

**VILLAGE OF SPRING VALLEY
PLANNING BOARD
MINUTES
May 5, 2011**

A Regular Meeting of the Spring Valley Planning Board was held in the Board Room of the Village Offices on Thursday, May 5, 2011.

PRESENT: Chairman Lorenzo Garner, presiding

Members:

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

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
04/07/2011

On a motion by Mr. Thompson and seconded by Mr. Dorvil, the Board voted to approve the minutes of April 7, 2011.

Preliminary Hearing
Bnos Esther Pupa

This application seeks site plan approval to construct two in-ground pools and associated equipment at the rear landscaped area between a building and the parking area. The applicant appeared in person and formally withdrew their application.

Preliminary Hearing

275-287 Route 59

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

I'm here with Glenn Macreeedy from the Brokers office the engineers on the project; we are here this evening to request a referral to the Zoning Board of Appeals. I know Mr. Kauker has done a report which we have reviewed; we don't have any problem with his report. If he wants to go over them individually we can do that as well. This is a multi-family, and it is forty two units. The project is being built out in fourteen different units with three apartments per building. Each one has a deck each one has an area in the back. The applicant needs variances for parking as well as other variances. The applicant is also requesting that an exit for emergency vehicles on an adjacent property owned by the applicant be established.

Mr.Katz:

This is an initial preliminary hearing on an application seeking a 4 lot subdivision and approval of a site plan to construct fourteen three family units with associated parking, utilities and a recreational area. The area is zoned R-3 which permits multi-family housing. The Board needs to declare lead agency and complete a SEQRA review before referring this matter to the ZBA. The applicant has agreed to formally explain the relationship between the two properties and have the proposal review by the fire inspector.

Mr. Kauker:

I have had the opportunity to review the plan provided to the Board. Eventually we are going to have to determine how this application is going to be treated given the fact that there is development on the adjoining property to the south. Having said that the applicant will need to provide an amended site plan, another issue is the turn around. One of my other comments is to have fire and emergency review of the application. The applicant has provided a short E A F, They will need to provide a full E A F. The ZBA can not vote on it until a full SEQRA review is provided, that concludes my comments for right now.

Mr. Licata stated that the applicant agreed to formally explain the relationship between the two properties and have the proposal review by the fire inspector, and to provide a full traffic study.

Mr. Garner:

Since there are no questions or comments from the Board? I would like to make the motion to declare lead agency. Motion moved by Mr. Sternberg and seconded by Mr. Schwartz all in favor all opposed the motion carries. I would like to enter a motion referral to ZBA so moved by Mr. Dorvil seconded by Mr. Schwartz All in favor; all opposed; the motion carries

Preliminary Hearing **The Commons**

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

Good evening members of the board, I am here representing the Commons tonight. We have been away from you for awhile. Actually looking back at my notes tomorrow it will be a year since we last appeared in front of this board. Since then we have been to the Village Board, and was granted a special permit and PRD approval. We have also been to the ZBA, and were recently granted the necessary variances. This Board previously granted a parking waiver and adopted a negative declaration on July 1, 2010. Now we are before you to ask for a public hearing be set for this matter.

Mr. Katz:

This application returns to the Planning Board having received a special permit from the Village Board and variances from the ZBA. The applicant seeks to construct 64 two bedroom units in two four story buildings on two lots. One of the lots is in the Village and the other in the Town of Ramapo. Parking will be on the Ramapo lot. Site plan approval is needed.

Mr. Kauker:

The site plan was last revised on 11/03/2010 and an architectural plan has been provided. I still need the landscaping and lighting plans. Other than that I see no reason why this Board can't set this matter for a public hearing for June.

Mr. Emanuel:

Would you like to do CDRC on this?

Mr. Booker:

That wouldn't be a bad idea why don't you call my office and we will set a date to that.

Mr. Garner:

Does that conclude your comment Mr. Booker?

Mr. Booker:

Yes that does conclude my comments.

Mr. Garner:

I would now like to entertain any comments from members of the Board.

Mr. Dorvil:

How is the rent going to be?

Mr. Emanuel:

The rent is going to be affordable; my client is working with the housing authority to get an affordable renting set up.

Mr. Garner:

Since there are no other comments or questions from the members of the board, I would like to move forward and set this matter for a public hearing in June.

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

Ira Emanuel 4 Laurel Road New City, NY 10956:

There has been a lot of discussion why the site was placed where it was. We showed Mr. Kauker the many different proposals which we tried and the problems our engineer is facing with making this project work. All the drawings were complete this afternoon, so we will get them to Mr. Kauker as quickly as possible. We need some variances. It is too early to ask for a Public Hearing. But hopefully by next month a Negative Declaration could be issued.

Mr. Katz:

This is a continuation of a preliminary hearing on an application to approve a site plan for a church. Last month it was determined that the F.A.R and the parking calculations were incorrect, the Board declared lead agency and needs to complete a SEQRA review before referring the applicant to the Zba. There also was an issue regarding the placement of the building on the site. A meeting was held between Mr. Youngblood, Mr. Emanuel and Mr. Booker to discuss the placement of the building and other site matters.

Mr. Kauker:

At the request of Mr. Kauker the Applicant agreed to provide a full E. A. F and Drainage Study. The Planning Board adjourned the matter to the June 2, 2011 meeting.

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

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

The Public Hearing was opened and the Clerk confirmed that the legal advertisement and all postings and mailings had been done.

Rabbi Jacob Oshry 2 Warren Court Monsey, NY 10952:

We have been through all the Boards, got the variances from the ZBA, that we needed and were granted the special permit from the Village Board. The Drainage agency has also approved the

plan subject to the posting of a bond. So now we are in front of you asking for final Site Plan approval tonight

Mr. Katz:

This matter returns to the Planning Board for a Public Hearing after receiving a special permit from the Village Board and Variances for parking and F.A.R. from the ZBA. The applicant seeks site plan approval. The ZBA strongly recommends that the Planning Board join in recommending to the Village Board that for safety reasons “No Parking” signs be placed in front of 32 Morris Road and for a distance around a curve in the road.

Mr. Booker:

I have gone out and visited the area and my recommendation is that there are “No Parking” signs posted between 24 and 32 Morris Road.

Rabbi Oshry:

Stated that the ZBA approval of variances was subject to a 6’ high fence, and trees being placed to provide privacy for a neighboring property. He also advised the Board that he has already spoken with Mayor Jasmin about the “No Parking” signs on Morris road and she agreed.

Mr. Kauker:

I still need the landscaping, lighting and the elevation plans, from the applicant The neighboring properties must be screened so that cars entering and leaving the site will not shine headlights onto the neighboring properties.

Rabbi Oshry:

I agree with all of Mr. Kauker’s comments, and I will provide him with the revised plans.

Carol Fishman 32 Morris Road Spring Valley, NY 10977:

Testified and expressed her concerns regarding the large number of parking spaces as well as concerns about her privacy. Mrs. Fishman stated she also feels like there is a safety issue with the cars, she stated that it is a very narrow road and is hard to see around the bend.

Rabbi Oshry:

Stated that he has meet with Mrs. Fishman a number of times, and will do whatever it takes to make sure her needs are meet.

Mr. Booker:

Stated to Mrs. Fishman that after the applicant files the landscaping and lighting plans, that if she wants she can come in and go over the plans with her before the next Planning Board meeting in June.

Mr. Sternberg:

Testified before the Board that his experience with satellite synagogues like the proposed shtiebel here convinces him that there are no cars or very few cars parked on the site at any time.

Mr. Garner:

I just want to inform Mrs. Fishman that a decision will not be made until the applicant has provided this Board and Mr. Kauker with all the information we requested. With that being said this matter is continued until the June 2, 2011 Planning Board meeting.

Preliminary Hearing

9 Zeissner Lane/ Goldman

Mr. Katz:

This is an initial public 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 requires a referral to the Village Board for a special permit to build in the flood zone and to the ZBA for variances.

Mr. Booker:

Stated that he was uncertain whether the plans submitted took into consideration recent Village changes in F.A.R and the definitions of how to measure same, He will contact the architect about this.

Mr. Kauker:

Stated that he had just recently received the plans and has not had the chance to review them.

This matter was adjourned to the June 2, 2011 meeting.

Preliminary Hearing

Levy Plaza

Mr. Katz:

The Planning Board previously approved the site plan for a residential building over existing retail space. The residential portion consists of 2 stories of apartments. That plan called for 84 apartments. Above the existing retail stores in the Levy Plaza shopping center adjacent to Village Hall. The development is on two lots. The applicant has filed this new application to obtain approval to move the lot lines separating the 2 parcels and to add three apartment units bring the total up to 87. The Village Board must grant a special permit to add the three units.

The Planning Board needs to declare lead agency on this and Mr. Kauker should weigh in on whether the addition of three units and the movement of the lot line require a public hearing. In any event, unless Walter has served the County Planning Department with notice of this application and more than 30 days have elapsed, The Planning Board will have to postpone a decision until the June meeting.

The applicant failed to appear. The Board directed that Mr. Booker will advise him that the matter will not be placed on the agenda until the applicant advises that he will appear. Also since the applicant is a corporation, he needs to appear with an attorney.

As there was no further business to come before the board Chairman Garner asked for a motion to adjourn the meeting at 8:55 p.m. So moved by Mrs. Thompson, and seconded by Mr. Schwartz; all in favor all opposed; the motion carries.