AGENDA:

Village of Spring Valley
200 North Main Street
Spring Valley, New York 10977
845-352-1100

Alan Simon
Mayor

Planning Board Agenda
August 31st, 2020
7:00pm

**13-15 Bethune Blvd-Final**
Proposed: Multi-Family Dwelling
Location: on the West side of Bethune Blvd, 410 feet South from the Intersection of Ewing Ave and Bethune Blvd in a PRD
Applicant: Shulem Schick

**14 Rose Ave- Final**
Proposed: Office Building
Location: On the east side of Rose Ave, 245 ft south of Ewing Ave
Applicant: 14 Rose LLC

**324 Rt 59- Intent**
Proposed: Two Story Building

**23 Lawrence St-consideration of Negative Declaration**
Proposed: Office Building
MEMORANDUM

TO: Village of Spring Valley Planning Board
FROM: Michael D. Kauker, PP, AICP
Principal
DATE: August 28, 2020
SUBJECT: 13-15 Bethune Boulevard
Review # 5

The following materials were received and reviewed by this office:

1. Site Plan consisting of 6 sheets prepared by Anthony R. Celentano, P.E.

2. Building Plans consisting of 5 sheets Hartman designs:

3. Application Form dated 8/12/19.
4. SEQRA Short Environmental Assessment Form dated 8/16/19.

The following comments are submitted regarding this application for the Planning Boards consideration:

Introduction
The applicant has submitted an application for site plan in order to construct an 18-unit multiple-family development, a reduction in units form 24 as initially proposed. The subject property is located on the west side of Bethune Boulevard between Clinton Street to the north and White Street to the south. The site has an area of 27,228 square feet and is located within the PRD Planned Residential Development Overlay District. The proposed development will require site
plan approval from the Planning Board, a special permit from the Village Board and variances from the ZBA.

Application Status
The applicant is on for a public hearing before the Planning Board and it is the applicant’s third appearance before the Planning Board.

State Environmental Quality Review Act (SEQRA)
Pursuant to SEQRA regulations this action is identified as an unlisted action. The Planning Board has taken the following actions related to the SEQRA review:

- Declaration of intent to be Lead Agency: September 5, 2019
- Declaration of Lead Agency: November 7, 2019
- Adoption of Part 2: November 7, 2019
- Adoption of Negative Declaration: February 6, 2020.

Board Action
The Planning Board can vote on the application if they so desire.

General Comments
1. A review of the Building Elevations specifically the rear facade depicts a massive rear façade without much articulation. Building articulation to break up the rear façade should be provided. Offsets in elevation or alternating patterns and types of windows should be considered.
2. The building footprint anon the site plan and architectural plans do not seem to match. This should be addressed by the applicant. Specifically, the front of the building shows two indents on the site plan where the architectural plans shows none.
3. The proposed grading and existing conditions should only be shown on site plan sheets that relate to those elements. For example, they do not need to be provided on the planmetric plan or landscape and lighting plan among others.
4. A proposed wall with a fence located on top has been added to the plan. The proposed wall will be located along the side and rear yards. The detail depicts a 6-foot wall with a 3-foot fence. Details on the fence shall be provided. The applicant should provide testimony regarding the need and purpose of the wall and how it affects the proposed grading of the property. The Planning Board should consider any potential impacts that the wall and change in grade may have on the neighboring properties.
5. Additional landscaping should be provided in the front yard between the building and the street. I would recommend a berm with evergreen trees.
6. I would recommend a more residential type lighting fixture be provided.
Property Description
The subject property is an interior lot located on the west side of Bethune Boulevard between Clinton Street to the north and White Street to the south in the PRD District. The property has a lot area of 27,228 square feet. The property is currently occupied by two structures.

The subject property is surrounded primarily by residential uses.

The aerial photograph below shows the subject property and its relationship to the surrounding neighborhood.
The following map shows the lot that is the subject of this application in relation to the other lots in the area.

![Map Image]

**Proposed Development**

The applicant’s proposal consists the construction of a three-story 18-unit multi-family dwelling. The proposed building will be situated near the northerly side lot line and the parking area is located to the south of the building. The applicant should provide the number of bedrooms for each unit. Access is provided from one curb cut along Bethune Boulevard. The dimension of the drive aisle width is 24 feet. There are 36 parking spaces proposed, where 36 would be required. The dimensions of the parking spaces are 8 feet by 18 feet, where 9 feet by 18 feet is required. A play area is shown to the west of the proposed building within the rear yard. A garbage dumpster area and snow removal area are shown in a small area to the west of the parking lot. There are no details provided.
Zoning Ordinance

- Permitted Uses – The subject property is located within the Village’s PRD Planned Residential Development Overlay District. Permitted uses in the PRD District include One-family detached dwellings, Churches or other places of worship, Convents, Uses of the Village of Spring Valley, Uses of other governments, Public schools, One-family semiaxited dwellings and Two-family detached dwellings. The proposed multi-family use is permitted by special permit form the village board in the PRD District.

- Bulk and Area Requirements – The following table compares the proposed development to the bulk and area requirements of the zoning ordinance.

<table>
<thead>
<tr>
<th>Zoning Requirements</th>
<th>Required</th>
<th>Prior Proposed</th>
<th>Now Proposed</th>
</tr>
</thead>
<tbody>
<tr>
<td>Lot Area</td>
<td>20,000</td>
<td>27,228</td>
<td>27,228</td>
</tr>
<tr>
<td>Lot Width</td>
<td>150</td>
<td>124.71 (V)</td>
<td>124.71 (V)</td>
</tr>
<tr>
<td>Front Yard</td>
<td>30</td>
<td>25 (V)</td>
<td>20 (V)</td>
</tr>
<tr>
<td>Side Yard</td>
<td>20</td>
<td>15 (V)</td>
<td>10 (V)</td>
</tr>
<tr>
<td>Total Side Yard</td>
<td>40</td>
<td>61</td>
<td>78</td>
</tr>
<tr>
<td>Rear Yard</td>
<td>50</td>
<td>29.2 (V)</td>
<td>30</td>
</tr>
<tr>
<td>Bldg. Ht. (ft/st.)</td>
<td>40/3</td>
<td>40/3</td>
<td></td>
</tr>
<tr>
<td>FAR</td>
<td>0.6</td>
<td>0.7 (V)</td>
<td>0.665 (V)</td>
</tr>
</tbody>
</table>

The applicant requires several variances for this proposed development as identified above.

The applicant would require the following additional variances or relief from the requirements of the zoning ordinance.

1. A variance would be required for the size of the parking stalls as 9’x18’ is required, where 8’x18’ is proposed.
2. The density for multifamily dwellings shall be a maximum of 18 dwelling units per acre, where the applicant proposes a density of 29 units per acre.

Stormwater Management
The applicant has provided Drainage Calculations prepared by Celentano Engineering, PLLC dated November 30, 2019.

cc: Applicant
MEMORANDUM

TO: Village of Spring Valley Planning Board
FROM: Michael D. Kauker, PP, AICP
Principal
DATE: August 31, 2020
SUBJECT: 14 Rose Avenue
Review # 4

The following materials were received and reviewed by this office:

1. Site Plan consisting of 6 sheets prepared by Anthony R. Celentano, P.E.

2. Building Plans consisting of 5 sheets prepared by Hy Garfinkel, Architect:
   c. Sheet A-3 dated 11/19/18.
   d. Sheet A-4 dated 11/19/18.
   e. Sheet A-5 dated 11/19/18.
   f. Sheet A-6 dated 11/19/18.

3. Application Review Form.
5. SEQRA Short Environmental Assessment Form dated 8/5/17.

The following comments are submitted regarding this application for the Planning Boards consideration:

Introduction
The applicant has submitted a site plan application proposing the development of a three-story building consisting of 9 residential apartment units. The subject property is an interior lot
located on the east side of Rose Avenue just south of Ewing Avenue. The subject property has a lot area of 15,000 square feet and is located within the PRD Overlay District. The proposed development will require site plan approval from the Planning Board, a special permit from the Village Board and variances from the ZBA.

Application Status
The applicant is on for a public hearing before the Planning Board and it is the applicant’s fifth appearance before the Planning Board.

State Environmental Quality Review Act (SEQRA)
Pursuant to SEQRA regulations this action is identified as an unlisted action. The Planning Board has taken the following actions related to the SEQRA review:

- Declaration of intent to be Lead Agency: July 17, 2018.
- Adoption of Negative Declaration: October 4, 2018.

Board Action
The Planning Board can vote on the application if they so desire.

General Comments
1. The proposed grading and existing conditions should only be shown on site plan sheets that relate to those elements. For example, they do not need to be provided on the planimetric plan or landscape and lighting plan among others.
2. A proposed wall with a fence located on top has been added to the plan. The proposed wall will be located along the side and rear yards. The detail depicts a 6-foot wall with a 3-foot fence. Details on the fence shall be provided. The applicant should provide testimony regarding the need and purpose of the wall and how it affects the proposed grading of the property. The Planning Board should consider any potential impacts that the wall and change in grade may have on the neighboring properties.
3. Additional landscaping should be provided in the front yard between the building and the street. I would recommend a berm with evergreen trees.
4. I would recommend a more residential type lighting fixture be provided.
5. The applicant has moved the location of the proposed dumpster form the rear of the building to the front yard. We recommend that the dumpster enclosure be relocated back to its original location to the rear of the building.
6. I would recommend enclosing the play area with a fence for the safety of the children.
7. The applicant should confirm the FAR as there are no calculations provided on the Architectural Plans.
Property Description

The subject property is an interior lot located on the east side of Rose Avenue just south of Ewing Avenue and has a lot area of 15,000 square feet. There is an existing 1 1/2-story, single-family residence located on the property.

The subject property is surrounded by a mix of residential uses.

The aerial photograph below shows the subject property and its relationship to the surrounding neighborhood.

Aerial Map

Source: Google Earth
The following map shows the lot that is the subject of this application in relation to the other lots in the area.

Proposed Development
The applicant’s proposal consists of the demolition of the existing dwelling and construction of a three-story apartment building with 9 units. Access is provided from a two-way ingress and egress driveway from Rose Avenue and there is a total of 19 parking spaces proposed inclusive of 1 handicap space. The dimensions for the drive aisle are 24 feet and the parking stall sizes are 9 feet by 18 feet. The applicant has moved the location of the proposed dumpster form the rear of the building to the front yard. We recommend that the dumpster enclosure be relocated back to its original location to the rear of the building. The applicant has moved the location of the proposed dumpster form the rear of the building to the front yard. We recommend that the dumpster enclosure be relocated back to its original location to the rear of the building. His
recommendation has not been addressed. There is a play area located in the rear yard. I would recommend enclosing the play area with a fence for the safety of the children. There are six (6) 1,000-gallon drywells proposed, which are located in the rear yard within the parking area.

**Zoning Ordinance**

- **Permitted Uses** – The subject property is located within the Village’s PRD Planned Residential Development Overlay District. Permitted uses in the PRD District include one-family detached dwellings, churches and other places of worship, convents, uses of the Village of Spring Valley, uses of other governments, public schools, one-family semi attached dwellings and two-family detached dwellings. The proposed multi-family use is permitted by a special permit pursuant to §A-6B(10) in the PRD District from the Village Board.

- **Bulk and Area Requirements** – The following table compares the proposed development to the bulk and area requirements of the zoning ordinance.

<table>
<thead>
<tr>
<th>Zoning Requirements</th>
<th>Required Two-Family</th>
<th>Proposed</th>
</tr>
</thead>
<tbody>
<tr>
<td>Lot Area</td>
<td>20,000</td>
<td>15,000 (V)</td>
</tr>
<tr>
<td>Lot Width</td>
<td>150</td>
<td>100 (V)</td>
</tr>
<tr>
<td>Front Yard</td>
<td>30</td>
<td>25 (V)</td>
</tr>
<tr>
<td>Side Yard</td>
<td>20</td>
<td>10 (V)</td>
</tr>
<tr>
<td>Total Side Yard</td>
<td>40</td>
<td>60</td>
</tr>
<tr>
<td>Rear Yard</td>
<td>50</td>
<td>42 (V)</td>
</tr>
<tr>
<td>Bldg. Ht. (ft/st.)</td>
<td>35/3</td>
<td>35/3</td>
</tr>
<tr>
<td>FAR</td>
<td>0.6</td>
<td>0.6</td>
</tr>
</tbody>
</table>

The applicant requires several variances for this proposed development as identified above.

In addition to the variances identified above the applicant would require the following additional variances or relief form the requirements of the zoning ordinance.

1. **Density** - The permitted density for multi-family uses in the PRD District is 18 units per acre, where the applicant proposes 26 units per acre. Looking at it another way, this 0.34-acre (15,000 square foot) site would permit 6 dwelling units, where 9 units are proposed.

The applicant should provide architectural plans to confirm the building height and FAR.

The following Additional use requirements for special permit uses in the PRD Zone are also applicable to this development.
1) A buffer with a minimum dimension of the respective required yard may be required as a condition of approval for any special permit use in Subsection B where such uses may affect the residential character of the neighborhood. Such buffer area may be reduced where local conditions warrant and substitute measures are prescribed for the protection of neighboring properties or where adjacent use is similar to that proposed for special permit approval.

2) The density for multifamily dwellings shall be a maximum of 18 dwelling units per acre. No lots consisting of more than one multifamily dwelling building, the maximum density requirements herein set forth shall prevail on a pro rata basis.

3) Number of bedrooms.

4) Of that portion of any lot which is not covered by either the building or buildings or the parking facilities permitted on such lot, a minimum of 50% thereof shall be maintained in the landscaped area, with the balance thereof containing recreational facilities.

Other additional requirements that must be complied with are as follows:

1. Section 255-31G. Requirements for parking spaces adjacent to lots in any residence district. Wherever a parking area of over five spaces abuts or is within 15 feet of a lot in any residence district, it shall be screened from such residential lot by a substantial wall, fence or thick hedge, approved by the Planning Board.

2. Section 255-35B. Screening. Parking areas with more than four spaces in a residential district shall be screened from all property lines, including any roads bordering the property. All parking areas and loading berths shall be screened from any residential district boundary where visible. Such screening shall not obstruct sight distance. The Planning Board may require landscaping between nonresidential use parking areas to prevent massing of such areas and to protect the character and compatibility of adjacent uses.

**Stormwater Management**

The location of 6 drywells is shown on the plan. The applicant should provide more detail as described previously in this report.

cc: Applicant
MEMORANDUM

TO: Village of Spring Valley Planning Board
FROM: Michael D. Kauker, PP, AICP
       Principal
DATE: August 31, 2020
SUBJECT: 324 Route 59
          Review # 1

The following materials were received and reviewed by this office:

3. SEQRA Short Environmental Assessment Form dated 8/19/20.

The following comments are submitted regarding this application for the Planning Boards consideration:

Introduction
The applicant has applied for the consideration of preliminary and final site plan approval in order construct a two-story office building with a basement and 113 parking spaces. Parking for the office use is proposed in the R-1 Residential District, which is not permitted. The subject property is located on the north side of Route 59 and has frontage on Yatto Lane, Summit Avenue and Tenure Avenue. The subject property has an area of 67,491 square feet and is located within the in the POR and R-1 Districts.

Since the parking for a nonresidential use is not permitted in a residential zone, the applicant is requesting a zone change from the Village Board to change zoning from an R-1 zoning designation to a POR zoning designation. The applicant has provided the Planning Board with Part 1 of the SEQRA Short Environmental Assessment Form (SEAF). As we previously requested the applicant should provide the Planning Board with a Full Environmental Assessment Form (FEAF), which in addition to the request for site development plan approval should include information regarding the requested zoning amendment.

Application Status
The applicant is on for a preliminary hearing before the Planning Board and it is the applicant’s first appearance before the Planning Board.

State Environmental Quality Review Act (SEQRA)
Pursuant to SEQRA regulations this action is identified as an unlisted action. The Planning

Kauker & Kauker, LLC • 356 Franklin Avenue • Wyckoff • New Jersey • 07481
201.847.2000 P • 201.847.2424 F
www.kaukerplan.com
Board has taken the following actions related to the SEQRA review:

- Declaration of intent to be Lead Agency: TBD.
- Declaration of Lead Agency: TBD
- Adoption of Part 2: TBD
- Adoption of Negative Declaration: TBD

List of SEQRA Involved Agencies
1. Village of Spring Valley Planning Board
2. Village of Spring Valley Board of Trustees
3. Village of Spring Valley Board of Adjustment
4. New York State Department of Transportation (Possible)

Board Action
Although the Planning Board declared itself Lead Agency at the December 4, 2019 Planning Board meeting, it was not clear whether the applicant would seek a Zone Change or a Use Variance. At this time the applicant is requesting a zone change, which also includes the Village board of Trustees as an involved agency. Because the proposed action is different and now includes additional involved agencies the Planning Board should reissue their intent to be lead agency and all required materials should be sent to the involved agencies.

General Comments
1. The applicant should revise the application in accordance with their decision to apply for either a Zone change or a Use Variance. Applicant is requesting a zone change.
2. The applicant should provide the Planning Board with Part 1 of the SEQRA Full Environmental Assessment Form (FEAF). Not Provided.

Property Description
The subject property is located on the north side of Route 59 and also has frontage on Yatto Lane, Summit Avenue and Tenure Avenue. The property is comprised of six (6) tax lots that are located within the POR and R-1 Districts and has a lot area of 67,491 square feet. The properties are developed with several buildings that include a residential use along Tenure and commercial uses along Route 59. The land uses in the area reflect the underlying zoning. The subject property is bounded by single-family homes along both sides of Tenure and to the west opposite Summit Avenue, and commercial uses along Route 59 to the south, east and west.

The aerial photograph below shows the subject property and its relationship to the surrounding neighborhood.
The following map shows the lot that is the subject of this application in relation to the other lots in the area.

**Proposed Development**

The applicant's proposal consists the construction of a two-story office building with 113 parking spaces. The proposed building will be situated near the front property line. Separate means of access is provided from Yatto Lane and Summit Avenue via two-way ingress/egress driveways.

cc: Applicant
August 31, 2020

Hon. Moses Koth, Chairman
Planning Board
Village of Spring Valley
200 North Main Street
Spring Valley, New York 10977

Re: 14 Rose Avenue

Dear Chairman Koth:

This office is counsel to the applicant with respect to the proposed development on realty located at the above-referenced location in the Village of Spring Valley.

As part of the Board’s review, it considers a May 30, 2018 review conducted by the Rockland County Department of Planning, purportedly pursuant to Sections 239 L & M of the General Municipal Law. The statutory purpose of said review is to address “inter-community and countywide” considerations based on the project’s location within 500 feet of the Town of Ramapo. The project does not impact the Town of Ramapo. The review does not identify any specific impacts on Ramapo.

With respect to Comment 1, we note this a use permitted by special permit in the zone consistent with density in the vicinity. Zero net runoff will be complied with and there is adequate public water and sewer capacity. The applicant will pay any sewer impact fee. Development of the property will yield code-mandated affordable housing, which is in limited supply in the Village. Moreover, these comments speak to whether or not the Zoning Board of Appeals should grant variances, not site plan considerations applicable to review by the Planning Board. As such, these comments do not accurately reflect the character of the community and should be overridden.

With respect to Comment 2, the Town of Ramapo has had the opportunity to comment on the application and has not done so.

With respect to Comment 6, a turnaround is provided.

With respect to Comment 12, a review is performed by the Village Fire Inspector.

With respect to Comment 14, this is a proposed multi-family building.

With respect to Comment 16, the building complies with the NYS Uniform Fire Prevention and Building Code.
Very truly yours,

Ryan S. Karben

RYAN KARBEN