

**VILLAGE OF SPRING VALLEY  
PLANNING BOARD  
February 4, 2010**

A Regular Meeting of the Spring Valley Planning Board was held in the Board Room of the Village Offices on Thursday, February 4, 2010.

**PRESENT:** Chairperson Lorenzo Garner, presiding

Members:                               Freddie Crump  
  Aaron Sternberg  
  Rosner Dorvil  
  Sylvestre Georges Michel  
  Levi Schwartz

Asst. Village Attorney:           Edward Katz  
Assoc. Planning Consultant:     Michael Kauker  
Deputy Building Inspector:     Walter Booker  
Deputy Village Clerk:            MaryAnn Healy

**Chairman Garner** called the meeting to order at 7:16p.m.

**Chairman Garner** Opened the meeting by voting on the minutes from November 5, 2010

On a motion by Mr. Sternberg and a second by Mr. Crump the board voted unanimously to approve the minutes of November 5, 2009.

After the Board approved the minutes from November 5, 2009, Mr. Garner went right into the meeting with the first order of business.

**PRELIMINARY HEARING  
140-150 WEST ECKERSON ROAD/T-MOBILE NORTHEAST**

The Preliminary Hearing was opened at 7:28 p.m. by Mr. Garner for 140-150 West Eckerson Road/ T-Mobile Northeast.

**Mr. Garner:** The applicant did not appear last month. When this matter was last heard in October 2009 the applicant was seeking site plan approval to place 6 antennas within a 120' high stealth monopole. And at that time the Board had asked the applicant what other locations for the pole had been considered and also requested a visual impact analysis. Mr. Garner stated that he believed it had been done, and the board has deferred a referral to the Village Board until these matters were resolved. The county Planning Department in its GML review recommended that the RC Dept. of Highways review the application; a visual analysis study has been done due to the proposed height and proximity to residential properties in the Town of Ramapo. The County also asked whether a flag is proposed to be flown from the pole and, if so, stated that such a large flag will generate significant noise on windy days.

There was no appearance by the applicant. The matter was adjourned to the March meeting.

**CONTINUATION OF PRELIMINARY HEARING  
POST OFFICE SQUARE/ WEINSTEIN**

**Mr. Garner:** This is a continuation of a preliminary hearing on an application seeking site plan approval to construct a commercial building having stores facing Main Street and two floors atop of commercial space. Last month the applicant had not provided detailed plan for review by the Village's Planning Consultant. Mr. Kauker has now had an opportunity to review the plans and has commented on them. The applicant seeks a public hearing next month.

**Kevin Conway, Esq.:** appearing for the applicant along with Jay Greenwell and AJ Copolla.

**Kevin Conway:** Mr. Kauker has reviewed the plans and requests and the additional information regarding the height of proposed plantings.

**Mr. Jay Greenwell:** I will answer all questions and address any issues in the matter of why I did not join the two buildings together.

**Mr. Garner:** This matter is going to be set for a public hearing next month

**PUBLIC HEARING  
9 Zeissner Lane/ Goldman**

**Mr. Garner:** Made the motion to open the Public Hearing at 7:40, the motion was moved by Mr. Dorvil and second by Mr. Schwartz.

**Mr. Garner:** This matter was set for a public hearing on an application site plan approval to construct as addition onto an existing one family residence located in a flood overlay zone.

**Mr. Booker:** The residence will then be a two family home which is permitted in this R1A zone. Approval must be conditioned on the applicant obtaining variances from the ZBA.

**Mr. Garner:** A public hearing before the Z B A is scheduled for February 10, 2010. The reason this matter is before us before the applicant has obtained the required variance is that the applicant is anxious to proceed and already has been delayed one month because the Village has failed to forward the legal notice to the Journal News.

**Mrs. Goldman:** I am appearing for the applicant. Since this property will be a two family home after the proposed conversion, four parking spaces are required. The Z B A will have to grant a variance for this.

The hearing was closed at 7:50 and the board approved the site plan subject to the Z B A granting the necessary variances. The Planning Board, contrary to its usual procedure, agreed to the site plan before the Z BA granted variances. This departure was allowed only because the clerk's office had failed to timely publish a notice of a public hearing in the newspaper and thus

delayed the applicant by a month. The applicant was appreciative, because they are in a hurry to complete the project.

## **OLD BUSINESS**

### **5-7 RIDGE AVENUE**

**Mr. Garner:** The applicant is seeking approval of an amended site plan. The Planning Board approved this 15 unit multi-family development in July 2008. It has not been constructed. As I understand it the applicant is seeking to increase the number of units from 15-18 and to eliminate the requirement of a community room. The additional three units would be built where the community room would have been and there will be three stories in that area, rather than one. There will be no change in the footprint of the project.

**Mr. Katz:** I have spoken To Mayor Jasmin who advised me that her Board is insisting on not putting a community room.

**Mr. Garner:** The applicant needs to return to the Z B A for the variances for more than the number of units per acre; floor area ratio and parking. The Board needs to determine whether a public hearing is required before approving the amended site plan. James Licata, Esq. is appearing for the applicant in this matter.

**James Licata, Esq.:** Stated that the original plan called for 15 condos and a community room. The new plan does not change the foot print. It would, how ever remove the community room which the current Village Board does not like and add three small apartments one atop the other in its place. This increase in units requires additional variances from the Z B A. Upon completion there will be 15 three bedroom units and three two bedroom units. Six of the units will be handicap accessible.

**Mr. Garner:** The Board does not believe that the changes requested required the applicant to appear before the Board for another public hearing, mostly because the applicant needs variances from the Z B A and the public will have an opportunity to voice opinions in that forum.

The Planning Board voted to refer the applicant to the Z B A 4-1 Mr. Garner opposed, and Mr. Crump abstained. Then the board voted in the same manner to approve the site plan subject to the Z B A granting variances. Since a public hearing was not necessary, the Planning Board agreed to approve the site plan before the Z B A considered the variances.

### **146 N. Main Street/ Sam's Service Center**

**Mr. Katz:** The applicant is asking this Board to remove a restriction in the site plan which prohibits him providing car washing services to the general public. This restriction was placed in the site plan at the request of former Mayor Darden. I have spoken with Mayor Jasmin who has authorized me to tell you that she and the current board members support removal of the restriction as requested by Mr. Naemit. The code allows car washing as accessory to auto repair, the proposal does not violate the Village's zoning code.

**Sam Naemit:** Mr. Naemit appeared before the Board to ask to remove the restriction which did not permit him to wash vehicles other than those which he serviced. Mr. Naemit stated that he has adequate room on his premises for cars waiting washing to line up without staging on Columbus Avenue.

**Mr. Sternberg:** Complimented the site for its beauty

**Mr. Dorvil:** Stated that he has not seen a lot of vehicles on the site.

**Mr. Schwartz:** Expressed his concern about too much traffic if the restriction is removed.

**Mr. Michel:** Stated that no cars should be allowed to make a left turn out of the site onto Route 45.

**Mr. Naemit:** Stated that he agreed with all the statements, which were made from the Planning Board members. Mr. Naemit also agreed that this decision requires approval from the Village Board

**Following much discussion the Board voted to remove the condition subject to that no cars being staged on the north side of Columbus Avenue waiting to proceed into the car wash. The Board further recommends that the Village Board prohibit parking and standing on the north side of Columbus Avenue for a reasonable distance from Mr. Naemit's property.**  
**Madison Avenue Townhouse/ Weissmandel**

**Mr. Garner:** The applicant is seeking an amendment to their site plan. Mr. Ira Emanuel Esq is here to explain what the applicant seeks and the reasons for this request. It is up to the Board to determine whether this amendment requires another public hearing or is not serious enough to require a hearing.

**Yehuda Weissmandel:** Mr. Weissmandel stated that the site is built but has been standing empty because there is no market for these units as is.

**Mr. Ira Emanuel:** Spoke and stated that Mr. Weissmandel wants to take the basements of 10 of the units and turn them into one bedroom units. This requires a 21% reduction in parking which this Board is empowered to grant. He also would be happy to remove the community room. It is not needed for apartment rentals and is mostly used by younger people as a place to hang out and the managers already have to put locks on it to prevent such use.

**Yehuda Weissmandel:** Mr. Weissmandel also stated that there are no restrictions on who can rent these apartments, and presently there are 5 units already rented. The rest of the units are vacant.

**The Board voted unanimously to grant the 21% parking reduction. The Board also voted unanimously to approve the amended site plan which was last revised on January 5, 2010. Units 10-28 will have 1 bedroom units on the lower floor, and a small kitchen and living room area. The Board unanimously voted to approve the removal of the community room.**

Mr. Garner: If there is no further business to be address, I am making the motion to now adjourn the meeting. Motion moved by Mr. Dorvil 2<sup>nd</sup> by Mr. Crump, The Planning Board meeting for February 4, 2010 was adjourned.