The Minutes of the Village of Haverstraw Planning Board Meeting on Monday July 14, 2025 beginning at 7:00 PM.

PLEDGE OF ALLEGIANCE

ROLL CALL :

- Edwin Molina (Chairman) Present
- Dennis Michaels (Asst. Village Attorney) Present
- Ruben Berrios (Building Inspector) Present
- Eve Mancuso (Village Engineer) Present
- Joseph Coe Present
- Andrew Kaye Present
- Mark McElroy Present
- Danny Scaffidi Present
- John Quattrochi Present
- Gisbeth Ramos (Clerk to Planning Board) Present

Chairman Molina invited the applicants for the project on 12 Fairmount Ave. to come forward.

Vahid Rostami from Atzl, Nasher & Zigler presented to the Board: He explained that this project was to build a two-story addition on the existing building. The project needs 2 variances; 1 for the side yard which would remain at 1.8 ft. as a pre-existing condition, and the other is for a total side yard of 39 ft, which, again, is a pre-existing condition. This project has been before the Village Board and he is before the Planning Bard to answer any questions regarding the project.

Village Engineer and Village Attorney informed the Board that the Village Board had declared Lead Agency on the project and that the project may be subject to SEQRA requirements and it was unknown if the Village Board had adopted a Neg Dec.

Discussion continued regarding what the Village Board had already done and what the role of the Planning Board was at this time.

Ms. Mancuso explained that the project was for a 2-story addition with a laundromat on the first floor and 4 apartments on the second floor. The applicant was seeking a Special Permit from the Village Board and similarly to other applications the Planning Board was being asked to

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review the project and offer recommendations to the Village Board. Further, Ms. Mancuso explained that the SEQRA requirement was that "if a project was over 4,000 feet" it required SEQRA. This project has less than 4,000 feet of commercial space but it's a mixed use and the Village Board will have to determine the SEQRA matter. As to the Village Code, there are specific codes that deal with residential over non-residential and 1) a non-residential is NOT permitted above a residential – and the applicant is not proposing that. 2) a suitable and attractive means of access shall be provided to the residential units – noting that on the plans there is a clear distinction and separation of the entrances to the residential units vs the commercial space. 3) Smoke Detectors are required – that's a well-known fact and is building code in the Village. 4) No such dwelling unit shall be more than 2 bedrooms – the applicant is complying with this. 5) Minimum habitable floor area in the dwelling unit shall be 400 ft. – it appears to be in compliance but it's not specifically spelled out on the site plan and needs to be included. 6) building of the units must be in connection to a major rehab of the entire structure – the applicant is proposing this. 7) Lots with more than 6 units - there are not more than 6 units in this project. 8) On lots with less than 6, a studio apartment is permitted – the applicant is not asking for a studio, they're asking for 4 2-bedroom apartments. 9) The non-residential use on the first floor of the building shall not create odor, dust, fumes, smoke etc. that could be deemed to be a hazard to the residential units – this is something for the Planning Board to consider.

Ms. Mancuso continued with her review of the Code in relation to the project and reiterated that the Planning Board needed to review where the vents are, that the parking variance being requested is a pre-existing condition with the building footprint remaining the same, that availability of water and sewer needs to be sufficient for the needs of a laundromat as well as the residential units, that the lighting plan needs to be submitted, a trash/recycling area should be included in the plans, the floor plans shall include mailboxes and a package delivery area, and what is the proposed identification signage. In summary stating that most of the questions she raises are architectural in nature.

John Perkins, architect for the project: Mr. Perkins stated that although they were still laying out the machines the intention was to direct the ventilation upward, not through the residential units. They're trying to devise a way that would be more attractive to put it on the wall adjacent to the commuter lot outside. There's a broad wall on the left side of the

building with only a few openings so it shouldn't disturb the residential units. They are anticipating putting the ventilation in the ceiling of the laundromat which should facilitate creating ventilation out of the left side of the building.

A Board member asked about the windows above the vents. Mr. Perkins pointed out on the plans where the windows are and where the vents would be.

Ms. Mancuso noted that on the plans she notices that there are only 2 windows on the 2nd floor for the internal bedrooms and on the 3rd floor it goes back to 4. She asked if they were intending to move the windows on the 3rd floor.

Mr. Perkins explained that they were not and that they were trying to create the opportunity for the ventilation.

Chairman Molina asked about the parking plan.

Representative responded that they would be making a payment in lieu of parking to the Village.

Joe Coe asked about mitigating vibration from the machines.

Representative responded that there would be a 24" truss between the first and second floors so there would be opportunity for sound deadening, there would be a 2-hour fire-separation between the floors, and in doing that they can devise something for sound deadening.

Attorney Michaels opined that §245-16 is clear that unless it's a single or 2-family residence the site plan should be approved by the Planning Board. Further, he read the Code section to the Board. Attorney Michaels explained that the Village Board may approve the Special Use permit but the Planning Board would have the jurisdictional authority to approve the site plan. As such, the Planning Board cannot approve the application until the Lead Agency (the Village Board in this case) approves the Neg. Dec. and grants the Special Use permit.

The applicant was advised to proceed to the Zoning Board for an informal review and to follow up with the Village Board, but until the

Village Board finalized their parts the subsequent Boards could not give final approvals.

Chairman Molina invited the applicants for the proposed adult-use cannabis dispensary at 147 Route 9W to come forward.

Jacon Hicks & Arlenis Dominguez, representing the applicants: Mr. Hicks explained that since they had last met with the Planning Board they've revised and implemented some of the comments received from the Planning Board and Rockland County Planning Department, as well as meeting with the Building Department. Those changes include:

- Putting in a designated curb-side pickup location
- A parking & fence variance has been added to help with congestion, parking and traffic flow
- Modification was made to the fence on the west side of the property, updating the material to vinyl as well as the placement of approx. 110 ft. long, going from 4 ft. along the parking lot and increasing to 6 ft. tall against the adjacent building
- NO on-site consumption signage has been added
- Parking lot restriping
- A candle light study has now been included on the site plan
- 2 parking spots that were flagged by the County as being in the right-of-way have been amended by an adjustment to the ADA spot to the west. They are now at 10 parking spots rather than 11.

Ms. Mancuso stated that there were a number of revisions made based on the previous review and that these were conditions of approval for the Special Use permit. They had discussed that having a fence fully around the whole site didn't make sense so a decision was made to put the fence on the north property line, along the line that is common with a residential use, and that is what's now shown on the plans. She raised the matter of the lighting not being as high as she thought was required by the State.

Ms. Dominguez responded that the County had added a comment that the lighting could not be past .1 past the property line.

Ms. Mancuso commented that she was under the impression that the State set the requirement at .25 for this in order for them to get their State permit and this is the Village Code as well. Her suggestion is that

the Planning Board override this County comment so they remain in compliance with State and Village requirements. Ms. Mancuso continued her review letter and the changes the applicants had made to comply with the Village, finalizing with the lighting was the issue that still remained undetermined.

Discussion continued between Attorney Michaels, Engineer Mancuso, Board members and the applicant to determine what comments needed to be further addressed and which should be overridden.

Attorney Michaels presented the following for Board approval:
"The Planning Board approves the site development plan application and/or provide a positive recommendation to the Village Board to grant the site plan as depicted, illustrated and described on 3 sets of drawings, enumerated A-100, A-101, and T-100, as indicated as drafted by Arlenis Dominguez, architect, most recently dated May 16, 2025, and also as depicted on the Land Survey, under the signature and seal of John R. Atzl, NYS Land Surveyor, most recently dated April 30, 2025, and the motion to approve includes an override of Item #7 as found on the May 29, 2025 GML report from the Rockland County Department of Planning, for the reason that what's being recommended by the County is contrary to the requirement of the Village of Haverstraw as well as Village Engineer Eve Mancuso, PE, does not think that what the County is suggesting would provide sufficient illumination and safe levels of lighting. All other recommended modifications, Items #1 through #6 and Item #8 of the County GML review shall be conditions of this approval. Additionally, Comments #1-paragraph b, #2, #3, #4, of Village Engineer Eve Mancuso's review letter dated July 10, 2025, shall also be conditions of this approval."

RESOLUTION # 21 - 2025
As recited by legal counsel

Motion by: Joe Coe
Seconded by: Mark McElroy

Roll Call:

Joe Coe	Yes
Mark McElroy	Yes
Andrew Kaye	Yes
Dan Scaffidi	Yes
Edwin Molina	Yes

Motion Carries: All

Chairman Molina invited the applicants for Dowd Street – amended site plan to come forward.

Vahid Rostami, Atzl Scattassa & Zigler, representing the applicant: Mr. Steinberg explained to the Board that the site plan on this project had received Village Board approval on February 20, 2024 and Planning Board approval on May 13, 2024. Since then, the applicant has received the Building Permit and started construction. There have been numerous changes along the way and it was suggested that the applicant submit a revised site plan with all the changes detailed so the Board could properly review them. He listed the changes as follows:

- Maintenance access: the plan used to include a maintenance access from the back going through the garage. That has been removed and the access is moved to a point he detailed on the site plan, explaining where the parking was and where individuals would be walking to gain access.
- Using the plans to point out the area, he detailed the change of including a bump-out in the front to provide room for back-flow preventers and water meters. This changed the footprint slightly.
- The elevator needed a bigger room and has been modified by adding another bump-out
- Roofing: the way the roof was set up would have it pitched toward the back. It was not practical to lead all the water from the back to the front so the bi-filter area was split into 2.
- The upper parking has been rearranged and the retaining wall has been slightly adjusted to facilitate the parking change.

Engineer Mancuso asked about the awning over the upper walkway that was discussed previously. Also stating that she understood that this was a requirement for the insurance coverage.

Mr. Rostami stated that it is not proposed in this amended plan and that has been resolved.

Richard Steinberg, builder on the project: Mr. Steinberg stated that they are looking for someone to design the awning over the bridge area and they are expecting to have this done.

Ms. Mancuso explained that it should be presented to the Board even though the final design hasn't been reached yet.

Mr. Steinberg also commented that they are intending to have a roof garden on the building.

Ms. Mancuso explained again that everything that was discussed in the TAC meeting should be presented to the Board, even if it isn't fully designed yet.

Mr. Steinberg remarked that he showed it on a previous plan to the Village Board.

Ms. Mancuso confirmed and summarized that the awning and the roof garden are still the intent of the applicant. In addition, one of the other changes that was discussed previously was to add a lobby in front of the elevators for security purposes.

Mr. Steinberg stated that they intend to add that as well.

Ms. Mancuso continued with the review of her letter to the Board regarding the project. She noted that some of the changes mentioned in the letter were going to be field changes but when the issue of the drainage and the drainage connections came up, this was not something the contractor could make adjustments to in the field. It took quite a bit of effort on the part of the architect to make it work. Although she has further questions, the intent is a good one with some of the drainage going to the upper tier and some going to the lower tier. This is a better design. Comment #3 in her letter is regarding the maintenance access from the north end of the garage has been eliminated but now there is only a 4 ft. wide path to the biofilter, raising the question of how a vehicle would gain access to that for long term maintenance. Comment #5 is about the fence along the retaining wall on the lower corner is going over the existing 18" rcp and should be shifted a bit. Comment #6 is regarding landscaping and the landscaping that was on the original plan along the terraced walls is no longer there. Comment #7 – the footing drain – the design has it splashing out to the gravel and, historically, footing drains tend to ice up in the winter so she suggests it be attached to the nearest catch basin. Also, an amended SWIPP has been submitted to coincide with the amended drainage plan.

Dan Scaffidi asked about the drainage.

Ms. Mancuso explained the detention basins and the areas that are draining into the basins. She also remarked that they could reroute the leaders to satisfy some of the drainage issues. And, that the plans do not show all of the leaders that Mr. Steinberg refers to.

Mr. Steinberg explained the changes to the roof sections and the leaders for each 12-ft. section. There are 12 leaders that go straight down and then they discharge into 1 8-inch pipe.

Ms. Mancuso stated that this is a large volume of water discharge and that one pipe isn't sufficient. She further explained how they could amend the drainage to make it efficient and take advantage of the full length of the basin. Ms. Mancuso also brought up the narrow spacing of the free boards and their close proximity to the berm which may likely cause water drainage problems in the future.

Discussion continued regarding the issues brought forth by the Village Engineer, with the architect explaining what the intent of the design was and Ms. Mancuso noting what needed further review and amendments.

Also noted was the lack of a fire hydrant on the plans.

Mr. Rostami stated that a fire hydrant had been requested on Brems place but getting the feedback from the water company regarding getting the water up hill and having acceptable pressure was not complete.

Ms. Mancuso stated that the Fire Department should have the final say on the fire hydrant and the applicant/contractor should not override what they had to say.

Chairman Molina commented to the applicant that their next appearance before the Planning Board should be a clean slate and include everything that had been discussed.

Gisbeth Ramos, Clerk to the Board, asked if all site plan amendments needed to be included before it was sent to the County for AGML review.

Village Engineer & Village Attorney collaborated on the decision that everything should be included on the plans before it was sent to County Planning.

The applicant was also asked about the colors of the building and whether they had received a new directive from the Village Board.

Mr. Steinberg explained that the Village Board wanted the blue and tan rather than the blue and grey.

Chairman Molina entertained motions to approve the Minutes of the May 2025 Planning Board meeting:

RESOLUTION # 22 - 2025

Motion by: Joe Coe
Seconded by: Mark McElroy
Motion Carries: All

Discussion ensued regarding the changing of the September meeting due to the holiday. The group decided to change the meeting to Thursday September 4th.

Chairman Molina: With no further business to be conducted by the Board, the Chairman entertained a motion to adjourn the meeting.

RESOLUTION # 23 - 2025

Motion by: Joe Coe
Seconded by: Dan Scaffidi
Motion Carries: All

Respectfully submitted by,
Judith Curcio

The Clerk Typist to the Planning Board is hereby authorized, directed and empowered to sign these Minutes, and file a copy thereof in the office of the Village Clerk.

Gisbeth Ramos, Clerk Typist

