

**VILLAGE OF SPRING VALLEY
PLANNING BOARD
MINUTES
February 2, 2012**

A Regular Meeting of the Spring Valley Planning Board was held in the Board Room of the Village Offices on Thursday, February 2, 2012.

PRESENT: Chairman Lorenzo Garner, presiding

Members:

Freddie Crump, Vice Chair
Sylvestre Georges Michel
Aaron Sternberg
Levi Schwarz
JoAnne Thompson
Juan Carlos Fabbiani

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

11/03/2011

On a motion by Mr. Schwarz and seconded by Mr. Crump, the Board voted to approve the minutes of November 3, 2011.

Minutes

12/01/2011

The minutes from the December 1, 2011 Planning Board Meeting were tabled to the March 1, 2012 meeting of the Planning Board.

Continuation of Preliminary Hearing

Majestic Valley

Jim Licata, ESQ 222 Route 59 suite 111 Suffern, NY 10901:

We are here this evening for three purposes. One is to adopt a Negative Dec, The second is for referral to the Village Board and to the ZBA. We have prepared a full EAF at the direction of Mr. Kauker the Village Planner; he has submitted a part (2) to us in response to that several weeks ago we responded with a part (3). I think we have satisfied the environmental issues that he did raise, we addressed them and I think that he will report to you that they were satisfactory. Pursuant to that I have a copy of the Negative Dec that was forwarded to our office based upon the answers we supplied in the part (3); the plan is up here on the board the pictures on the bottom of renderings of what the buildings will look like from the outside.

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Mr. Katz:

This is a continuation of a preliminary hearing on an application seeking site plan approval to construct 27 apartments in two buildings. One building will have three floors and 15 three bedroom units. The other building will have three floors and 12 two bedroom apartments. Last month the Planning Board declared lead agency and adopted a Part (2) SEQRA, A CDRC meeting was scheduled and I believe that it was held. Also last month the Board referred the applicant to the Village Board for a special permit and to the ZBA for Variances. The County Planning Department stated that they have no jurisdiction. The Drainage Agency also states that they have no jurisdiction, but since the project is in close proximity to the Pascack Brook floodplain, the Village should carefully review any proposed additional impervious surface for offsite impacts.

Mr. Kauker:

I have review the Part (3), changes were agreed upon at a CDRC meeting regarding the site plan, handicapped parking and storage of garbage. The applicant has agreed to these changes, other than that I have prepared a Negative Declaration Dated February 2, 2012, for the Board's consideration tonight.

Mr. Booker:

How is the drainage going to be handled?

Mr. Johnson:

There will be an underground detention system and water will be piped into the Pascack Brook over another neighbor's property.

Mr. Booker also confirmed with the applicant that the ground floor apartment will be handicapped accessible.

The applicant confirmed and agreed that the ground floor unit would be handicapped accessible.

Mr. Fabbiani:

I just wanted to point out that last time the survey was not finalized and there were no architectural plans.

Mr. Johnson:

We are working on getting that to you and as soon as they are finalized we will make sure that the Board receives a copy of it.

Chairman Garner asked if any other members of the Board had any other questions or comments for the applicant, there were none.

Chairman Garner entered a motion to adopt the Negative Declaration dated February 2, 2012; this was so moved by Mr. Sternberg and seconded by Mr. Schwarz all in favor; all opposed the motion carries.

**Continuation of Preliminary Hearing
Memorial Park Homes**

Ryan Karben, Esq 11 Tara Drive Pomona, NY 10970:

We had appeared before this Board briefly two months ago, where here under review for SEQRA, and I think we have gotten to the point where the Board is going to be able to entertain that, and we have had a lot of consultations with your consultants, council, and Mr. Booker. So just to give you an overview of the project,

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we are asking for three things tonight. We are seeking number (1) a Negative Declaration under SEQRA, Number (2) we are seeking a favorable recommendation on the zone change to the Village Board, and finally Number (3) we also need a special permit. Then we need to come back to this Board for a full site plan review as would do with any other application. This proposal is a parcel of land located at 24 Memorial Park Drive, the existing dwelling there is being removed. Mr. Celentano map shows we have (9) dwelling units that are being put into place. Seven units will be fronting on a Village owned property, which outlets safely out onto memorial park Drive, and the other (2) units will be fronting onto Lake Street. We originally petitioned for a zone change to the PRD zone, but after we meet with the CDRC and Mr. Kauker, the recommendation was instead that be an RSH zone. In exchange to that we need to commit to take government assistance, and be eligible for Section 8 tenants which obviously we have no problem with. We understand that there is a need for more affordable housing in the Village of Spring Valley.

Mr. Katz:

This is a continuation of a preliminary hearing on n application seeking site plan approval to construct a multi-family home on property located in the R-2 zone. Last month the Planning Board adopted a Part (2) SEQRA and the applicant needed to respond with a part (3). The applicant has since provided a narrative required by §255-27 & 28 of the Zoning Code for referral to the Village Board for a special permit to construct multi-family homes and for a zone change to RSH. A CDRC meeting was held on January 12, 2012. The State D.O.T states that it has no comments on the application. For all other comments I would like to defer to Mr. Kauker.

Mr. Kauker:

I reviewed the documents submitted by the applicant, and also subsequent information requested by my office, and I again did prepare a negative declaration for the Board Consideration tonight. There were issues in respect to density addressed in the environmental, but obviously as indicated in the SEQRA documentation that is a determination that is going too made by you, the Village Board or The Zoning Board I don't recall who has the jurisdiction. I have also had a chance to review a short EAF submitted by the applicant, and some more comment that I submitted to the Board in my memorandum dated January 23, 2012. Mr. Karben did speak about some of the issues I identified. The applicant's plan also shows improvements on the Village's property. The applicant agreed that he would maintain those improvements. Also a Village license in recordable form needs to be executed to maintain no parking in front of homes. This should appear on the site plan as well, that is all the comments I have.

Mr. Booker:

I just have one question, what is the overall slope of the project.

Mr. Celentano:

The slope is about 8%.

Mr. Booker:

If the slope is at 8% where would snow be placed?

Mr. Celentano:

Well we have a big park over here, and I think the Village approved the parking across the street there.

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Mr. Booker:

Well there is guard rail and curbs there and sidewalks.

Mr. Celentano:

Well we would have to come down and put it onto the park property.

Mr. Booker:

That is actually not legal according to our Village code to plow across the streets

Ryan Karben:

We will think of a way to deal with that, as we move for a site plan.

Mr. Booker stated that conclude his comments. Chairman Garner then asked if any members of the Board, had any question or comments for the applicant, there were none.

Chairman Garner then entered a motion to adopt the Negative Declaration dated February 2, 2012; this was so moved by Mr. Schwarz and seconded by Mr. Sternberg all in favor; all opposed the motion carries

Chairman Garner entered a motion to refer the applicant to the Village Board for special permit this was so moved by Mr. Crump; and seconded by Mr. Schwarz, all in favor; all opposed the motion carries.

Chairman Garner entered a motion to refer the applicant to the Village Board for a zone change this was so moved by Mr. Crump; and seconded by Mr. Schwarz, all in favor; all opposed the motion carries.

Chairman Garner entered a motion to refer the applicant to the Zoning Board of Appeals this was so moved by Mr. Schwarz; and seconded by Mr. Michel, all in favor; all opposed the motion carries.

As there was no further business to come before this Board, on a motion by Mrs. Thompson and seconded by Mr. Schwarz the Planning Board unanimously voted to adjourn the meeting 7:53 p.m.