

**VILLAGE OF SPRING VALLEY
PLANNING BOARD**

MAY 6, 2010

A Regular Meeting of the Spring Valley Planning Board was held in the Board Room of Village Offices on Thursday, May 6, 2010.

PRESENT: Chairperson Lorenzo Garner, presiding

Members: Rosner J. Dorvil
Freddie Crump
Aaron Sternberg
Levi Schwartz
Sylvestre Georges Michel
JoAnne C. Thompson

Alternate: Juan Carlos Fabbiani

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

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

Chairman Garner: Led the assembly in the salute to the flag.

After the salute to the flag was over, Chairman Garner made the motion to vote on the minutes from April 1, 2010, motion to approve minutes from April 1, 2010 was moved by Mr. Dorvil second by Mr. Schwartz; all in favor all apposed the motion carries.

**CONTINUATION OF PRELIMINARY HEARING
WALGREEN'S**

Chairman Garner: This is a continuation of the preliminary hearing. Last month the applicant was referred to the ZBA for a sign variance and to the Village Board for consideration of a zone change.

Mr. Katz: Also, the Planning Board declared itself lead agency and notice of this declaration was immediately sent to all those entitled too such notice. More then thirty days have elapsed since the declaration of lead agency and no other entity has asked to be lead agency. Therefore, the Spring Valley Planning Board is declared the Lead Agency for this matter and may proceed toward a SEQRA determination. Last month the Board also adopted Part 2 of the Full Environmental Assessment Form. The applicant has now also produced and submitted a full traffic study for the Board to review.

Ira Emanuel, Esq.; spoke on behalf of the applicant and summarized the basics of the project.

Ira Emanuel, Esq.: Spoke and advised the Board that the applicant has now submitted and EAF Part 3, in response to the Village's adoption of a part 2 EAF that was previously submitted. Mr. Emanuel also stated that the applicant has also prepared and submitted a traffic study done by Mr. John Jar.

Mr. John Jahr, Traffic Engineer located at 777 Chestnut Ridge Road Chestnut Ridge, NY 10977, spoke for the applicant, and stated the findings to the Board of the Traffic Study that he had conducted.

Mr. Jahr: From the study that was conducted, I have determined that there were no adverse traffic impacts pertaining to this project. Mr. Jahr stated that making a left turn leaving the site from route 59 might present some problems. However, a customer could leave the site at two other locations, and believes that most of the customers will choose to do so.

Since the Board had not had the opportunity to review the traffic study, Mr. Emanuel, and Mr. Jahr agreed that Mr. Jahr would, if necessary, return to the next meeting to answer any questions that the Board may have.

Mr. Emanuel: I also want to advise the Board that the applicant has arranged a meeting with fire inspector for next week, and what we are looking from the Board tonight is a Negative Declaration.

Mr. Kauker: Spoke and stated to the Board members that he has had the opportunity to review the applicant's part 3 and saw no problems that could not be mitigated.

Mr. Katz: Spoke and stated that last month, that the Village of Spring Valley Planning Board had declared itself lead agency on this project. And by doing so I believe the applicant does need a Public Hearing.

Mr. Kauker: Responded by saying that Mr. Katz was right and the applicant did not need a Public Hearing, and we have prepared a Negative Declaration for this application dated May 6, 2010.

Mr. Dorvil: Asked Mr. Kauker if he stated that the applicant did not have to come back for a Public Hearing.

Mr. Kauker: Responded to Mr. Dorvil by saying yes that is correct the applicant does not have to come back for a public hearing due to the fact the Planning Board declared itself as the lead agency on the project.

Mr. Dorvil: Asked the applicant if they could consider giving the contractor's that work in the Village of Spring Valley the job, rather than giving it to outside contractors.

Mr. Emanuel: Responded to Mr. Dorvil by saying that I'm sure that the applicant would definitely consider that as an option.

After all questions and comments were made and answered the Board then took the following actions.

To adopt a negative declaration dated May 6, 2010, pursuant to SEQRA regulations, motion moved by Mr. Dorvil second by Mr. Sternberg, all in favor all apposed the motion carries.

To refer the applicant to the Village Board to seek a zone change motion moved by Mr. Schwartz second by Mr. Sternberg, all in favor all apposed the motion carries.

To refer the applicant to the Zoning Board of Appeals to seek a sign variance, motion moved by Mr. Sternberg second by Mr. Schwartz, all in favor all apposed the motion carries.

PRELIMINARY HEARING THE COMMONS

Chairman Garner: This is an initial preliminary conference on an application seeking site plan approval to construct a 64 unit apartment complex consisting of two four story buildings (32 units each) with parking on an adjacent parcel to the north situated in the Town of Ramapo. Each unit will have two bedrooms. The parcel of land is designated for the Parking Lot is in the PRD Zone. I also note that the parking is in the Town of Ramapo and the buildings are in the Town of Ramapo. To prevent the parking area from being sold separately from the buildings, the deed needs to contain restriction preventing the sale of the parking parcel separate from the building parcel. Also, the entrance to the building parcel is through a parcel of land owned by the applicant in the Town of Ramapo and he will need to grant a perpetual easement onto that piece of property.

Mr. Katz: The Board needs to declare lead agency and give notice of this declaration to all entities entitled to it. The applicant needs referrals to the ZBA for variances and to the Village Board for a Special Permit to construct multi-family housing in the PRD Zone.

Ira Emanuel Esq: Stated that this is a new application to construct an apartment complex on Barnes Street. There are 2 lots, each about an acre in size. One lot is in Spring Valley and the other lot is in the Town of Ramapo. The Spring Valley lot is an R-2 zone and is eligible for PRD designation by the Village Board and, if granted, multi-family housing can be built. The Ramapo lot is in their R-15 zone and multi-family housing is not permitted. Therefore, the applicant proposes to place the parking on the Ramapo lot and the two apartment complexes on the Village lot. The property is landlocked. The applicant owns the properties on the South and East sides of the project and will grant an access easement and/ or transfer ownership of the entrance/ exit area to the project. The land slopes west to east. This means that the height of the building as seen from Rose Avenue will not appear out of character with the neighborhood.

John Atzl: Appeared as the architect and planner for applicant and he spoke and advised that the two buildings will contain 4 stories and all units will have two bedrooms.

Ira Emanuel: Stated that he provided Mr. Kauker with a narrative for the special permit. He requested a referral to the Village Board for PRD designation and a special permit to construct multifamily housing. He understands that the Village Board will not approve the special permit until the Planning Board has completed SEQRA.

Mr. Kauker: Stated that the applicant needs the variances for rear yard, height and f.a.r., parking and density is greater than 18 units per acre. Parking requirement is 128 spaces and applicant proposes 88 spaces. There is no recreation area on site.

Mr. Emanuel: advised the Board that there is a public park one block away.

Mr. Booker: Asked the applicant if he could provide 1.5 spaces per unit.

Mr. Atzl: Responded to Mr. Booker by saying they might be able to come close.

The question arose whether annexation of the Ramapo lot was possible. This would permit a better design. The applicant indicated that this might be possible.

The Planning Board declared its intention to be lead agency and Walter Booker was directed to notify the appropriate agencies of this intention. The Board further referred the applicant to the Village Board for the PRB designation and Special Permit consideration and to the Zoning Board of Appeals for variances. It is understood that no final action would be taken by either the Village Board or the Zoning Board of Appeals until the Planning Board finished with SEQRA review.

Chairman Garner made the Motion to Declare the Planning Board to be lead agency of the project so moved by Mr. Dorvil second by Mr. Schwartz all in favor all apposed the motion carries.

On a motion for referral for the PRB designation and Special Permit consideration, so moved by Mr. Sternberg second by Mr. Dorvil all in favor all apposed the motion carries.

On a motion for referral to the Zoning Board of Appeals for Variances, so moved by Mr. Sternberg second by Mr. Schwartz all in favor all apposed motion carries.

**PRELIMINARY HEARING
30-50 ROBERT PITT DRIVE**

This is an application to modify an existing site plan to permit a religious use. The existing building houses offices, medical offices, retail and warehouse uses. The applicant seeks to use 7,260 sq. ft. as a synagogue with a social hall for Viznitz sect of Judaism. All construction is interior. The site is in the PL1 district which permits churches and other places of worship as of right. The applicant asks the board to treat this matter as “old business” because the building is a existing one and no exterior changes are proposed.

Ira Emanuel: appeared for the applicant. Mr. Emanuel stated that the property is across from the Monsey Post Office. The applicant seeks to convert 7,300sq. ft. of existing space to a synagogue and a wedding hall. No exterior work is needed. The other uses in the building do not conflict with the use sought by the applicant. 75 parking spaces are required for the applicant's uses.

Anthony Celentano, engineer for the applicant appeared and stated that the site is a good one for the uses because there are no homes in the area and there is a lot of parking both on the premises and nearby. Further, the other uses on the site will be closed at the time when wedding and synagogue activities are in progress.

Mike Kauker, advised that the no. of parking spaces required by the entire site increase because of the new use. 205 spaces are needed as the site presently exists and 273 will be needed including the new uses.

Mr. Emanuel: Stated that the parking will be adequate because the other uses will not conflict with the applicant uses, which will be confined to evening Friday and Saturday.

The Planning Board determined that the additional use did not require a public hearing because the proposed new uses left the exterior unchanged and the parking situation would not present a problem due to the absence of conflicts regarding the times of use.

Chairman Garner: made the motion to accept lot 56.51-1-1 the amended site plan with an original date of 2/12/10 which was last revised 3/10/10, motion moved by Mr. Sternberg second by Schwartz all in favor all opposed the motion carries.

PLAZA

CCR DEVELOPMENT/ COLE LEVY

ALAN GESTETNER

Chairman Garner: This is a continuation of a Public Hearing on an application seeking site plan approval to construct 85 apartments above existing retail space. The matter was last heard by this Board on January 7, 2007. Since that meeting the applicant appeared before the Village Board and obtained approval on an amended special permit rental apartments rather than condos and increasing the number of units from 82 to 85. Many members of the public appeared in opposition to the special permit. Nevertheless, the Village Board granted it. The applicant has provided a traffic study and complied with Mr. Kauker's request for technical corrections to previously filed documents. The matter is on tonight to complete the public hearing and, if Mr. Kauker, believes that the documents are complete to close the hearing and submit the application for site plan approval to the Board for a vote.

Mr. Gestetner: Appeared for the applicant, and stated that there will be 55 2 bedroom apartments and the rest will be 2 bedrooms.

Mr. Kauker: Spoke and stated that the revised site plan was correct; the traffic study indicated no substantial problems; the drainage calculations by Mr. Celentao show no net increase in runoff. And I have prepared a negative declaration for this application.

The Village Board granted a special permit on 1/26/10. Ms. Winsome Wright who lives nearby presented a letter from the State D.O.T. expressing the need to review revised plans and further stating that if the project required changes to traffic light patterns, the applicant would be responsible for the costs.

Mr. Dorvil made the motion to close the public hearing at 8:25 p.m. so moved by Mr. Schwartz second by Mr. Sternberg all in favor all apposed the motion carries.

To adopt the negative declaration dated May 6, 2010 so moved by Mr. Sternberg second by Mr. Schwartz all in favor all apposed the motion carries.

To approve the site plan with an initial date of 1/2/07 which was last revised on 3/22/2010 subject to the approval of the D.O.T. so moved by Mr. Sternberg second by Mr. Schwartz all in favor all apposed the motion carries.

Mr. Booker: Stated that he will see that the site plan is not signed, and no permit to build will be issued until the D.O.T. signs off.

OLD

BUSINESS/HOLIDAY INN

The Holiday Inn was added to the agenda- Mr. John Atzl; architect appeared for the applicant and advised that there have been so substantive changes in the plans. The applicant ran into delays with the D.O.T. and the Drainage Agency. He requested an extension of the site plan.

Motion to extend the application for six months from the date it expired, so moved by Mr. Crump second by Mr. Sternberg all in favor all apposed the motion carries

As there was no further business to come before the board, Chairman Garner made the motion to adjourn the meeting at 8:50p.m, motion so moved by Mr. Schwartz second by Mr. Sternberg all in favor all apposed the motion carries.