**Village of Upper Nyack**

**Planning Board Meeting**

**Wednesday, May 19, 2021, 7:30pm**

# Minutes

A meeting of the Planning Board of the Village of Upper Nyack was held on the above date via videoconferencing in accordance with the Governor’s Executive Order 202.1 due to the COVID-19 emergency and called to order at **7:30pm** by the Chairman, William Pfaff.

**Other Board members present:** Karen Olson, Cynthia Turner, Joseph Heider and Peter Zajonc. **Also present:** Dennis Letson, Village Engineer; Noelle C. Wolfson, Esq., Consulting Attorney; and Jillana Sinnott, Secretary.

**7:30pm**: The Chairman opened the meeting and read the Notice of Public Hearing, which was published in The Journal News on May 12 2021. The Chairman also reviewed how the Zoom meeting would take place due to the COVID-19 emergency in accordance with the Governor’s Executive Order 202.1.

**7:33pm:**  **Approval of Minutes:** Member Karen Olson moved to approve the minutes from April 21, 2021 as amended; **SECOND:** Cynthia Turner; unanimously APPROVED.

**7:36pm: Stuart and Jennifer Chaitin, 617 North Broadway, County Map No. 60.10-01-09.** *Continuation from April 21, 2021.*

Said property is located in Residential Zoning District R-2.

The APPLICANT was represented by Robert Knoebel, Legal Counsel for the Applicant.

The Application is before the Board for site plan approval for structures (fencing, stone pillars and pool decking) that are accessory to an existing single family residence.

The Chairman noted that this was a continuation from the April 21, 2021 public hearing as there was more information that was needed. An email from the Village’s Legal Counsel dated April 29, 2021 to the Applicant was read. The letter outlined what information the Board needed in order to review the application. There will also be site visit required by the Board Members which will be scheduled with the applicant and the Board Secretary.

**MOTION:** Member Karen Olson moved to continue the public hearing to the June 16, 2021 meeting: **SECOND**: Joseph Heider; Unanimously APPROVED

**7:38pm:** **The Summit School, 339 North Broadway, County Map No. 60.18-01-01.**

Said property is located in Residential Zoning District R-2.

This APPLICATION submitted to the clerk the Certificate of mail receipts of neighbor notification.

The APPLICANT was represented by Kyle Cauwenberghs, Montana Contracting and Chris Collins, Architect.

The Application is before the Board for site plan approval for an addition.

The Chairman reviewed that the application was in front of the Board November 18, 2020. They have received a positive recommendation from the Architectural Review Board and they have provided a recommendation form. The GML responses from the Rockland County Planning Board and the Clarkstown Planning Board which deemed the application for local determination were reviewed.

The Applicant noted that the changes requested by the Planning Board at previous meetings have been made on the plan. A revised Short EAF Part 1 has been submitted.

The BOARD read and reviewed the report from Dennis Letson, Village Engineer, whose comments were entered into the record as follows:

*State Environmental Quality Review (SEQR)*

*Under the provisions of 6NYCRR Part 617, the project is an Unlisted action.*

*I have reviewed the Short EAF Part 1 submitted by the applicant and prepared a draft Part 2 and 3 for the Board’s consideration. It appears the project will not have a significant impact on the environment and a negative declaration is appropriate.*

*Site Plan*

1. *Zoning*
   1. *The proposal conforms to zoning.*
   2. *A note has been added to the site plan to reference special permits approved for the site with dates of approval, and includes a note indicating that the current plan is subject to those permits and conditions thereof except as modified by the Court.*
2. *As the proposed addition will be constructed over existing impervious patio area, no additional stormwater management is required.*
3. *The Landscape Plan is now referenced on the site plan.*
4. *We have no additional comment.*

The Chairman noted that the Landscape plan should have the date and who it was prepared by added to the note.

The BOARD had no further comments at this time.

The Chairman read the Short EAF Part 1. Items to be changed should be #3c, 7.61 acres; #4, other; #5a, Yes and add the words Special Permit; 12a, Yes; and 12b, No.. The Applicant will make the changes.

The Village Engineer read and reviewed the Short EAF Parts 2 and 3 which he has prepared. The Chairman will sign this document also. The Board had no comments on the EAF Parts 1 and 2.

Motion made to adopt a Negative Declaration of environmental significance based on EAF Parts 1 as amended, 2 and 3. The amendments on Part 1 are as follows:

* 3c: 7.61 acres
* 4: other
* 5: yes and add the words Special Permit
* 12a: yes
* 12b: no

**MOTION BY:** Joseph Heider

**SECOND:** Karen Olson

**VOTE:** Unanimously approved

The Chairman asked if there were any comments from the public.

There were no comments from the public.

**MOTION:** Member Karen Olson moved to close the public hearing: **SECOND**: Joseph Heider; Unanimously APPROVED

There were no comments from the public.

**MOTION:** The site plan final approval is based on the following:

* The following plans referred to collectively below as the “Site Plan”.
* Site Plan for an addition on an existing secondary school, The Summit School of Nyack, prepared by John McGloin, Land Surveyor dated September 4, 2020, last revised April 23, 2021.
* Architectural Plan for secondary school , (Pages G001-G003, A001, A101-A106, A201, A301,A302, A601, E101), The Summit School of Nyack: Cafeteria Additon, prepared by Christopher JP Collins, RA, LEED, dated July 2, 2020, last revised December 18, 2020.
* Landscape Plan Pages L101, the Summit School of Nyack: Cafeteria Addition, prepared by Christopher JP Collins, RA, LEED, dated July 2, 2020, last revised December 18, 2020.

The BOARD approved the Applicant’s application for site plan approval for an addition of an existing secondary school on the Property subject to the following conditions:

1. The applicant shall address to the reasonable satisfaction comments of the Village Engineer in his report dated May 19, 2021 and which are specifically set forth herein as conditions of approval.
2. The Applicant shall comply with the conditions and requirements set forth in the letter from the Architectural Review Board to the Planning Board submitted on this application January 11, 2021, which requires compliance with the architectural plans and finish schedule referenced in such letter.
3. Comments from other Agencies commenting on this plan are herein incorporated as conditions of approval. Clarkstown Planning Board dated October 29, 2020 and Rockland County Planning dated November 13, 2020.

* A note must be added to the Site Plan referencing the Landscape Plan Pages L101, the Summit School of Nyack: Cafeteria Addition, prepared by Christopher JP Collins, RA, LEED dated July 2, 2020, last revised December 18, 2020.

1. This Final site plan approval authorizes the applicant to undertake only the activities specifically set forth herein, in accordance with this resolution of approval and as delineated on the final Site Plan endorsed by the Planning Board Chairman. Any changes or modifications to such plan require amended site plan approval from the Planning Board.
2. The Site Plan shall be revised to include an entry in the revision note section to indicate the date that the plan is submitted for Planning Board signature. The description for the revision date note shall read “For PB Signature.”
3. This approval shall be void and of no effect if a building permit for the work proposed herein is not issued within 3 years of the date of this resolution.

**MOTION BY:** Karen Olson

**SECOND:** Cynthia Turner

**VOTE:** Unanimously APPROVED

**8:19pm:** **David and Deirdre McLary, 122 Locust Drive, County Map No. 60.09-03-01.**

Said property is located in Residential Zoning District R-3.

This APPLICATION submitted to the clerk the Certificate of mail receipts of neighbor notification.

The APPLICANT was represented by David McLary, Homeowner.

The Application is before the Board for site plan approval for a rear deck on an existing single family residence.

The Chairman reviewed the application. The application was before the Planning Board on March 17, 2021 and the Architectural Review Board on April 12, 2021. The ARB sent the recommendation form to the Board for approval.

The BOARD read and reviewed the report from Dennis Letson, Village Engineer, whose comments were entered into the record as follows:

*State Environmental Quality Review (SEQR)*

*Under the provisions of 6NYCRR Part 617.5c12, the project is a Type 2 action. No further review under SEQR is required.*

*Site Plan*

*1. Zoning*

* 1. *The proposed deck addition is compliant with zoning.*

*2. The application was previously reviewed March 17, 2021; we have no additional comments.*

The Board had no further comments at this time.

There were no comments from the public.

**MOTION:** Member Karen Olson moved to close the public hearing: **SECOND**: Joseph Heider; Unanimously APPROVED

**MOTION:** The site plan final approval is based on the following:

* The following plans referred to collectively below as the “Site Plan”.
* Site Plan for a rear deck on an existing single family residence, McLary Residence, prepared by Kier Levesque, Architect, dated February 23, 2021.
* Deck Plan and Details, (Page A-1), McLary Residence: prepared by Bart M. Rodi, Engineer, dated February 21, 2021, last revised February 23, 2021.

The BOARD approved the Applicant’s application for site plan approval for a rear deck on an existing single family residence on the Property subject to the following conditions:

1. Under the provision of SEQR this is a Type II action requiring no further review.
2. The applicant shall address to the reasonable satisfaction comments of the Village Engineer in his report dated May 19, 2021 and which are specifically set forth herein as conditions of approval.
3. The Applicant shall comply with the conditions and requirements set forth in the letter from the Architectural Review Board to the Planning Board submitted on this application April 12, 2021, which requires compliance with the architectural plans and finish schedule referenced in such letter.
4. This final site plan approval authorizes the applicant to undertake only the activities specifically set forth herein, in accordance with this resolution of approval and as delineated on the final site plan endorsed by the Planning Board Chairman. Any changes or modifications to such plan require amended site plan approval from the Planning Board.
5. The Site Plan shall be revised to include an entry in the revision note section to indicate the date that the plan is submitted for Planning Board signature. The description for the revision date note shall read “For PB Signature.”
6. This approval shall be void and of ne effect if a building permit for the work proposed herein is not issued within 3 years of the date of this resolution.

**MOTION BY:** Joseph Heider

**SECOND:** Karen Olson

**VOTE:** Unanimously APPROVED

Member Cynthia Turner left the meeting at 9:00pm.

**8:25pm: 517 North Broadway LLC, 517 North Broadway, County Map No. 60.10-01-19.**

Said property is located in Residential Zoning District R-2.

This APPLICATION submitted to the clerk the Certificate of mail receipts of neighbor notification.

The APPLICANT was represented by Eleanor Beckwith and Dena Prastos of TMS Waterfront and Raz Tirosh, Homeowner.

The Application is before the Board for site plan approval for seawall rehabilitation, pier and floating dock on an existing single family residence.

The Applicant’s representative, Eleanor Beckwith, TMS Waterfront reviewed the application with the Board. The applicant is proposing to reconstruct approximately 35 linear feet of the seawall and repointing of 45 linear feet. The 35LF of seawall has been eroded, it will be backfilled to meet the grade. There will be a tree and concrete slab removed. A fixed pier and floating dock is being proposed. They have received approval from the NYSDOS, NYSOGS, NYSDEC and the USACE in still pending. The area of where the staircase is was discussed. They will resetting the stairs. The pier will be fixed and the dock will be a floating. The erosion was discussed.

Member Karen Olson inquired whether the runoff pipe shown in the photo would be staying. The applicant state that it is connected to a catch basin for runoff from the property but it will be reconfigured to go through the wall instead.

The Chairman questioned why the tree is being removed, is it dead or in distress. The Applicant stated that the tree roots will probably be damaged during construction and could possibly come down and damage the seawall. They do not want to lose the tree but do not have a choice. They will be planting more trees on the property.

The BOARD read and reviewed the report from Dennis Letson, Village Engineer, whose comments were entered into the record as follows:

*State Environmental Quality Review (SEQR)*

*Under the provisions of 6NYCRR Part 617, the project is an Unlisted action. Short EAF has been submitted for review.*

*NYSDEC, in an uncoordinated review, has determined that the project will not have a significant impact on the environment. There are no additional environmental issues which the site plan application raises beyond those reviewed by the DEC. The Board may recognize the DEC determination and adopt a negative declaration.*

*Site Plan*

*1. Zoning*

* 1. *While recognizing that the application is for seawall repairs and pier/dock installation, the site plan should contain a complete bulk table with all relevant entries*

*2. The site plan should have metes and bounds added. While the Control Point survey was for topography and bathymetry, it references a prior survey that should contain the needed information.*

*3. NYSDECC permit has been secured. Provide copy of ACoE permit and DOS Coastal Zone Consistency determination.*

*4. The DEC permit refers to plans dated 8/7/2020, plans submitted are 2/10/21 and 4/1/21. Please provide plan set referenced on the DEC permit.*

1. *The seawall repair plans call for construction to elevation 8, narrative calls for elevation 5, please coordinate.*
2. *Sheet MR-08 is incorrectly titled “Pier Details 2”, please correct.*
3. Pile driving notes call for hammer driven piles, DEC permit condition requires vibratory driving, please revise plan notes.
4. Submittal plans call for seawall to be reconstructed with taper to meet existing; DEC permit approval is for a sloped rip-rap revetment, please clarify and coordinate. Detail of wall or revetment should be added to the drawing set.
5. Timber preservative treatment should be specified on the plans.

The Applicant had submitted by email the changes requested by the Village Engineer but the Board did not have the opportunity to review them before the meeting. The Applicant shared her screen with the survey noted in the Engineer report. The Chairman and Village Engineer stressed how important it was for the information to be on one page of the site plan. The various agency permits and their requirements were discussed. The length of the pier and dock were discussed. The length of the dock depends on the depth of the water and the size of the boat. There was a discussion of the lengths of other docks in the area. There have been numerous docks on the property that have been previously destroyed and not replaced. You can see the piling from a previous dock. The remnants of previous docks will be removed. The noise of the dock was discussed. The applicant stated that there will always be noise associated with the dock and reviewed the piles and how they will be installed to help limit the noise.

**MOTION:** Member Karen Olson moved to open the public hearing: **SECOND**: Peter Zajonc; Unanimously APPROVED

There were no comments from the public.

**MOTION:** Member Karen Olson moved to continue the public hearing: **SECOND**: Joseph Heider; Unanimously APPROVED

**9:38pm: Widewater Hudson River, LLC, 539 North Broadway, County Map No. 60.10-01-14.**

Said property is located in Residential Zoning District R-2.

This APPLICATION submitted to the clerk the Certificate of mail receipts of neighbor notification.

The APPLICANT was represented by Jay Greenwell, Land Surveyor.

The Application is before the Board for site plan approval for an in ground pool and pool house on property improved with an existing single family residence.

The Applicant’s representative, Mr. Greenwell, presented the revised plans to the Board. They have made the changes that the Planning Board had requested at the January 20, 2021 meeting and also the recommendations of the GML reviews. They received a recommendation of approval from the Architectural Review Board on March 8, 2021. The changes to the plans were reviewed. The application had received prior approval but it had expired before a permit had been issued. The pool and cabana shape has changed slightly since the original approval.

The BOARD read and reviewed the report from Dennis Letson, Village Engineer, whose comments were entered into the record as follows:

*State Environmental Quality Review (SEQR)*

*Under the provisions of 6NYCRR Part 617.5c12, the project is a Type 2 action. No further review under SEQR is required.*

*Site Plan*

*1. Zoning*

* 1. *Variances were previously granted by the ZBA.*
  2. *The project is compliant with zoning.*

*2. This is a request for re-approval of an expired approval.*

*3. Technical comments were addressed at the time of original approval.*

*4. On Sheet 9, the note regarding sheet modification on 11/9/20 should have “in red” deleted as the drawing is now submitted in black and white.*

The Board reviewed the GML response from The Rockland County Planning Board, the overrides can be done within the resolution if the Board approves the application.

The Village Council stated that the Board requested at the last meeting a table that summarizes everything but the Applicant felt it was easier to include all the plan approvals as part of the set which is very organized and easy to read.

The Board had no further comments.

**MOTION:** Member Karen Olson moved to open the public hearing: **SECOND**: Peter Zajonc; Unanimously APPROVED

There were no comments from the public.

**MOTION:** Member Karen Olson moved to close the public hearing to June 16, 2021: **SECOND**: Joseph Heider; Unanimously APPROVED

**MOTION:** The site plan final approval is based on the following:

* The following plans referred to collectively below as the “Site Plan”.
* Amended Widewater Site Plan, Re-Approval of Pool and Cabana, (Sheet 1-2), by Jay A. Greenwell, PLS, LLC, dated October 19, 2020, last revised April 16, 2021.

The BOARD approved the application for Site Plan approval for an in ground pool and pool house on the Property subject to the following conditions:

1. Under the provision of SEQR this is a Type II action requiring no further review.
2. The applicant shall address to the reasonable satisfaction comments of the Village Engineer in his report dated May 19, 2021 and which are specifically set forth herein as conditions of approval.
3. The Applicant shall comply with the conditions and requirements set forth in the letter from the Architectural Review Board to the Planning Board submitted on this application March 8, 2021, which requires compliance with the architectural plans and finish schedule referenced in such letter.
4. Comments from other Agencies commenting on this plan are herein incorporated as condition of approval. Clarkstown Planning Board, dated January 11, 2021, deemed for local determination. Rockland County Planning, dated January 19, 2021, except the Board expressly overrides Rockland County Planning Recommendation #1 as the Village Engineer, as Floodplain Administrator, has certified that the proposed construction is in compliance with the floodplain regulations and Rockland County Planning. Recommendation #3, override recommendation as it goes to the Storm Water Quantity Management and is not required in this instance.
5. The Site Plan shall be revised to include an entry in the revision note section to indicate the date that the plan is submitted for Planning Board signature. The description for the revision date note shall read “For PB Signature.”
6. This final site plan approval authorizes the applicant to undertake only the activities specifically set forth herein, in accordance with this resolution of approval and as delineated on the final site plan endorsed by the Planning Board Chairman. Any changes or modifications to such plan require amended site plan approval from the Planning Board.
7. This approval shall be void and of no effect if a building permit for the work proposed herein is not issued within 3 years of the date of this resolution.

**MOTION BY:** Karen Olson

**SECOND:** Joseph Heider

**VOTE:** Unanimously APPROVED

**9:57pm: Jasa 517 North RT 9W, LLC, 517 North Highland Avenue, County Map No. 60.09-02-01.**

Said property is located in Laboratory-Office District LO.

This APPLICATION submitted to the clerk the Certificate of mail receipts of neighbor notification.

The APPLICANT was represented by Louie Ahmetaj, Property Owner.

The Application is before the Board for site plan approval for three bay garage to be located on property currently improved with a commercial use located in the Laboratory-Office District LO.

The Applicant is proposing a three bay garage for his cleaning business that needs extra storage space and room to park vehicles. It will have a door and two windows. The building will be made of steel 24’Hx41’W.

The BOARD read and reviewed the report from Dennis Letson, Village Engineer, whose comments were entered into the record as follows:

*State Environmental Quality Review (SEQR)*

*Under the provisions of 6NYCRR Part 617, the project is an Unlisted action. A Short EAF has been submitted for review. Comments on the EAF are (numbering coordinates with EAF):*

*2. Should be Yes, action requires GML 239 review and approval by RC Planning.*

*17. Proposed action will create stormwater discharge, mitigation is proposed by installation of drywells.*

*EAF should be signed by the applicant.*

*The Board should have a corrected EAF prior to making a determination of significance.*

*Site Plan*

*1. Zoning*

*a.The project requires variances as noted on the plan.*

*b.Bulk table should show setback dimensions for both structures.*

*2. Correct the general notes to refer to building instead of house and correct municipality.*

*3. Additional screening should be provided on the south side of the lot in the buffer area.*

*4. Garage floor elevation should be added to the plan.*

*5. Show area for placement of excavated material or add note to remove all excavated material from the site.*

*6. The Board should see elevations of the proposed garage, height should be demonstrated on those drawings.*

*7. Silt fence is shown to be used on existing paved surface, revise.*

*8. Revise “Approved for Filing” signature block to “Owner” not “Fire Chief”.*

*9. Infiltration test will be required to verify the assumed infiltration rate.*

The EAF changes were reviewed and the Applicant will make the changes. The variances were discussed. Originally it appears that the building was used as a residence but was changed to commercial use. Village Counsel asked if the 39.7’ is existing non-conforming; there was a question if it predated the LO designation and the requirements for that setback. It will need a variance if it did not predate the zone change. The variance for the buffer was discussed. This property is located next to a residential zone on the south and east. The general notes on the site plan were discussed, there are different municipalities noted instead of Upper Nyack. A Stormwater agreement will be needed per the Village Engineer.

Member Joseph Heider questioned the bulk table referencing a garage and a house. The Village Engineer stated it is a mix.

Board members Joseph Heider and Peter Zajonc inquired why the structure was placed so close to 9W. The Village Engineer noted it was probably to take advantage of the existing asphalt. The Village Engineer shared an overhead view of the property. The Board reviewed different areas that the proposed garage could be placed on the property. The Board would like a landscape plan to be submitted.

The Applicant showed a rendering of a similar garage that they are proposing. It will be one or two feet higher than the house.

The Vice Chairman read the Rockland County GML review recommendations. The Board has some of the same questions as the review.

The vicinity map is very small and blurry and impossible to read. There was a discussion about the parking spaces and the ingress and egress of the garage. The front yard set-back was discussed in regards to the parking. Village Counsel noted that parking cannot be within the 25 foot setback. The number of parking spaces required was discussed. There was a suggestion to move the garage to where the shed is on the plan and keeping the parking where it is. The Village Engineer reviewed the alternate placement of the garage and the possibility of moving the shed. The applicant liked the idea of moving the garage to where the shed is currently, which would also improve the parking and move the shed to somewhere else on the property.

The Board would like the application to return with the new layout and the plan updated with the Village Engineer comments. A landscape plan should also be submitted.

**MOTION:** Member Joseph Heider moved to open the public hearing: **SECOND**: Karen Olson; Unanimously APPROVED

There were no comments from the public.

**MOTION:** Member Karen Olson moved to continue the public hearing to June 16, 2021: **SECOND**: Joseph Heider; Unanimously APPROVED

**10:45pm: Paul and Melissa Curley, 211 Kuyper Drive, County Map No. 60.05-02-33.**

Said property is located in Residential Zoning District R-1.

This APPLICATION submitted to the clerk the Certificate of mail receipts of neighbor notification.

The APPLICANT was represented by Paul Curley, Homeowner.

The Application is before the Board for site plan approval for an in ground pool on an existing single family residence.

The Applicant reviewed the proposed in ground pool that will be fenced in. A rear yard setback is required.

The Chairman inquired whether the applicant had already been to the Zoning Board of Appeals. The applicant stated he had because he wanted a 10 foot setback but only 15 foot was allowed. The Village Counsel noted the application had previously gone to the Zoning Board for determination of whether the setback goes to the pool or to the pool decking. The Board determined that it would be measured from the pool decking and made some recommendations to the application which have been incorporated into the plan before the Board now. It is now coming to the Planning Board with revisions to the plan so that it can take the typical course of review by attending the Planning Board first.

The BOARD read and reviewed the report from Dennis Letson, Village Engineer, whose comments were entered into the record as follows:

*State Environmental Quality Review (SEQR)*

*Under the provisions of 6NYCRR Part 617.5c12, the project is a Type 2 action. No further review under SEQR is required.*

*Site Plan*

*1. Zoning*

*a.Variance for rear setback required as noted in the bulk table and narrative.*

*b.The setback should be measured to the pool, measuring to the deck is overly conservative.*

*2. Note 16 appears to be a part of note 15, please check. This note can be revised, as tree locations are already included on the plan.*

*3. Note 19 appears to be a part of note 18, please check.*

*4. The drainage report referred to in the application narrative was not received with the submittal package.*

*5. I do not recommend the use of a perforated pipe to collect increased runoff, as it is subject to clogging and requires additional detailed drainage routing to insure that all additional runoff will be collected and routed to the proposed drywells.*

*6. Infiltration test will be required to verify infiltration rate.*

*7. A stormwater maintenance agreement will be required for the site.*

*8. The Building Inspector should be consulted to verify if a post and rail fence is acceptable as a pool enclosure.*

*9. Doors of the structure will require door alarms to be considered a part of the enclosure.*

1. *The drainage line to be relocated should be added to the plan.*
2. *Little grading is indicated on the plan, if excavated material is to be removed add that note to the site plan.*

*12. The proposed drywell should have an overflow, or is the grate intended to surcharge? Please clarify.*

Village Counsel noted that for comment 1b. the Zoning Board of Appeals determined that the measurement for the rear yard setback would be to the pool decking.

The plan should show the fencing types depicted clearly. The Chairman inquired about whether the garden bed on the south side of the fencing is for buffering, if so it should be noted on the plan. The applicant stated it is between the fence and the edge of the pool. The lighting being proposed should be shown on the plan. The applicant stated it just landscaping elements and he has not decided yet on what they will be so he does not have specifications. All elements should be noted on the site plan.

The Village Engineer went over different types of drywells that could be used, the applicants engineer will have to see what will work with the site.

The Applicant noted that there are some potential revisions to be done to the plan. The pool equipment might be moved from by the stairs to around the corner as it is closer to the electric. The applicant is also looking to move the pool approximately 8 feet to the west. There was a discussion about the setbacks of moving the pool west. The Board does not see any problems with it but the Chairman noted that when going to the ZBA these changes would need to be shown on the plan.

The Chairman reviewed the GML responses received. Clarkstown Planning Board deemed the application for local determination. The Rockland County Planning Board recommendations were reviewed.

**MOTION:** Member Karen Olson moved to open the public hearing: **SECOND**: Joseph Heider; Unanimously APPROVED

There were no comments from the public.

The intent of the Applicant is to move the pool approximately 8 feet to the west side but on the same plane that exists. There will be no change to the south side property line. The pool equipment will be moved to the east side. The Board refers the application to the Zoning Board of Appeals and the Architectural Review Board.

**MOTION:** Member Karen Olson moved to continue the public hearing to July 21, 2021: **SECOND**: Joseph Heider; Unanimously APPROVED

**There was no other business.**

The meeting was adjourned at 11:34pm.

Respectfully submitted,

Jillana Sinnott, Secretary