

VILLAGE OF SPRING VALLEY
PLANNING BOARD

MARCH 4, 2010

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

PRESENT: Chairperson Lorenzo Garner, presiding

Members: Rosner Dorvil
Freddie Crump
Levi Schwartz
Sylvestre Georges Michel
JoAnne C. Thompson
Juan Carlos Fabbiani

Absent: Aaron Sternberg

Asst. Village Attorney: Edward Katz
Assoc. Planning Consultant: Michael Kauker
Deputy Building Inspector: Walter Booker
Village Clerk: Sherry Scott
Clerk Typist: Kathryn Ball

Chairman Garner called the meeting to order at 7:15 p.m.

Chairman Garner opened the meeting by voting on the minutes from January 7, 2010

On motion by Mr. Dorvil and a seconded by Mr. Crump, the board voted unanimously to approve the minutes of January 7, 2010 abstains, JoAnne Thompson and Carlos Fabbiani

After the Board approved the minutes from January 7, 2010, Mr. Garner announced that the board had two new members, JoAnne Thompson, and alternate board member Carlos Fabbiani. Mr. Garner also announced that the new members would have to take federation classes which Mr. Booker will get the dates for. They must take all three classes, and in addition they must attend the federation banquet ball. In addition Mr. Garner also announced that the member needed to get their Id cards renewed, and Mr. Booker announced that he would look into it

**PUBLIC HEARING
POST OFFICE SQUARE/ WEINSTEIN**

The Public Hearing was opened at 7:25 p.m. Mr. Garner asked if all mailings were done for this matter, and stated by the Village Clerk all mailings were done, pertaining to this matter.

Mr. Kevin Conway attorney presiding in this matter, presented the plan in the matter of the Post Office square, and is requesting a Negative Declaration be adopted in for this project. Mr.

Conway's Client wants to buy the lot, and the purpose of the project is to upgrade the lot as part of the Urban Renewal. At the completion of the project, the client will own the property upstairs there are to be office, the parking area behind the building will be for staff the downstairs portion of the building will be for the retail business, situated right near the Post Office in order to gain revenue for the village, and for the benefit of the neighborhood there will be a public plaza.

Mr. Katz: Stated that the applicant is asking for site plan approval.

Michael Kauker: Did prepare a negative declaration for the board dated 3/4/2010.

Jay Greenwell: Addressed the issues of the sidewalk and curb cuts. Mr. Greenwell stated that the he needs to submit the current plans to the D. O. T for the curb cut and for the sewage state draining system, when the applicant addresses the curb cut at the S. W. corner. The work that is being done requires us to have a D. O. T permit and we are in the process of submitting the plans and upgrade in condition of the permit.

Mr. Dorvil Asked if the curb cuts were going to be to be on Madison Ave or were they going to be on Church Street. Mr. Dorvil also asked Mr. Katz if he knew how many spots that the parking lot has now. Mr. Katz's answer to the question was that he did not know.

Mr. Booker answered the question to the best of his knowledge that there are approximately 60 spaces now. Mr. Dorvil's concerns with the new parking lot is that now there is only going to be 50 spaces to park, and that there is not going to be enough parking spaces for the customers.

Mr. Garner at 7:45p.m opened the hearing to the public

David C. Smith, property owner 21, 23, 25 West Church Street, expressed his concerns that the north side of the project faces his building, and there is only 12 spaces for tenants and tenants use those spaces all throughout the day. Mr. Smith feels that this project will be an inconvenience to his tenants and the other shop owners on the block, and all Mr. Smith is asking for is that what ever decision is made that his business be considered.

Mr. Katz, Answered Mr. Smith's statement by stating that the concerns with the parking spaces would have to be brought in front of the Village Board, at their next meeting.

Mr. Dorvil, asked and wanted to know if the tenants used the parking space he was talking about.

Mr. Smith wanted to know what the rule of thumb was for parking.

Mr. Kauker replied that there should be one parking spaces for every 300ft. Once again Mr. Smith thanked the board and asked again that his businesses be considered in the planning.

Mr. Garner motioned to close the public hearing at 8:15p.m.

Moved by Mr. Dorvil second by Mrs. Thompson, the negative Declaration was adopted unanimously, by the board. The site plan with an original date of 8/26/2009 and last revised on

1/6/2010 was approved by the board on a vote of 5 to 2. With Mr. Schwartz and Mr. Fabiani voting no on the matter because they feeling that the parking is not sufficient enough and is going to be a problem.

**CONTINUATION OF PRELIMINARY
HEARING 140-150 W. ECKERSON ROAD T-MOBILE NORTHEAST**

Mr. Garner: This is a continuation of a preliminary hearing for the applicant seeking sight plan approval to place 6 antennas within a 120 foot high stealth monopole. The applicant has not appeared before the board since, October 2009. The Board has asked the applicant to prepare a visual impact analysis. The County Planning Dept has also requested this and further asked for it to be reviewed by the Department of highways. Finally, the County wants to know whether the pole will have a flag flown from it. The concern for this is because that a large flag will generate considerable noise on windy days.

An attorney with the firm of Snyder & Snyder appeared on behalf of the applicant. She stated that a visual analysis had been done and presented it to the board and Mr. Kauker.

Mr. Kauker: Stated that he wanted to see a photo showing the pole superimposed showing the view of the surrounding residential properties.

Mr. Garner: Also that the applicant needs to show alternative locations it considered to the Village Board and the Planning Board. The Planning Board is referring the applicant to the Village Board for a special permit consideration and to the Zoning Board Appeals if necessary.

WALGREEN'S

Mr. Garner: This is an initial preliminary hearing on an application seeking site plan approval to construct a Walgreen's drug store at the intersection of Rte. 45 and 59 where the car dealership used to be.

Ira Emanuel, Esq appeared for the applicant with Andrew French, the architect, and Ms. Vienna from Walgreen's site selection group. The proposed store will occupy 14,820 sq. Ft. and contain 47 parking spaces. 60 spaces are required by the zoning code. A traffic study has been ordered. The applicant will need a referral to the Village Board and to the Zoning Board of Appeals for a pylon sign.

Mr. Booker: Also part of the property is zoned an R-3 and the applicant will be asking the Village Board to re-zone it to GB. It is hard to understand why there is any R-3 in that area.

Mr. Garner: The Planning Board is designating itself as the lead agency for SEQRA purposes and the project was given an unlisted designation. This matter is to be continued to the April Meeting.

21 WEST STREET/

METRO PCS

Mr. Garner: The Village Board held a hearing regarding special permit to permit the co-location of wireless communication antennas and equipment at the DOPW facility.

The applicant appeared by counsel. The applicant served the neighboring properties believing that the Planning Board hearing tonight was a public hearing.

Mr. Katz: This was erroneous.

Mr. Garner: A public hearing is set for next month and, we apologize to those neighbors in the community that are present that came out to oppose the application. The Planning Board will be able to then consider weather or not to approve the site plan conditioned upon the Village Board issuing the special permit.

CCR DEVELOPMENT/LEVY PLAZA CONDO'S

Mr. Garner: This matter has been adjourned until Mr. Kauker and Mr. Getsmer has all paperwork ready, for the board to review. If no new info is received do not put it on the agenda for the upcoming Planning Board meeting in April.

NEW BUSINESS

Mr. Booker: The Village Board has referred to the members of the Planning Board for its comments on a proposal to change 11 parcels of land on Ridge Avenue from an R-2 to an R-3 zone. I forwarded to each of you a memorandum and a map showing which parcels will be changed if the Village Board adopts a local law making these changes.

Mr. Katz: The Village Code requires the Village Board to ask the Planning Board for comments on the subject before the Village Board enacts a zone change. Any comments you make will be transmitted to the Village Board for their consideration.

Several members of the Planning Board asked why the Village is considering this zone change. Mr. Katz told them that it originated with the owner of the two lots who wanted to develop them as an R-3 and met with the Mayor who approved it.

Mr. Katz: The Planning Board has asked me to request that the Village Board provide a further explanation for the proposed zone change.

Mr. Garner: This matter will be adjourned to the April meeting

As there was no further business to come before this board, on a motion by Mr. Schwartz and seconded by Mr. Dorvil, the board voted unanimously to close the meeting at 9:00 p.m.