chairman Friedland made a motion to continue the public hearing to the October 26, 2023, PB Meeting at 7:00pm at Village Hall which was seconded by Pinny Glauber. All in favor motion carried.

CONTINUED PUBLIC HEARING - Yeshivas Me'on Hatorah

17 N. Airmont Road

Proposed Amended Site Plan and Special Use Permit for the conversion of a former hotel to a school building with a dormitory and the addition to the side of the building for an assembly room.

Proposed Revised Amended Site Plan, Special Permit, Revised Architecturals, & Landscaping Plans

The applicant's Attorney Paul Baum noted that the application received all its variances at the 7/13/2023 ZBA Meeting. The applicant went to the ARC and there were conditions that they recommended that they agree with. They are here before the PB for final approval.

Chairman Friedland made a motion to open the public hearing which was seconded by Member Cornelius. All in favor Motion carried. There were three people that spoke that are against the project for traffic reasons, stormwater run-off concerns and drainage, architectural layout concerns, safety issues, buffering and privacy, noise and lighting concerns. Chairman Friedland made a motion to close public comment which was seconded by Member Cornelius. All in favor motion carried.

The Planning Board of the Village of Airmont voted as enumerated in the minutes of the July 31, 2023, Planning Board minutes to override items numbered **1, 14, 17, 18, 19, 23, 24, and 28** of the October 26, 2022, General Municipal Law review letter from the Rockland County Planning Department; and the Planning Board cited the reasons set forth herein for the overrides:

1. **Comment No. 1** – The Planning Board determined to override Item Comment No. 1, as the Board found that the Applicant demonstrated that parking of 79 spaces is not required for the school use associated with the Dormitory, students do not drive and live at the facility. The override of this item was moved by Chairman Yehuda Friedland, seconded by John Cornelius and was carried by a vote of 5-0.
2. **Comment No. 14** – The Planning Board determined to override Comment No. 14, as the prior approved use of the property was for a hotel and the school use does not have a greater

intensity of use. There is no requirement that a licensed professional engineer estimate water usage. The override of this item was moved by Chairman Yehuda Friedland, seconded by Pinkas Glauber and was carried by a vote of 5-0.

3. **Comment No. 17** – The Planning Board determined to override Comment No. 17, as the proposed location of the dumpsters has existed in the same place within the O & R easement since 1983 and no further permission is needed. The override of this item was moved by Chairman Yehuda Friedland, seconded by John Cornelius and was carried by a vote of 5-0.
4. **Comment No. 18** - The Planning Board determined to override Comment No. 18, as there is no separate metes and bounds description for the cross easement and therefore it cannot be shown as part of the plan. The override of this item was moved by Chairman Yehuda Friedland, seconded by John Cornelius and was carried by a vote of 5-0.
5. **Comment No. 19** – the Planning Board determined to override Comment No. 19, as it found that the plant species are to be reviewed by the village engineer and should not be limited to solely plants native to New York State. The override of this item was moved by Chairman Yehuda Friedland, seconded by John Cornelius and was carried by a vote of 5-0.
6. **Comment No. 23** – the Planning Board determined to override Comment No. 23, as the Planning Board found that because students will not be bussed to the site there will be no need to remove the building canopy to provide bus access. The override of this item was moved by Chairman Yehuda Friedland, seconded by John Cornelius and was carried by a vote of 5-0.
7. **Comment No. 24** – the Planning Board determined to override Comment No. 24 as the parking is the same that existed with the hotel and therefore additional parking is not needed. The override of this item was moved by Chairman Yehuda Friedland, seconded by John Cornelius and was carried by a vote of 5-0.
8. **Comment No. 28** – the Planning Board determined to override Comment No. 28, as the Planning Board determined that there is no designated street line in Debaun Avenue and therefore there is no need to deduct area within a designated street line. The override of this item was moved by Chairman Yehuda Friedland, seconded by John Cornelius, and was carried by a vote of 5-0.

Special Permit and Site Plan approval was motioned by Yehuda Friedland and seconded by John Cornelius. The motion was carried by a vote of 5-0. Application Approved.

Cherry Lane Hatzolah

275 Cherry Lane

Proposed Hatzolah EMS

Proposed Site Plan and Elevations

The Applicant is seeking site plan and special permit approval to allow the construction of a 6,065 square-foot volunteer ambulance service facility in the R-40 zoning district. The proposed development is for a parcel currently located at 275 Cherry Lane, Village of Airmont, County of Rockland, New York, 10952 (SBL: 56.13-1-2). The applicant seeks to develop a two-story facility with three (3) garage bays, an accessory office, bedroom, storage, and staging area. Three (3) ambulances will be stationed at the facility. A parking area with thirteen (13) spaces is proposed to the east of the building and variances will be required for lot area, front setback, front yard, side setback, side yard, rear setback, and development coverage.

Paul Baum, the attorney for the applicant, brought Harry Baker, the applicant's traffic consultant to the meeting to discuss the traffic. No prior notice was provided to the PB or the Clerk that he would be in attendance as the PB originally requested both he and the PB's traffic engineer be present together and were advised that Mr. Baker would not be available to attend as he lived too far away. Mr. Baker discussed his background and his traffic conclusions, however the PB also wanted to hear what the PB Traffic Engineer has to say as they had questions on his traffic response letter.

Chairman Friedland made a motion to open the public hearing which was seconded by Member Glauber. All in favor Motion carried. There were fifteen people that spoke, most against the project (12) for traffic safety concerns, noise, lighting, changing the character of the neighborhood, and mostly that it was the wrong location although they were in support of the Hatzolah and what they do for the community. There were 3 comments in favor of the project. . Chairman Friedland made a motion to close public comment which was seconded by Member Glauber. All in favor motion carried.

A motion was moved by PB Chairman Friedland and seconded by Member Cornelius to declare the action unlisted for SEQRA. All in favor motion carried.

Chairman Friedland made a motion to issue a Negative Declaration which was seconded by John Cornelius as long as the traffic would be addressed by the traffic consultant and PB traffic engineer at the next PB Meeting. All in favor motion carried 5 to 0.

The P&Z clerk will get the PB Traffic Engineer Osman Barrie or a representative to come to the next PB Meeting and the applicant's traffic consultant Harry Baker will also be present for the next PB Meeting.

Chairman Friedland made a motion to continue the public hearing to the August 24, 2023, PB Meeting at 7:00pm at Village Hall which was seconded by John Cornelius. All in favor motion carried.

INFORMAL WORKSHOP – Har Shalom East

36 Hillside Avenue

Additional Section to an Existing Cemetery

Proposed Amended Site Plan, Special Permit & Re-Subdivision

Time ran out for the applicant to be heard as it was after the 11:00pm cut-off. Chairman Friedland made a motion to adjourn the application for Har Shalom East 36 Hillside Avenue to the August 24, 2023, PB Meeting at 7:00pm at Village Hall which was seconded by John Cornelius. All in favor motion carried.

NEW BUSINESS – the P&Z Clerk reminded everyone to take their required RC Planning Federation training courses and hours. Member Glauber made a motion to adjourn the meeting at 11:08pm. Shimon Blumenberg seconded it. All in favor motion carries.