

**VILLAGE OF SPRING VALLEY  
PLANNING BOARD  
MINUTES  
June 2, 2011**

A Regular Meeting of the Spring Valley Planning Board was held in the Board Room of the Village Offices on Thursday, June 2, 2011.

**PRESENT:** Chairman Lorenzo Garner, presiding

Members:

Rosner Dorvil

Freddie Crump

Aaron Sternberg

Sylvestre Georges Michel

Levi Schwarz (Absent)

JoAnne Thompson

Juan Carlos Fabbiani (Absent)

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 7:13 p.m.

**Minutes**

**05/05/2011**

On a motion by Mr. Crump and seconded by Mr. Dorvil, the Board voted unanimously to approve the minutes of May 5, 2011.

**Public Hearing**

**The Commons for final site plan approval**

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

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

Good evening Mr. Chairman Members of the Board, I am here tonight along with Mr. John Atzl Surveyor for the applicant. This is a project that the Board is familiar with; it has been before you a number of times. We were here last month on a preliminary hearing and that is where the Board set the matter to appear before you tonight for a Public Hearing. Just to refresh your memory and for the benefit of the members of the public, this application is for a parcel of property approximately two acres in size at the end of Crispus Attucks Way, also known as the Rose Avenue Extension. The proposal is to build two apartment buildings each with (32) units for a total of (64) units. The Village Board granted approval for the P R D overlay zone, and granted a special permit for the multi-family use. The Zoning Board of Appeals granted the necessary variances for the project. Very quickly going through the plan, for the members of the public, because I know the Board is familiar with it. Rose Avenue is here on the left, Rose Avenue Extension also known as Crispus Attucks Way is here in the mid block. Rose Avenue Extension is a Public Road up until the border of the property. Being a public road the applicant will upgrade it and bring it up to current standard, because as of right now it is not in very good condition. Coming in off of Rose Avenue Extension there will be private driveways that will circulate around the building into a parking area in the rear then exit back out. The apartments are all to be affordable units. The applicant is working with the New York State affordable Housing Corporation to get that taken care of. You can see a rendering of the building down below, and we are here to get input from the public and hopefully final approval tonight.

**Mr. Katz:**

This is an initial public hearing on an application seeking site plan approval to construct 64 two bedroom apartments in two four story buildings on two lots, one in the Village of Spring Valley and one in an adjoining lot in the Town of Ramapo. Last month Mr. Kauker asked for, landscaping and lighting plans and to my understanding they have been provided and reviewed, as far as I know that is all we needed to be provided to move forward and make a decision on this tonight.

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

At the last meeting we were only waiting additional information. I believe that there was a CDRC meeting also, I was not actually there, but I do know that Mr. Booker was and he can speak on that for himself. Other than that I have no additional comments.

**Mr. Booker:**

The CDRC was fruitful; I have received comments or concerns from residents. Looking at the site plan I just need to make a point of clarification Mr. Emanuel has identified Crispus Attucks as Rose Avenue extension, I see it named as Rose Hill Oval, I would imagine that Rose Hill Oval would be limited to the site itself otherwise you would have to change all the addresses for two blocks. There were also concerns from the public about a store being right next door which is heavily patronized by children. They wanted to suggest that the applicant figures out a way to control the speed of traffic on Crispus Attucks for that short stretch. Obviously, the most logic solution would be to place stop signs or maybe a textured road surface to keep the cars from speeding, Speed bumps are out of the question because it is a public Street. That was what the residents of the neighborhood approached me with. I figured that I would just express their concerns and see what type of response was given.

**Ira Emanuel:**

With respect to anything on a public street obviously that is something that would have to be worked out with the Village Board. Certainly we would have no problem with working together with the Village Board to get that concern addressed.

**Mr. Booker:**

So we would have to petition the Board as part of the offsite improvements.

**Ira Emanuel:**

That is fine we have no objection to that.

**Mr. Booker:**

That concludes my comments.

**Chairman Garner:**

Are there any questions or comments from members of the Board at this time? Chair recognizes Mr. Dorvil.

**Mr. Dorvil:**

Mr. Booker you mentioned the public participation, did they come to the CDRC meeting?

**Mr. Booker:**

No they came in to my office to express their concerns.

**Mr. Sternberg:**

Will the easement for fire equipment to reach a neighboring property be recorded?

**Ira Emanuel:**

Yes it will be done, it is required by law.

**Mr. Crump:**

Are there going to be sidewalks in the development?

**Ira Emanuel:**

Yes there will be sidewalks within the development and from the development all the way out to Rose Avenue.

**Mrs. Thompson:**

I do not actually have a question; I just wanted to point out that the School District should be marked as East Ramapo Central School District, not as Ramapo Central.

**Chairman Garner:**

If there are no further comments from members of the Board, I would then like to open the hearing up to members of the public.

There was no public participation, Chairman Garner entertained a motion to close the public hearing, this was so moved by Mr. Crump and seconded by Mr. Dorvil, all in favor; all opposed the motion carries.

Motion was made to approve the site plan originally dated May 4, 2010 and last revised May 16, 2011, so moved by Mr. Sternberg seconded by Mr. Dorvil the board voted unanimously to approve the site plan.

## **Continuation of Preliminary Hearing** **Church of God of Prophecy**

### **Mr. Katz:**

This is a continuation of a preliminary hearing on an application seeking site plan approval for a church. Last month, Mr. Emanuel advised that a CDRC meeting had been held at which certain changes were agreed upon and that the new drawings would be delivered containing the changes. This has been done Mr. Kauker also requested that the applicant complete a long EAF and drainage study. The Board needs to complete SEQRA review and refer the applicant to the ZBA for variances.

### **Ira Emanuel, Esq 4 Laurel Road New City, New York 10956**

As Mr. Katz explained we did have the CDRC meeting last month, and before we go on I would just like to thank the Board for setting it up, it was very helpful. I am going to turn it over to Mr. Youngblood to discuss what was gone over at the CDRC meeting.

### **William Youngblood, 18 North Main Street Harriman, NY 10926**

At the CDRC meeting it was agreed to move the building back a bit from Route 59. This will assist in screening headlights from the site onto Route 59. The fire inspector approved the site plan as it allowed clearance for turning for the largest truck the Fire Department has. A mountable curve will be placed so that a fire truck can use it if needed. The bulk table was also revised.

### **Mr. Katz:**

I think Mr. Kauker asked for a long EAF and the Drainage Study?

### **William Youngblood:**

I did complete the Long EAF. We held off on the Drainage Study until we were able to get a set plan.

### **Ira Emanuel:**

The applicant has also been in contact with Verizon, to see if they were able to use Verizon's parking lot. Verizon unfortunately would not agree to that. So the applicant is still looking for other satellite parking, at the same time the applicant is more than confident there is enough parking. The church has roving vans to pick up worshippers. The applicant will work with the ZBA regarding the parking variance. I am asking the Board tonight to refer the applicant to the ZBA with the understanding that the ZBA cannot complete its work until the Planning Board completes its SEQRA review.

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

I have prepared a Part 2 of the EAF for the Boards consideration tonight, and I would also ask the applicant to provide a Part 3 response next month.

**Mr. Dorvil:**

I would like to ask for information about the traffic patterns being provided to the Board.

**Ira Emanuel:**

Im sure the applicant will have no problem

**Mr. Sternberg:**

How many parking spaces are required by law?

**Ira Emanuel:**

The number of spaces that are required by law is 99.

The Board voted to refer the applicant to the ZBA for Variances and unanimously accepted the Part 2 EAF and authorized sending to the applicant.

**Preliminary Hearing****Monsey Lumber****Ira Emanuel, Esq 4 Laurel Road New City, New York 10956**

This is a new application for Site Plan Approval, a Zone Change from the Village Board, and eventually Special Permit from the Village Board. The applicant has operated a lumber yard at the site for the better part of 37 years. The parcel here involved is on the north side of Homer Lee Avenue. The applicant wants to build a warehouse consisting of 3,000 sq. ft. and an office on the second floor consisting of 1,000 sq. ft. The warehouse will store small items only. There will be no crossing of trucks from the main lumber yard to the proposed warehouse. Part of Homer Lee Avenue lot is in the R-2 zone and the applicant wants to be re-zoned to the GB zone. A warehouse is allowed in the GB zone with a special permit from the Village Board.

**Mr. Katz:**

This is an initial preliminary hearing on an application seeking site plan approval to construct a commercial building on a lot located in the R-2 zone. The applicant requires a zone change from R-2 to GB and needs referral to the Village Board for the zone change and, and for special permit as well as a referral to the ZBA for approval of variances. The Board should declare lead agency for the site plan. The applicant has not yet addressed the requirements for a special permit. Before the Planning Board refers the applicant to the Village Board, you may want to advise the Village Board whether you believe that the zone change is warranted. This will enable the Village Board to consider the zone change without referring it back to this Board for comment. It is probably best to complete SEQRA review before referring the application to the Village Board for the zone change and special permit and to the ZBA for variances.

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

I have prepared a memo, which addressed this application and prepared a Part 2 EAF. My suggestion is the Board adopt the Part 2, and have the applicant respond with a Part 3 at next month meeting. The Board should also declare lead agency tonight.

**Mr. Dorvil:**

I would like to ask that there be no backing out from the site onto the roadway.

**Ira Emanuel:**

The applicant will assure that this will not occur.

The board unanimously adopted the Part 2 and declared lead agency. The matter was adjourned to the July meeting and Mr. Booker was asked to forward the application to the involved agencies.

**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 sub-division and site plan approval to construct 42 units of housing. Last month the Planning Board declared lead agency and requested that a traffic study be prepared which should contain a justification for any waiver of parking spaces. The applicant has prepared a full EAF. The County Planning Department recommends a traffic study and consideration of sewer system capacity, storm water management system and water supply capacity. They recommend scaling back the number of units to conform to the requirements of the R-3 zone. The County also opposes granting parking variances. At this time, it is not certain whether 5 votes rather than 4 will be needed to approve the site plan.

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

Stated that Mr. Kauker prepared a Part 2 EAF, and I believe the applicant is working on completing the traffic study. The applicant will amend the site plan with respect to the parking, and provide a response to the Part 2.

A motion to adopt the part 2 prepared by Mr. Kauker was moved by Mr. Sternberg; seconded by Mrs. Thompson; all in favor all opposed the motion carries.

**Continuation of Preliminary Hearing  
58 North Main Street/Collishaw****Jim Licata, Esq 222 Route 59 Suite 111 Suffern, New York 10901:**

We are here tonight to ask for this matter to be set for a Public Hearing. The Village Board on April 8, 2011 granted the special permit. The ZBA on May 11, 2011 granted all of our variances needed; now all we need is the approval from this board.

**Mr. Katz:**

This application seeks site plan approval to convert the second floor of an existing building into two residential apartments. The units will create a mixed use on the property, The applicant has received the necessary permits from the Village Board and ZBA. The applicant seeks the matter to be set for a public hearing.

Mr. Kauker and Mr. Booker both did not have any comments. The matter was set for a public hearing in July.

**Continuation of Public Hearing**  
**30 Morris Road/ Congregation Belzer Belzer- Shtiebel**

Mr. Sternberg re-cused himself for consideration of this application since he is a member of the Synagogue.

**Mr. Katz:**

This is a continuation of a public hearing seeking site plan approval to demolish an existing residence and to construct a synagogue. Last month Mr. Kauker advised the applicant that he had to provide landscaping and lighting plans showing the types of planting and screening of light from the neighboring properties. The board also stated that the plans should be shown to Mrs. Fishman before this meeting. I have been advised that the applicant has provided landscaping and lighting plans that Mr. Kauker has reviewed them and Mrs. Fishman was offered the opportunity to see them.

**Rabbi Jacob Oshry 2 Warren Court Monsey, NY 10952**

Stated that the applicant, as requested by Mr. Kauker, has moved the handicapped parking closer to the proposed building, He also stated that he would prefer keeping the width of the driveway at 22,' but would reduce it to 20' if the board requested it. In order to screen headlights from bothering neighbors, he proposed to place plantings in the Village's right-of-way. The Mayor approved this in this instance and the Board accepts this.

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

The applicant has made all the necessary changes, the parking circulation is fine, and the plan dated June 1, 2011 is now scaled properly. Other than that I have no further comments.

**Mr. Booker:**

The proposed footings are okay. I also went out in regards to the placing of the No Parking Signs, my suggestion is that the Village Board place the signs between 24 and 34 Morris Road.

**Rabbi Jacob Oshry:**

I have already spoken to the Mayor in regards to the "No Parking Signs" and she agreed to do this.

The Members of the Planning Board had no further comments. Chairman Garner opened the hearing up to the members of the public for any comments.

Sam Rosenberg of 31 Morris Road Spring Valley, NY 10977, Miriam Rosenberg of 21 Morris Road Spring Valley, NY 10977, and Mordechai Berger of 26 Durset Road Spring Valley, NY 10977, all testified in favor of the proposed synagogue.

Motion to close public hearing; so moved by Mr. Michel; and seconded by Mr. Dorvil; all in favor all opposed the motion carries.

Motion to approve the site plan originally dated July 22, 2010 and last revised June 1, 2011; so moved by Mr. Dorvil; and seconded by Mrs. Thompson; all in favor all opposed the motion carries.

### **Continuation of Preliminary Hearing** **9 Zeissner Lane/ Goldman**

#### **Mr. Katz:**

This is a continuation of a preliminary hearing on an application seeking site plan approval to construct additional living space directly under an existing second floor. The property is in the flood overlay zone and a special permit is required from the Village Board and variances from the ZBA. Last month Mr. Booker stated that he was uncertain whether the plans took into consideration recent changes in F.A.R. and definitions of how to measure it. He stated that he was going to contact the architect. Mr. Kauker, I believe, now has had the opportunity to review the plans.

Mr. Goldman appeared for the applicant. Mr. Booker stated the drainage agency approved the project. The F.A.R. is just over code by 60' and the existing slab is not being increased.

#### **Mr. Kauker:**

I have had a chance to review the plans, They do need a couple of variances and I have prepared a negative declaration for the Boards consideration tonight.

Motion to adopt Negative Declaration dated June 2, 2011; so moved by Mrs. Thompson; and seconded by Mr. Sternberg; all in favor all opposed the motion carries.

Motion to refer applicant to the Village Board; so moved by Mr. Sternberg; and seconded by Mr. Michel; all in favor; all opposed the motion carries.

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

### **Continuation of Preliminary Hearing** **1 North Myrtle Avenue/ Choglo**

Ryan Karben, Esq. appeared for the applicant who seeks site plan approval to operate a motor vehicle repair shop. The Village Board granted a special permit. There will be no exterior changes to the site. Mr. Karben asked the Board, pursuant to §255-45 of the Village code, to dispense with

a public hearing since the applicant seeks only to amend the site plan and is making no exterior alterations.

Motion to approve the site plan subject to compliance with the conditions set by the Village Board and contained in a letter from the Village Clerk; was moved by Mr. Dorvil; and seconded by Mr. Sternberg; all in favor; all opposed the motion carries.

The hours of operation will be 8:30 a.m. to 6:00 p.m. Monday Through Friday, and 9:00 a.m. to 4:00 p.m. on Saturdays.

As there was no further business to come before this Board, a motion to adjourn meeting at 9:03 p.m., was moved by Mr. Dorvil; and seconded by Mr. Sternberg; all in favor; all opposed the motion carries.