CONDENSED

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In Re:

TOWN OF HAVERSTRAW ZONING BOARD MEETING

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February 9, 2022
7:00 p.m.

Zoning Board Meeting held at One Rosman Road, Garnerville, New York, before a Notary Public of the State of New York.

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SANDY SAUNDERS REPORTING
254 South Main Street, Suite 216
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APPEARANCES:

GREGG LAWLESS, CHAIRMAN
PAUL CLEARLY
LARRY MARGIOTTA
CARLOS BARRETT
WILBUR ALDRIDGE
MICHAEL D. KAUKER, PLANNING CONSULTANT
CHRISTIE ADDONO, ZONING BOARD ATTORNEY
MICHELLE CRAFFEY, SECRETARY

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CHAIRMAN LAWLESS: Good evening, everyone. Today is Wednesday, February 9th, 2022. This is the regularly scheduled meeting of the Zoning Board of the Town of Haverstraw. If everybody could please rise, take off your hats, the Pledge of Allegiance.

(Pledge of Allegiance.)

CHAIRMAN LAWLESS: Just a bit of housekeeping. Our last meeting at the end of December, our chairman, Joe Bochnik, retired after fifteen years of service for the zoning board. I just want to give him a little round of applause and appreciation for what he did for all of us.

Also, to that, we have a new member, Paul Cleary, to my right. He's been a member of the Town of Haverstraw for forty plus years. I think he will be a complete asset to our board.

After that, I'll turn it over for a reading of our itinerary and agenda for the meeting.

MS. CRAFFEY: Gregg Lawless.

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CHAIRMAN LAWLESS: Here.

MS. CRAFFEY: Paul Cleary.

MR. CLEARY: Here.

MS. CRAFFEY: Larry Margiotta.

MR. MARGIOTTA: Here.

MS. CRAFFEY: Wilbur Aldridge.

MR. ALDRIDGE: Here (Appearing virtually.)

MS. CRAFFEY: Carlos Barrett.

MR. BARRETT: Here.

MS. ADDONO: I'll just state for the record, that Wilbur Aldridge is a member of the Zoning Board of Appeals and is participating remotely and the meeting was noticed as such.

So, Mr. Chairman, the first item on the agenda would be the adoption of the minutes from December 8th, 2021. Mr. Clearly will have to recuse himself from that vote because he was not on the board at the time.

CHAIRMAN LAWLESS: Can I make a motion that we have an adoption of the minutes from the December 8th meeting? So moved.

MR. MARGIOTTA: So moved.

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MR. ALDRIDGE: Second.

CHAIRMAN LAWLESS: All in favor?

(Whereupon, all the Board members responded "Aye".)

CHAIRMAN LAWLESS: Approved.

MS. ADDONO: So the next item on the agenda is Efrain Castro, 69 N. Central Highway, Garnerville. Section 20.14, Block: 04, Lot: 31. Continuation of Public Hearing. Roof distance, house to bar, requesting a 13.6 Ft. variance.

Roof distance, bar to south side, requesting a 5.1 Ft. Variance.

Lot Coverage, requesting a 13.8 percent increase.

A new variance that was noted at the August public hearing, Total Side Yard: Requesting a 14.9 Ft. Variance.

Mr. Chairman and members of the board, the applicant has submitted a letter yesterday requesting that this application be adjourned to the board's March meeting. As this has been an ongoing application for several months now, I would recommend that the

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board direct me to reach out to the applicant and advise that no further adjournments will be granted until the applicant returns to provide the board with a status update.

CHAIRMAN LAWLESS: I agree. Counsel, please notice the applicant.

MS. ADDONO: Will do.

Second item on the agenda is 81 West Ramapo Road, LLC, 81 West Ramapo Road, Garnerville. Section: 26.09, Block: 04, Lot: 01. Continuation of a public hearing to appeal the Building Inspector's decision.

Is anyone here this evening on behalf of the applicant?

Mr. Chairman and members of the board, this is another application that was originally heard by this board in December and the applicant has not submitted any of the additional materials that were requested from this board. So I would recommend as with the first application, that the board authorize me to reach out to the applicant and advise that they should provide the information that has been requested and that they must appear at

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the March meeting. Otherwise, the board will close the public hearing and vote on the record that is currently before the board.

CHAIRMAN LAWLESS: Please notice the applicant.

MS. ADDONO: Thank you.

The third item on the agenda is the K'Hai Bnei Torah, 62 Riverglen Drive, Thiells. Section 25:12, Block: 01, Lot:31.

This is a preliminary presentation, not a public hearing. There will be a public hearing noticed at a subsequent date, but that is not what the board will be considering this evening. It will just be a presentation from the applicant to familiarize themselves with the application.

Is someone here on behalf of the applicant?

MR. EMANUEL: Yes.

CHAIRMAN LAWLESS: Please come up. State your name for the record.

MR. EMANUEL: Good evening, Mr. Chairman, members. My name is Ira Emanuel, Emanuel Law, P.C., New City. Attorney for the

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applicant.

First of all, Mr. Chairman, congratulations on your elevation.

CHAIRMAN LAWLESS: Thank you very much.

MR. EMANUEL: I think. I've worked with Mr. Bochnik for many, many years and he's go a well deserved retirement here.

This is, as Ms. Addona said, this is an informal presentation to this board. We will, when we return in March hopefully, have a more fuller presentation, but for now we just want to familiarize you with the project.

The property is at 62 Riverglen Drive in Thiells, on the west side of Riverglen Drive, approximately 100 feet north of Dunnegan Drive. It's in an R-25 zone. There's currently a single family home on the site.

There is a total lot area of 1.217 acres, which after you deduct for the steep slopes, comes down to one acre. One acre is the minimum required lot area for a house of worship which is what the applicant proposes.

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This application has been germinating since January of 2021. We've made numerous appearances before your TAC committee. We've had two appearances before your planning board and we're now at a point where we feel we're ready to come to this board to seek the variances that are needed.

To give you an idea of what we're doing here or what the congregation is doing, they're planning on expanding the existing house, converting the entire building -- sorry, it's very difficult to breathe in this thing -- converting the entire building to a house of worship. Houses of worship are allowed in every zoning district in the Town of Haverstraw. The house is, the existing house shell will have a rabbi study, a women's section, various study rooms, coat rooms, bathrooms, et cetera.

The addition will house the main sanctuary which will be the men's sanctuary and beneath it will be a gathering room. In the gathering room is, traditional among Orthodox Jewish congregations, is to have a

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small meal or a snack after services and they also use that room for things that would not be appropriate in a sanctuary, meetings, lectures, other types of activities that are not appropriate in a worship space.

MS. ADDONO: Ira, I'm sorry to interrupt, but if you're comfortable with it, you can pull your mask down.

MR. EMANUEL: Okay, thank you. The mask mandate doesn't expire until midnight.

MS. ADDONO: I understand, but you're maintaining a good social distance right now.

MR. EMANUEL: Okay. I appreciate that. Thank you.

There will be no regular Hebrew day school. There will be no catering on-site. There will be no daycare center.

The site layout includes a twenty-seven space parking area which is sufficient for the number of seats that are in the sanctuary, 107 seats. Actually, it's sufficient for 108 seats. We are going to need a variance for parking and I'll get into

that in a moment.

The layout is situated so that things that might disturb neighbors are mitigated. So, for example, lighting will be pointed inward and this way there's not going to be any light source that's going to be visible, especially for the south neighbor which is adjacent. All the lighting will be cut off at the property line.

So we've worked with the planning board and TAC especially, to try to mitigate the impacts of this property on the neighborhood.

When this project was originally brought in front of TAC, it was originally for a 200 seat sanctuary. Working with TAC, the sanctuary site has been brought down considerably from 200 seats -- first 219 seats and now to the 107 seats that are being sought.

In addition, other changes have been made. There was a driveway that was proposed that has been straightened out and shortened and the parking area has also been moved

closer to Riverglen Drive. The reason for that is because of the conservation easement that exists on the site. There is a 100-foot conservation easement on the south side and on the west side. The south side is adjacent to another house. The west side is protective of the town park behind it.

TAC wanted to make sure that we were more protective of the park, that park conservation easement and, therefore, asked us to move the parking lot closer to the front yard. That generates another variance that we will be asking for.

So, as a result of the changes that we have been asked to make and that we have agreed to make, and as a result of the needs for the congregation, we're going to need the following variances and I'll just list the dimensions without going into the details as to what they are because all of that is in the application.

We need variances for lot width, street frontage, front yard, which I described before, side yard, floor area ratio, number of

parking spaces, and parking required for front yard.

The parking space variance as I said before, the sanctuary and the parking area are sized to fit one another, to comply with one another. However, your code also has a requirement that there be additional parking spaces for the gathering room which is directly beneath the sanctuary as we'll show when we get to the hearing, the sanctuary and the gathering room will not be used at the same time and, therefore, we don't believe that there's a need for additional parking spaces, but we will make that proof when we get to a public hearing.

So that's an overview of what is being proposed. If the Board has questions at this time we'll try to answer them. Otherwise, we will see you in a month.

CHAIRMAN LAWLESS: Anybody on the board have any questions?

How many individuals will be spending the night? You know, it's a sanctuary and this, but I'm assuming the rabbi

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lives in the quarters.
MR. EMANUEL: No, nobody is living there.
CHAIRMAN LAWLESS: Nobody at all?
MR. EMANUEL: No, sir.
CHAIRMAN LAWLESS: There will be nobody overnight?
MR. EMANUEL: No.
CHAIRMAN LAWLESS: Even at worship time, nobody staying over there?
MR. EMANUEL: Nope. What may happen and what is likely to happen, and one of the reasons why we absolutely do need some these parking spaces on-site is because Orthodox Jews are not permitted to walk on the Sabbath. They're not permitted to walk on the Sabbath or on certain holidays.
MS. ADDONO: Drive.
MR. EMANUEL: Excuse me, not permitted to drive. So what will happen is that those congregants that live a little further away, will drive to the site prior to the beginning of Sabbath or prior to the beginning of a holiday, park their car

on-site, leave it there until after Sabbath is over or until after the holiday is over. So twenty-eight to forty-eight hours. But nobody is going to be staying overnight.
CHAIRMAN LAWLESS: So during worship time, what time does that end?
MR. EMANUEL: Typically the latest it would end, probably about 10:30.
CHAIRMAN LAWLESS: P.M.?
MR. EMANUEL: Yes.
CHAIRMAN LAWLESS: On a Saturday or Sunday?
MR. EMANUEL: That would be on a Friday night.
CHAIRMAN LAWLESS: Friday night. What about Saturday?
MR. EMANUEL: Saturday would be earlier.
CHAIRMAN LAWLESS: Roughly?
MR. EMANUEL: Hold on one moment.
Actually, if I can amend that.
Friday night services would end depending upon what time of the year we're talking about.
CHAIRMAN LAWLESS: Let's go with the

latest time.
MR. EMANUEL: The service would start twenty minutes before sundown and would last for about an hour. There might be some gathering afterwards, but that's what we're talking about. So obviously, during this time of year it would be much earlier in the evening. Come July, much later. Similarly, on Saturday evening, prayers would start one hour before sundown and last for thirty minutes.
CHAIRMAN LAWLESS: So it's safe to assume once prayers and everything are over on Saturday, everyone is going to vacate the premises?
MR. EMANUEL: Yes.
CHAIRMAN LAWLESS: And that traffic and cars and all the parking --
MR. EMANUEL: There won't be any. Well, the cars will be left there, yes.
CHAIRMAN LAWLESS: After Saturday you said they were going to park --
MR. EMANUEL: After Saturday they would drive home.

MR. ALDRIDGE: Will that time frame also apply during high holy day and other special holidays?
MR. EMANUEL: Yes, sir. The schedule is about the same.
MR. BARRETT: Is there going to be any other activities that may happen Monday through Friday?
MR. EMANUEL: Yes. This is a synagogue. Just like churches, there are services everyday. Weekday schedule Sunday through Friday, morning prayers are held at 6:30 A.M. and 7:10 A.M. for thirty minutes each. Evening prayers at 8:30 and 10 P.M. for fifteen minutes each. There will be study and lectures between 8 P.M. and 10:30 P.M.
MR. BARRETT: So there's pretty much activity everyday.
MR. EMANUEL: There is activity everyday, but in very short bursts. So, for example, during the entire -- after morning services until evening services, pretty much nothing is going to happen there. A rabbi will be there and maybe the congregants, but

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there's no regularly scheduled organized activities.

MR. BARRETT: Thank you.

MR. ALDRIDGE: Approximately how many people are we talking occupying the building during religious services?

MR. EMANUEL: During the Sabbath services and high holy day services, we will probably have close to occupancy, full occupancy of 107. But during regular weekday services you're probably talking about thirty to thirty-five.

CHAIRMAN LAWLESS: Anybody else have any questions?

MR. BARRETT: The easement that we want to conserve, are you making any variances for that?

MR. EMANUEL: We don't need any variance from this board for that. That's controlled by the planning board, but yes, there is going to be an intrusion into that portion of the conservation easement on the south side. There's already an intrusion right now with driveway. A portion of the

parking area is going to be within that easement.

MS. ADDONO: And part of the reason why they need, as applicant's counsel said earlier, part of the reason why they need the front yard parking variance was because they pulled the parking forward in order to reduce the intrusion into the conservation easement.

MR. EMANUEL: Unfortunately, my engineer doesn't seem to be here. He's got the boards. I would have loved to show you the site plan.

MS. ADDONO: The plan has been circulated to the board. As we discussed, there will be future opportunity to review.

MR. ALDRIDGE: Are you going to provide any additional lighting for that area?

MR. EMANUEL: Yes, there has to be safety lighting for the parking area, as I described before, we're working with the planning board. That lighting will be pointed away from any of the neighbors, pointed inward towards the house so that there won't be any point source lighting affecting the neighbors

and any lighting will be screened off at the property line.

There will also probably be some residential style light fixtures above the doors just as, you know, you and I have above the doors for our houses, but nothing of a commercial nature there.

CHAIRMAN LAWLESS: As far as the lighting goes, is there going to be some kind of controls for it? Obviously, you're saying there's many hours that people aren't going to be there, so I mean, at three in the morning the parking lot is going to pretty lit, some kind of motion detection, timers that will control that lighting?

MR. EMANUEL: It will either be on timers or on motion detectors. But you're right, there's no actually no reason to have full lighting at three in the morning.

CHAIRMAN LAWLESS: Right, not in a parking lot.

MR. EMANUEL: There might be some ground lighting just for safety and security purposes. Unfortunately, we live in that kind

of an age, but other than that, no.

CHAIRMAN LAWLESS: Anybody else?

MS. ADDONO: Mr. Chairman, as I indicated, this was a preliminary presentation. The applicant will be submitting a formal application we hope shortly, and then we anticipate having this on for a public hearing at the March meeting, which I believe is also March 9th.

CHAIRMAN LAWLESS: If there's no further questions we can close the meeting.

MR. MARGIOTTA: So moved.

MR. ALDRIDGE: Second.

CHAIRMAN LAWLESS: All in favor?

(Whereupon, all the Board members responded "Aye".)

CHAIRMAN LAWLESS: So moved.

MR. EMANUEL: Thank you for your time.

CHAIRMAN LAWLESS: Thank you. Make a motion to close the meeting?

MR. MARGIOTTA: So moved.

MR. BARRETT: Second.

CHAIRMAN LAWLESS: Made by

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Mr. Margiotta. Second by Mr. Barrett.

(Whereupon, all the Board members responded "Aye".)

CHAIRMAN LAWLESS: Motion is closed.

To the public, obviously this will be out, it will be posted. You'll all be able to make as many comments as you'd like. You can speak on behalf of yourselves. This was just an informal presentation to find out what's going on up there and I assume that on March 9th they'll have all their information in front of us, so you're welcome to come and share your thoughts. Thank you very much and have a good night.

* * * *

C E R T I F I C A T I O N

Certified to be a true and accurate transcript of the stenographic minutes taken within.

Debbie Kline

Debbie Kline,
Senior Court Reporter.

Dated: February 14, 2022

Errata Sheet

NAME OF CASE: In Re: TOWN OF HAVERSTRAW ZONING BOARD MEETING
DATE OF DEPOSITION: 02/09/2022
NAME OF WITNESS:
Reason Codes:
1. To clarify the record.
2. To conform to the facts.
3. To correct transcription errors.

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