

**VILLAGE OF SPRING VALLEY  
PLANNING BOARD  
MINUTES  
September 1, 2011**

A Regular Meeting of the Spring Valley Planning Board was held in the Board Room of the Village Offices on Thursday, September 1, 2011.

**PRESENT:** Chairman Lorenzo Garner, presiding

Members:

Rosner Dorvil (Absent)

Freddie Crump

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 7:09 p.m.

**Minutes**

**08/04/2011**

On a motion by Mr. Sternberg and seconded by Mr. Crump, the Board voted to approve the minutes of August 4, 2011 with Mr. Schwartz abstaining due to not being at the August 4, 2011 meeting.

Mr. Garner introduced Mr. Charles Hite, who works with Mr. Kauker in his office. Mr. Hite will be covering the Planning Board meeting after the first two applications due to the fact that Mr. Kauker had to leave early from the meeting.

**Public Hearing/ For Final Site Plan Approval**  
**275-287 Route 59/ Valley side Gardens**

The hearing was opened and the Clerk verified that all publication, posting and mailings were completed.

**James Licata Esq, 222 Route 59 Suite 111 Suffern, NY 10901:**

I am accompanied tonight by Mr. Brian Brooker Project engineer. Just to let you know I handed you two letters just for accounting purposes, and given the original to the clerk for the record. I am not going to read them but they are letters of support that have already been given in before to the Zoning Board of Appeals prior to us

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Receiving our variances, one of the letters is from Echo National Jewish Institute for Health which is a neighbor, and also a letter from the Law Office of Reuven J. Epstein, who is also a neighbor. As you know this application has been here many times, the last time we were here we went over the project we received a Negative Declaration from this Board, we then proceeded to the Zoning Board of Appeals where we received our variances. We made some substantial changes including the dead end parking area that was requested by Mr. Kauker, and other changes that he requested they have all been done. We have completed the Traffic Study, and provided a copy to Mr. Kauker, as well as Mr. Booker. We are prepared to answer any questions if you have any, the Traffic report was favorable and indicated that the area could sustain this project with a minimal increase in traffic. We are here tonight for final Site plan approval; I know Mr. Kauker has a question about the Knox box, and maybe a few other issues. So we are prepared to answer questions the engineer is here and we are ready.

**Mr. Katz:**

This is an Public Hearing on an application seeking site plan approval for a for a 36 unit development. A traffic study requested by the Board has been done. The Board requested that landscaping and lighting plans be filed in time for Mr. Kauker to review them. Also some minor changes to the site plan which included adding a crash gate situated between this site and the adjacent site.

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

I have had the opportunity to review the revised application and reports. The project has been much improved. The parking plan works and the number of units to be built has been reduced. There is now a gate between the property and an adjacent one. The traffic study shows minimal increase in traffic due to this project; the lighting and landscaping plans are fine too.

Chairman Garner asked Mr. Booker if he had any comments. Mr. Booker stated that he had no comments. Chairman Garner then asked if there were any comments or questions from members of the Board.

**Mr. Sternberg:**

(Inaudible)

**James Licata:**

It is a crash gate and the Key access would be in the Knox box.

**Chairman Garner:**

What is the difference between a Knox box and Lock box?

**James Licata:**

It's a Police/Fire key, it is a universal key, and every fire truck has one.

**Mr. Booker:**

All the trucks within the Village have the same key, another jurisdiction will not, they have their own sets of keys.

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Chairman Garner asked if there were any more questions or comments from the members of the Board, there were no other 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. Crump, all in favor; all opposed the motion carries.

A motion was made to approve the site plan originally dated April 7, 2011 and last revised August 12, 2011, so moved by Mr. Sternberg and seconded by Mr. Michel. The board voted unanimously to approve the site plan.

**Public Hearing/ For Final Site Plan Approval  
Congregation Bais Medrash**

The Public was opened and the clerk confirmed that all postings and mailings had been done.

**James Licata Esq, 222 Route 59 Suite 111 Suffern, NY 10901:**

We are before you tonight seeking final site plan approval to combine two lots into one and to construct a seminary attached to an existing building which will house the dormitory. This matter was last before you in December 2010 when a negative declaration was adopted and then we referred to the Village Board for a zone change and to the ZBA for variances. This is the closest thing to a college, this is for adult students this is not for children, they are either 18 years of age or older and they are study as adults. There was also an application made before the ZBA for variances to construct some temporary trailers while the construction was going on.

**Mr. Katz:**

This matter has not been before this Board since December 2010, which at that time I think a negative declaration was adopted. The Matter was then referred to the Village Board because they needed a zone change for one of the lots, and also to the ZBA for variances. The Village Board granted the zone change, and last month the ZBA granted variances for up to 37 students to reside in the dormitory and reduced the number of parking spaces from 10 to 5. Since the School year is upon us and construction cannot be timely completed before then, the applicant also seeks permission to place two temporary modular trailers on the site to be used as classrooms until construction is completed.

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

We did have an opportunity to review the recent submission by the application, including landscaping and lighting plans, in addition to the temporary trailer plan that was provided to our office. As Stated by Mr. Licata For 3 temporary trailers proposed along with 3 parking spaces, and as Mr. Katz had indicated they are only used for teaching not living quarters. In regards to the landscaping plans, the applicant has proposed some landscaping around the building and the perimeter of the site. In addition a 6 foot high two-sided decorative fence is proposed along the south and east property lines. In regards to the lighting plans the applicant has proposed one 14 foot light pole in the rear parking area and 2 bollard lights along the walkway. Again as Mr. Katz mentioned they did receive their Special Permit from the Village Board for the zone change, and I believe the variances from the Zba and this Board has issued a Negative Declaration. Those are all the comments I have at this time.

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**Mr. Booker:**

Just for clarification purposes the (3) spaces that are in the Front Yard Setback are accommodating the trailer itself and will be removed when the Seminary is built.

Chairman Garner asked if there were any more questions or comments from the members of the Board, there were no other questions or comments from the members of the Board. Chairman Garner then opened the hearing up to the public for any comments.

**Rachel Melton 3 East Funston Avenue Spring Valley, NY 10977:**

Ms. Melton a long time Spring Valley resident, whose home is located across the street, testified that there is litter from the school and the property is not kept up. There is noise from bands which practice nearby. She is also concerned about whether the trailers would be unsightly.

Upon further questioning, it was not clear whether the applicant's school is responsible for any of the problems she spoke about. Also the positioning of the trailers is such that they should not be visible from her home.

**Aaron Wieder 15 Dorset Road Spring Valley, NY 10977:**

Mr. Wieder, testified and stated that he feels the school will be good for the neighborhood and the Village.

Mr. Schwartz suggested that Ms. Melton speak to the building department about the litter problem. Mr. Booker stated that he would have the code enforcement officer responsible for that area look into it.

There was no more 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.

Mr. Garner asked Mr. Licata how long he thought the trailers would be on the property. Mr. Licata stated for about 9 months a little more depending on how long it takes to get a building permit and how fast we can get the construction complete.

A motion was made to approve the site plan dated June 30, 2011, so moved by Mr. Schwartz and seconded by Mr. Sternberg. The board voted unanimously to approve the site plan.

**Continuation of Preliminary Hearing  
French Speaking Baptist Church**

**Chairman Garner:**

This is a continuation of a preliminary hearing on an application seeking site plan approval to pave the church's parking lot located in a floodplain.

**Anthony Celentano 31 Rock Hill Road Thiells, NY 10984:**

Mr. Celentano the Engineer on the project, spoke and stated that last time the applicant was before the Board he had a conceptual plan, showing entrance, exit here and an entrance and exit over here. I received feedback from the Board and its consultants and they advised me to put a larger entrance in the center with an exit to the right

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and an exit to the left. They wanted to eliminate spots in the front so that they could provide more landscaping and buffer the property. Right now we are here for acceptance from the Board, so that we can continue on with landscape, lighting, drainage so that next month we can get deferred to the proper agencies.

**Mr. Katz:**

Mr. Katz stated that he nothing to comment on with this particular application.

**Mr. Charles Hite 356 Franklin Avenue Wyckoff, NJ 07481:**

Stated that his office did have a chance to review the revised plan and that it seems to have improved. Mr. Hite stated that there are still several issues that need to be looked at. One is the front landscaping along the road way, this is a parking lot there will be headlights and you want to reduce those impacts, so streaming along the road way. Second is appropriate signage, we do have some arrows on the road way marked, but we need the appropriate signage to direct the vehicles leaving, or entering. As we noted in our report they are in the flood plain overlay district, so they are required to have a special permits the applicant should provide a narrative addressing those permits, we sited the specific areas where they can find more information. At this point and time I think the next step for the Planning Board if they so choose is to declare themselves lead agency on the project and the applicant can go through with the other steps they need to take.

**Mr. Booker:**

Stated that he agreed with Mr. Hite, and that because they are in a flood plain they are going to need drainage agency approval, Mr. Booker also stated that he had already previously submitted the application to the drainage agency but he will send out the new revised plan to the drainage agency and asked them for a revised review.

Chairman Garner entered a motion to declare lead agency, this was so moved by Mr. Schwartz and seconded by Mr. Sternberg, all in favor; all opposed the motion carries.

The matter was adjourned to the to the October meeting.

**Preliminary Hearing  
Evangelical Christian Alliance Church**

**Pastor, Ronet Germain 9 West Furman Place Spring Valley, NY 10977:**

Pastor Germain appeared for the applicant he stated he was here for his church to request a permit, for the construction of a new church.

**Mr. Katz:**

This is an initial preliminary hearing on an application seeking site plan approval to demolish an existing building to construct a new church on the site. The applicant will require referral to the ZBA for variances.

**Mr. Charles Hite 356 Franklin Avenue Wyckoff, NJ 07481:**

Mr. Hite spoke and asked whether the F.A.R which appears on the plan included all the floors of the church. He also stated that they would six variances, which would be lot area lot width, the number of parking spaces, size of the parking spaces and signage. They also need to address the landscaping and storm water runoff issues. A

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Chain link fence will have to be removed and also a right of way, they also need make sure the lighting will not spill over onto the neighboring properties. Other than that I don't see why the Planning Board can not declare lead agency to night, and refer the applicant to the ZBA so they can get their variances.

Chairman Garner then asked Mr. Booker, if he had any comments on the application. Mr. Booker stated that he had no comments.

Chairman Garner entered a motion to declare lead agency, this was so moved by Mr. Schwartz and seconded by Mr. Crump, all in favor; all opposed the motion carries.

Chairman Garner entered a motion to refer the applicant to the ZBA for variances, this was so moved by Mr. Sternberg and seconded by Mr. Crump, all in favor; all opposed the motion carries.

As there was no further business to come before this Board, on a motion by Ms. Thompson and seconded by Mr. Schwartz the Planning Board unanimously voted to adjourn the meeting 8:00 p.m.