



Alan M. Simon

VILLAGE OF SPRING VALLEY

200 North Main Street
Spring Valley, New York 10977
Tel. (845) 352-1100 • Fax (845) 352-1164

Department of Building, Planning, and Zoning

www.villagespringvalley.org

Joseph Gross
Deputy Mayor
Yisroel Eisenbach
Trustee
Shmuel Smith
Trustee
Asher Grossman

ZONING BOARD of APPEALS APPLICATION

Please take notice that an application submitted to the Zoning Board Appeals must include the following items:

Application fee and escrow (see attached schedule of fees), in 2 separate checks, made payable to the

"the Village of Spring Valley".

8 - Copies of the attached application form and submission checklist.

Short Form EAF can be used for all others (Zoning Board can request the Long Forms).

8 - Copies of Proposed Site Plan/Plot Plan.

8 - Copies of a color map showing Wetlands, Steep Slopes and Lot Count Formula

10 - Copies of a Survey, less than 2 years old, signed and sealed by a NYS licensed land surveyor.

5 - Copies of architectural elevations (front, side, rear) and floor plans prepared by a Design Professional (if provided/or applicable)

4 - Copies of correspondence from the Wetland Inspector (if applicable).

Copies of previously granted variances (if applicable).

2 - Copies of the deed/contract of sale.

2 - Copy of authorization by owner(s) if applicant is represented by an agent or other representative.

1 - Digital Copy of Plans and all documents on Thumb/Flash Drive or email pdfs.

Electronic Submission to Ann Quattrocchi (aquattrocchi@villagespringvalley.org), Dainde Laplante (dlaplante@villagespringvalley.org). ***Please use the same email thread for subsequent correspondences/submittals. If a new email is required, please add the application number to the subject line.***



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Section 1 – To be completed by Zoning Department Staff	APPROVAL DATE
Appeal #:	Date:
Area Variances/Use Approved:	Date:

Section 2 – To be completed by Applicant

_____ Subdivision _____ Number of Lots X Site Plan Approval

Zoning Board of Appeals ☐ Use Variance ☒ Area Variance

1. Tax Map Designation(s):

Section 57.53 Block 1 Lot(s) 5.6, 6.2, 6.3 & 7

Section _____ Block _____ Lot(s) _____

2. Name of Project:

29-35 Summit Ave

3. Project Location: On the West side of Summit Ave
approx 100 feet North of Park Ave in
the Village of Spring Valley.

Project Street Address: 29,33,35 Summit Ave

4. Nearest Intersection: Park Ave

5. Zoning District(s): R-4

Contact Information:

6. Name of Owner: Nexus Realty NY LLC

Address: 2 Miele Road, Monsey NY 10952

Phone Number: _____ E-Mail: _____

7. Name of Applicant (if different): Same

Address: _____

Phone Number: _____ E-Mail: _____

8. Name of Engineer/Architect: Civil Design Works



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Address: 254 S Main Street suite 308 New City NY 10956

Phone Number: _____ E-Mail: _____

9. Name of Attorney: _____

Address: _____

Phone Number: _____ E-Mail: _____

Section 3 – To be completed by Applicant

Application, petition, or request is hereby submitted for:

☒ Area Variance from the requirement of Section _____;

☐ Use Variance from the requirement of Section _____;

☐ Review of an administrative decision of the Building Inspector (§255-56 (E));

☐ Review of an administrative decision of the Building Inspector (§255-56 (E));

☐ An order to issue a Certificate of Occupancy;

☐ An order to issue a Building Permit;

☐ An interpretation of the Zoning Ordinance or Map;

☐ Certification of an existing non-conforming structure or use;

☐ Other (explain);

To permit construction, maintenance and use of

Multi-Family Dwelling



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Previous Appeal:

- a. A previous appeal ____ has, or ____ has not, been made with respect to this property.
- b. Such appeal was in the form of:
- ____ An AREA Variance; or
 - ____ A USE Variance; or
 - ____ Appeal from decision of Village Official or Officer; or
 - ____ Interpretation of Zoning Ordinance or Map; or
 - ____ Other
- c. The previous appeal described above was appeal number _____, dated _____ and was _____ (Granted/Denied).

School District: East Ramapo	Postal District: Spring Valley
Fire District:	Ambulance District: Spring Hill
Water District:	Sewer District: Rockland #1



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A. AREA VARIANCE (This section to be completed only for an AREA variance. Copy this page if additional lots are proposed or if additional pages are needed.)

This application seeks a variance from the provisions of Article _____,

Sections (s) _____. Specifically, the applicant seeks a variance from the requirements from:

Section 57.53, Block 1, Lot 5.8, 1.6, 2.9, 3 and 7.

<u>Set Backs*</u>	<u>Required</u>	<u>Provided</u>
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LOT AREA		
LOT WIDTH		
STREET FRONTAGE		
FRONT YARD	30	21
SIDE YARD	20	0
REAR YARD	50	13
TOTAL SIDE YARD	40	10
BUILDING HEIGHT		
NUMBER OF STORIES		
NUMBER OF STORIES (FEET)		
FLOOR AREA RATIO	1.0	1.81
NUMBER OF PARKING SPACES	132	80
ENLARGEMENT OF A NON-CONFORMING USE	max units allowed 61 proposed 66 Variance required from section 255-22-0 (1) - Principal building Separation 45' required 70' provided	

*e.g., dimensions.



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1. Is the requested variance(s) the minimum necessary to relieve the practical difficulty or economic injury? yes

2. Is the variance(s) substantial in relation to the zoning code? _____

Explain: _____

3. Will a substantial change be produced in the character of the neighborhood, or a substantial detriment to adjoining property owners be created, if this variance is granted? no

Explain: _____

4. Can the alleged practical difficulty or economic injury be overcome by some method other than a variance? no

Explain: _____

5. Will the granting of this variance affect the health, safety, or welfare of the neighborhood or community? no

Explain: _____

6. Will there be any affect on governmental facilities or services if this variance is granted? no

Explain: _____

7. Other factors I/we wish the Board to consider in this case are

N/A



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B. USE VARIANCE *(this section to be completed for a USE variance. Use additional pages, if needed.)*

1. This property cannot be used for any uses currently permitted in this zone because:

2. The problem with this property is due to unique circumstances and not to the general conditions of the neighborhood in that:

3. The use requested by this variance will not alter the essential character of the neighborhood in that:

4. The amount paid for the entire parcel was: _____

5. The date of purchase of the property was: _____

6. The present value of the entire property is: _____

7. The monthly expenses attributed to normal and usual maintenance of the property are:

8. The annual taxes on the property are: _____

9. The current income from the property is: _____

10. The amount of mortgages and other encumbrances on the property in question is:

- a. Date of Mortgage: _____
- b. Scheduled maturity (payoff) date: _____
- c. Present monthly payment amount: _____
- d. Current principal balance: _____
- e. Current interest rate: _____

11. Other factors I/we wish the Board to consider in this case are:



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C. APPEAL OF DECISION OF BUILDING INSPECTOR *(This section to be completed for an appeal, only. Use additional pages, if needed.)*

1. Name and position of official making the decision:

2. Nature of decision:

3. The decision described above is hereby appealed because:

D. INTERPRETATION OF ZONING CODE *(This section to be completed for an interpretation, only. Use additional pages, if needed.)*

1. Section(s) to be interpreted:

2. An interpretation of the Zoning Code is requested because:

Additional Information

1. Total Land Area: 89,316

2. Is the Site Currently Vacant? yes

3. Number of Structures Existing On-Site: 0

List Structures: 1/4

4. Number of Structures Proposed: 4



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5. Type of Structures Proposed: multi fam

6. Is this a commercial Site Plan? no Square Footage: _____

Proposed Use: _____

7. Number of Existing Parking Spaces: n/a

8. Number of Required Parking Spaces: 132

9. Are there Wetlands, Watercourses, or Waterbodies On-Site? no

If so, Describe: _____

10. Are There Floodplains or Floodways On-Site? no

If so, Describe: _____

11. Are There Slopes On-Site That Exceed 33.3% (1:3)? no

If so, Describe: _____

12. What is the Total Area of Disturbance? _____ Acres

13. How Much Earth will be Removed from the Site? _____ Cubic Yards

14. How Much Earth will be Imported into the Site? _____ Cubic Yards

15. Has the applicant filed an application with the Rockland County Department of Health? _____

16. Has the applicant received approval from the Rockland County Department of Health? _____

Date _____

17. What other approvals/permits are required? (PB, DPW, NYSDEC, ACOE, County Highway, NYSDOT, etc.) _____



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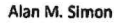
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Section 4 – To be completed by Applicant

Provide a Brief Narrative Describing the Proposed Project (please attach long form narrative):

Multifamily dwelling



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Zoning Board of Appeals Members

Chairman – Moshe Hopstein
Vice Chairman – Eliyahu Solomon
Simon Deutsch
Samual Lamb
Sikhon Kanoute
Eli Gold - Alternate

Dainde M Laplante	Zoning Administrator /OD Consulting & Solutions Inc.
Mike D Kauker	Planner / Kauker & Kauker
Adam McCarey	Fire Commissioner / MPM LLC
Matthew Lizotte	Village Land Use Attorney / Lizotte-Law
Colliers Engineering	Village Engineer / Colliers Engineering & Design



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Applicant's Combined Affidavit and Certification

State of New York)
County of Rockland) ss.:
Village of Spring Valley)

Joel Fekete member of Nexus Realty NY LLC

_____, being duly affirmed, deposes and says:

Applicant's Name

I am the applicant in this matter. I make these statements to induce the Village of Spring Valley, its boards, commissions, officers, employees, and consultants, to entertain my application, knowing that the Village will rely upon the statements made herein.

1. **Verification of Facts.** All statements contained in this application and in all documents, drawings, writings, and other communications submitted in connection with this application are true.
2. **Consent to Enter.** I hereby give permission to members of said boards and/or supporting staff to visit the property in question at a reasonable time during the day.
3. **Affidavit Pursuant to General Municipal Law Section 809.** All the following statements and the statements contained in the papers submitted herewith are true and the nature and extent of interests set forth are disclosed to the extent that they are known to the applicant.
 - A. I certify that I am the owner, officer, member or agent of the owner, of all that certain lot piece or parcel of land and/or building described in this application **and if not the owner that he has been duly and properly authorized to make this application and to assume responsibility for the owner** in connection with this application for the relief below set forth:
 - B. There is no state officer, Rockland County officer or employee or village officer or employee nor his or her spouse, brother, sister, parent, child or grandchild, or a spouse of any of these relatives who is the applicant or who has an interest in the person, partnership or association making this application, petition or request, or is an officer, director, partner or employee of the applicant, or that such officer or employee, if this applicant is a corporation, legally or beneficially owns or controls any stock of the applicant in excess of 5% of the total of the corporation if its stock is listed on the New York or American Stock Exchanges; or is a member or partner of the applicant, if the applicant is an association or a partnership; nor that such village officer or employee nor any member of his family in any of the foregoing classes is a party to an agreement with the applicant, express or implied, whereby such officer or employee may receive any payment or other benefit, whether or not for service rendered, which is dependent or contingent upon the favorable approval of this application, petition or request.
 - C. To the extent that the same is known to your applicant, and to the owner of subject premises there is disclosed herewith the interest of the following officer or employee of the State of New York or the County of Rockland or of the Village of



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Spring Valley in the petition, request or application or in the property or subject matter of to which it relates:

(if none, so state)

a. Name and address of officer or employee N/A

b. Nature of interest _____

c. If stockholder, number of shares _____

d. If officer or partner, nature of office and name of partnership _____

e. If a spouse or brother, sister, parent, child, grandchild or the spouse of any of these blood relatives of such state, county or town/village officer or employee, state name and address of such relative and nature of relationship to officer and employee and nature and extent of office, interest or participation or association having an interest in such ownership or in any business entity sharing such ownership. _____

f. In the event of corporate or limited liability company ownership: A list of all directors, officers and stockholders of each corporation or members of each limited liability company owning more than five (5%) percent of any class of stock or more than five (5%) percent beneficial interest must be attached, if any of these officers or employees of the State of New York, or of the County of Rockland, or of the Village of Spring Valley.

D. I do hereby depose and say that all the above statements and statements contained in the papers submitted herewith are true, knowing that a person who knowingly and intentionally violates this section is guilty of a misdemeanor.

4. **Reimbursement for Professional Consulting Services.** I understand that the Village Board, Planning Board, Zoning Board of Appeals, and other municipal boards, in the review of any application described above, may refer any such application presented to it to such engineering, planning, environmental or other technical consultant as such Board shall deem reasonably necessary to enable it to review such application as required by law. The charges made by such consultants shall be in accord with charges usually made for such services in the metropolitan



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New York region or pursuant to an existing contractual agreement between the village and each such consultant for the cost of such consultant services upon receipt of the bill.

5. Application Fee(s)

I, Joel Fekete member of Nexus Realty NY LLC, have paid to the Village Clerk and/or Treasurer, the required fee for this application. (The fee is subject to the Schedule of Fees of the municipality). I shall review a copy of the zoning Local Law and Land Development Regulations and be ready and prepared to review this application when scheduled. The Village Board, Planning Board, or Zoning Board of Appeals in the review of any application described above, may refer the subject application to an engineering, planning, environmental, or other technical consultant as such Board shall deem reasonably necessary to enable it to review the application as required by law.

I agree to establish an escrow account with the Village of Spring Valley from which these consultants' fees will be paid. The escrow account will not draw interest and will be replenished upon notification by the Village. Any additional sums needed to pay the Village's consultants shall be paid prior to final action on the application. **The Village may suspend processing of the application if there is a deficiency in the escrow account.** Permits will not be issued and site plan and/or subdivision will not be signed until bill is paid in full. Any sums remaining in the escrow account after the consultants have been paid in full will be returned to the applicant. The applicant has the right to examine escrow and payment records upon prior written notice to the Village.

Applicant's Signature _____

Print Applicant's Name Joel Fekete member of Nexus Realty NY LLC

Affirmed to before me this

2nd day of July, 20 26.

Notary Public



I have received from _____ the sum of _____ on this date

Secretary Planning/Secretary Zoning

Reviewed by the _____ on _____

Action Taken: _____



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This checklist is provided as a guide and is for the convenience of the applicant. The Village of Spring Valley Zoning Board may require additional notes or revisions prior to granting approval.

The undersigned agrees to the best of his or her knowledge, the submitted project plans have been prepared in accordance with this checklist.

Signature of Applicant / Agent for Applicant

7/2/20

Date