

**VILLAGE OF POMONA
PLANNING BOARD MEETING
AUGUST 17, 2023 – 7:30PM**

PRESENT:

**Dan Kolak, Planning Board Chairman
David Horowitz, Planning Board Member
Mark Friedman, Planning Board Member
Donna Poliseo, Planning Board Member
Eli Norowitz, Planning Board Member
Jonathan Lockman, Village Planner
Martin Spence, Village Engineer
Stephen Honan, Village Attorney
Jenna Antoine, Village Clerk**

Dan Kolak called the meeting to order at 7:32 pm and led the assemblage in the Pledge of Allegiance.

Dan Kolak opened the public hearing for 130 Camp Hill Road, this is a continuation.

A Meeting of the Village Board of the Village of Pomona, New York was convened on **July 24, 2023 at 7:30 p.m.**

The following Resolution was duly offered and seconded to wit:

RESOLUTION APPROVING SPECIAL PERMIT SUBJECT TO CONDITIONS FOR A HOUSE OF WORSHIP AT 130 CAMP HILL ROAD

WHEREAS, the Village of Pomona previously enacted and filed Local Law 1 of 2021 amending Chapter 130 of the Village Code regarding Neighborhood Houses of Worship, Residential Gatherings and Community House of Worship; and

WHEREAS, the Village Board of Trustees is the entity in the Village that approves Special Permits for Houses of Worship; and

WHEREAS, a neighborhood house of worship is a permitted use subject to special permit approval by the Village Board of Trustees, pursuant to §130-10.H; and

WHEREAS, the Village of Pomona (“Village”) received an initial application dated April 27, 2023 and an amended application dated May 22, 2023 (“Special Permit Application”) for a Neighborhood House of Worship (Project Name: “Congregation Bais Levi Yitzchok”) from Daniel Kirschenbaum (“Applicant”) proposed at 130 Camp Hill Road 60 Halley Drive in the Village, S/B/L 25.17-3-30 (“Subject Property”); and

WHEREAS, the Subject Property lot currently contains a 1 story residence, and it is located in the R-40 zoning district on the east side of Camp Hill Road. The lot has an area of 68,609 square feet. No wetlands or floodplains are present. The applicant plans to add a 7,845 square foot addition to the existing building to create a neighborhood house of worship with a total floor area of 9,447 square feet and 484 square foot Men’s Mikvah accessory building, for a total square footage of all buildings being 9,931 square feet; and

WHEREAS, such property is owned by Daniel Kirschenbaum; and

WHEREAS, such Special Permit Application was referred to the Village Planning Board;
and

WHEREAS, a public hearing was opened regarding the Special Permit Application on July 24, 2023 at 7:30 p.m. and all persons interested in being heard were afforded an opportunity to do so; and

WHEREAS, the Village Board has previously declared itself as lead agency for purposes of SEQRA; and

WHEREAS, the Village Board has reviewed Full Environmental Assessment Forms Part I, Part II and Part III concerning this action; and

WHEREAS, the Village Board desires to approve the Special Permit Application subject to conditions.

NOW, THEREFORE, it is resolved as follows:

Section 1. The above “WHEREAS” clauses are incorporated herein as if set forth in full.

Section 2. The Special Permit Application is hereby approved, subject to the following conditions:

Condition #1: The Applicant must obtain site plan approval from the Village of Pomona Planning Board prior to commencement of construction.

Condition #2: The Applicant must ensure that all proposed retaining walls having a maximum height of 4 feet and must specify the color, texture and nature of the proposed walls. Further, unless waived by the Planning Board, the Applicant must address comments from the Village Planner to the Village Planner's satisfaction.

Condition #3: Street parking shall not be permitted in conjunction with the proposed House of Worship as parking is prohibited on Camp Hill Road where the proposed House of Worship is located.

Condition #4: Applicant shall comply with the Village Code provisions concerning Houses of Worship and building construction, the State Building Code provisions applicable to the House of Worship and all applicable duly enacted laws and regulations pertaining to the health, safety and welfare of occupants and visitors to the House of Worship.

Condition #5. Unless waived by the Planning Board, Applicant shall address comments submitted by the Village Engineer.

Section 3. The Village Board hereby determines that the proposed action will not have any significant adverse environmental impact and hereby issues a negative declaration for the reason set forth in Part 3 of the Full Environmental Assessment Form.

Section 4. The Mayor, or in his absence or inability to act, the Deputy Mayor is hereby authorized to take any and all actions necessary to carry out the provisions of this Resolution. Further, all employees, officials and consultants, as directed by the Mayor (or Deputy Mayor) are hereby authorized to take any and all actions necessary to carry out the provisions of this Resolution.

Section 5. This Resolution shall be effective immediately.

The question of the adoption of the foregoing Resolution was duly put to a vote on roll call, which resulted as follows:

Mayor Ilan Fuchs	YES
Trustee Mendy Lasker	YES
Trustee Marc Greenberg	YES
Trustee Joel Grunwald	YES
Trustee Raanan Zidile	YES

The Resolution was thereupon duly adopted.

DATED: July 24, 2023

Rhonda Smith from Civil Tec addressed all comments made by Spence Engineering dated July 19, 2023. She also addressed all comments received from Nelson Pope Voorhis in a memo dated July 12, 2023. Questions from the Board regarding the plot plan were answered.

Per Jonathan Lockman there are no time constrictions for religious services. These laws were looked up by both Jonathan Lockman and Village attorney, Stephen Honan. If there is a complaint about noise above a certain decibel, the noise complaint would fall under other jurisdiction.

Per our attorney, Stephen Honan, once we have received an amended site plan it needs to be sent to all consultants to be reviewed. Martin Spence, Village Engineer will need to verify that the site plan is complete before the Chairman signs it. No further meeting is needed for resolution approval. Below the Planning Board voted on the matter.

Dan Kolak made a motion to approve the Final Site Plan approval for the Project Congregation Bais Levi Yitzchok at 130 Camp Hill Road, Pomona New York 10970, a Site Development Plan for a Neighborhood House of Worship. The motion was seconded by Donna Poliseo. Upon vote, the motion was carried by all present, 5-0.

Donna Poliseo made a motion to approve the Meeting Minutes from July 20, 2023, with one correction noticed by Mark Friedman. The last page needs to say made a motion to “close” the public hearing, not adjourn the public hearing. The motion was seconded by Mark Friedman. Upon vote, the motion was carried by all present.

Dan Kolak made a motion to adjourn the Public hearing at 8:05 pm. The motion was seconded by Donna Poliseo. Upon vote, the motion was carried by all present.

Minutes respectfully submitted by Jenna Antoine, Village Clerk