

**VILLAGE OF SPRING VALLEY
PLANNING BOARD
MINUTES
July 7, 2011**

A Regular Meeting of the Spring Valley Planning Board was held in the Board Room of the Village Offices on Thursday, July 7, 2011.

PRESENT: Chairman Lorenzo Garner, presiding

Members:

Rosner Dorvil
Freddie Crump (Absent)
Aaron Sternberg
Sylvestre Georges Michel
Levi Schwarz
JoAnne Thompson
Juan Carlos Fabbiani (Alternate)

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

Chairman Lorenzo Garner called the meeting to order at 7:12 p.m.

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06/02/2011

On a motion by Mr. Dorvil and seconded by Mr. Thompson, the Board voted to approve the minutes of June 2, 2011, with Mr. Schwartz abstaining due to not being at the June 2, 2011 meeting.

Public Hearing
58 North Main Street/Collishaw

Mr. Katz:

This is an initial public hearing on an application for site plan approval to convert the second floor of an existing building into two residential units (1) two bedroom apartment, and (1) three bedroom apartment. The Planning Board previously adopted a negative declaration on December 2, 2010.

The public hearing was declared open, and the clerk confirmed that all the postings and mailings had been done for the application.

Jim Licata, Esq 222 Route 59 Suite 111 Suffern, New York 10901:

Just to give you a brief summary of what has been going on, because it has been awhile since we have been before this board. On April 12th of this year the Village Board approved our application to put these apartments into the Main Street section of Spring Valley. We also required some variances from the Zoning Board of Appeals; we received our variances on May 11th of this year. Last month we were here to set a date for a public hearing. Now we are here for the public hearing for final site plan approval. I think you know the property. It is an existing building; the blue print will not change all the work is internal. There are stores on the bottom floor. It is a two story building, and there will be (1) two bedroom and (1) three bedroom that was the numbers that were approved by the Village Board and by the Zoning Board of Appeals. I would just like to read a brief quote from Mr. Kauker's letter, Mr. Kauker wrote a letter about the project back on December 17, 2010 and I'm just going to read his conclusion, it is very brief. The proposed conversion of existing space in this building to residential should not result in any significant impact or in fact consistent with the Villages Urban Renewal Plan. The proposed development would not result in any structural change or enlargement to building, only the reuse of existing interior space. That recommendation back then drove the Village Board to allow us to have a special permit. It was in line with the Urban Renewal Plan of the Village.

Chairman Garner:

I am going to refer to Mr. Katz for any legal input.

Mr. Katz:

I have nothing to add to that.

Chairman Garner:

Mr. Kauker do you have any comments?

Mr. Kauker, 356 Franklin Avenue Wyckoff, NJ 07481:

I have no additional comments.

Chairman Garner:

Mr. Booker do you have any comments?

Mr. Booker:

I have no comments.

Chairman Garner:

Do any members from the Board; have any questions or comments for the applicant?

There were no questions or comments from the members of the Board. Chairman Garner then opened the hearing up to the public for any comments.

There was no public participation, Chairman Garner entertained a motion to close the public hearing.

This was so moved by Mr. Schwartz and seconded by Mr. Sternberg, all in favor; all opposed the motion carries.

A motion was made to approve the site plan originally dated May 7, 2010 and last revised April 20, 2011, so moved by Mr. Sternberg and seconded by Mr. Schwartz. The board voted unanimously to approve the site plan.

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**Continuation of Preliminary Hearing
Valley Side Gardens 275-287 Route 59**

Mr. Katz:

This is a continuation of a preliminary hearing on an application seeking a 4 lot subdivision and site plan approval to construct (42) units of housings. Last month this Board adopted a Part 2 EAF and the applicant needs to provide a Part 3 response. Also at the Board's direction a traffic study needs to be provided. Finally, the applicant agreed to amend the site plan with respect to parking. I also understand that the applicant has reduced the size of the project by (6) units.

Jim Licata, Esq 222 Route 59 Suite 111 Suffern, New York 10901:

A full EAF had been filed. The Planning Board adopted a Part 2 at last month's meeting, and the applicant has responded with a Part 3. The applicant has also reduced the number of units from 42 to 36, this reduced the number of buildings by (2). This also reduces the number of variances that we need. We no longer need a front yard variance. So tonight we are seeking a negative declaration and referral to the ZBA for the variances we need.

Chairman Garner:

Mr. Katz do you have any additional comments?

Mr. Katz:

I have no other comments other than to remind the board that a traffic study still needs to be provided.

Chairman Garner:

I would then like to defer to Mr. Kauker for any comments.

Mr. Kauker, 356 Franklin Avenue Wyckoff, NJ 07481:

I have had the opportunity to review the revised site plan; I believe that the access between this development and the adjacent one should be removed as this change will improve the parking layout.

Mr. Booker and Mr. Schwartz both stated that they were not certain that this change was a good idea.

Mr. Licata:

The architect will try to work this out with Mr. Kauker

A motion was made to adopt Negative Declaration dated July 7, 2011; was moved by Mr. Dorvil; and seconded by Mr. Sternberg; all in favor all opposed the motion carries.

A motion was made to refer applicant to the ZBA; moved by Mr. Schwartz; and seconded by Mr. Dorvil; all in favor; all opposed the motion carries.

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**Continuation of Preliminary Hearing
Monsey Lumber**

Ira Emanuel, Esq 4 Laurel Road New City, New York 10956:

We were here last month it was the first meeting which the Board had the opportunity to take a look at this project. This is actually a multi-phase project; we were looking for a couple of things here. We are looking for a zone change; we are also looking for a special permit for a new warehouse and final site plan approval for a new warehouse. Monsey Lumber has been at this location for over thirty seven years, it is located at Route 45 between Ohio Avenue and Homer Lee Avenue. Because of the way the zone line is set up it actually cuts through the middle of the operation, and now that they are looking to build the new warehouse across the street, on the other side of Homer Lee Avenue. They feel it is time that they regularize things and got all of their holdings and all of their operation in the GB District which is the proper district for them, currently half of it is in an R-2 District and the other half is in the GB District. If you take a look at the zoning map you will see that the GB District has all types of jigs and sags, and it needs to be straightened out a little bit. So that is the first part is that we need a referral to the Village Board for the zone change, the second part is a referral to Village Board for a special permit to allow them to build this new 4000 square foot building to house the smaller items as intended, rather than keeping them stored in trailers and trucks on the lot. We will also need variances because of the size of the site it's a 5000 square foot lot pre existing, and because we are going to try and put it in the GB district, if it goes to the GB district it is going to need area variances, and of course we need a negative declaration.

Mr. Katz:

This application is seeks site plan approval to construct a commercial building on a lot presently situated in the R-2 zone. The applicant wants to change the zone to GB and obtain a special permit to construct a warehouse. Only the Village Board can grant a zone change and a special permit. Last month the Planning Board declared lead agency and adopted a Part 2 EAF and the applicant needs to respond with a Part 3.

Mr. Emanuel:

I wasn't aware that a Part 3 was required.

Mr. Kauker, 356 Franklin Avenue Wyckoff, NJ 07481:

It was required and the applicant did provide it.

Mr. Katz:

To my knowledge Mr. Booker forwarded the application to the County Planning Department and to the D. O. T. and we received the following responses: In a letter dated 6/27/11 the Department of Planning advised the Planning Board to consider the ability of the existing infrastructure to accommodate facilities of this size countywide. The Board needs to complete SEQRA review and forward the application to the Village Board to consider the zone change and the special permit. To save time, since

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The Board has had the opportunity to review the request for a zone change, it would be appropriate to vote whether to recommend that the Village Board grant it or not.

Mr. Kauker:

I have reviewed the revised site plan. A landscape plan is needed. Shifting the parking area may improve the parking area. Like I said before a Part 3 response was provided by the applicant. Additional data is required regarding drainage and there is a need to show where the catch basin will be to allow storm water runoff. I have prepared a negative declaration for the Boards consideration tonight.

A motion to adopt Negative Declaration dated July 7, 2011; so moved by Mr. Sternberg; and seconded by Mr. Schwartz; all in favor all opposed the motion carries.

A motion to refer applicant to the Village Board for a Zone Change and Special Permit; so moved by Mr. Schwartz; and seconded by Mr. Dorvil; all in favor; all opposed the motion carries.

A motion to refer applicant to the ZBA; so moved by Mr. Dorvil; and seconded by Mr. Sternberg; all in favor; all opposed the motion carries.

**Preliminary Hearing
French Speaking Baptist Church**

Mr. Dorvil excused himself on this matter because he is a member of the Church.

Mr. Garner:

This is a preliminary hearing for French Speaking Baptist Church; location is on the west side of Madison Avenue 300 feet south of Maple Avenue. Is the applicant or representative of the applicant present tonight? Please state your name and address for the record.

Joseph R. Felix, 55 New County Road Airmont, NY 10952:

We were supposed to be represented by Rev. Joel Michel but he is not here tonight, he had a family emergency. We have an existing lot on Madison Avenue, and we want to use it as private parking lot for passenger cars.

Mr. Katz:

This is an initial preliminary hearing on an application seeking site plan approval to use its parking lot to park private vehicles (not only church attendees). The property is located in the GB Zone and in a floodplain. The Village Board can grant a special permit to allow a parking lot in the GB Zone and also to build in the flood plain. Drainage Agency approval is also needed. If the applicant agrees to pave the lot, no variance is required. If the applicant does not agree to pave the lot then the ZBA must grant a variance to park on an unpaved surface pursuant to §192-2(F). The Planning Board needs to declare lead

agency for this unlisted application and complete SEQRA before referring the applicant to the Village Board and then back to here for final site plan approval. That concludes my comments.

Mr. Kauker, 356 Franklin Avenue Wyckoff, NJ 07481:

I did receive the application, and the survey that was provided I have had the opportunity to review it. I feel it needs more detail ingress and egress, indicate on the plan, how it is going to be paved, the parking spaces and more detail on drainage and landscaping. You are also going to have to show that the storm water that is going to be generated as a result of paving can be well accommodated. In addition to that I'm not sure what type of request issued stream it is, but obviously since it is going to be paved you are going to have runoff that potentially could go into the stream and I'm not sure if that type of runoff is allowed in this type of stream or not. So that is an issue that needs to be addressed, as well as completing the SEQRA process.

Mr. Schwartz:

Might I suggest not paving it and using packed gravel instead?

Mr. Booker:

I do not think that this is a good idea, because the oil from vehicles might flow into the stream.

Chairman Garner entertained a motion to declare lead agency; so moved by Mrs. Thompson; and seconded by Mr. Michel; all in favor; all opposed the motion carries.

Mr. Katz suggested that Mr. Booker delay forwarding the documents to the County and the Drainage Agency until the site plan is amended to provide additional details because these agencies would only have to look at it again after the amendments were accomplished. The Board agreed with this suggestion.

Motion to adjourn meeting at 7:58 p.m. so moved by Mrs. Thompson; and seconded by Mr. Dorvil; all in favor; all opposed; the motion carries.