AGENDA:

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

Alan Simon
Mayor

Planning Board Agenda
October 21st, 2020
7:00pm

324 Route 59-Adopt Part II
Proposed: Two-story building
Location: On the north side of Rt 59, 0 ft west from intersection of Yatto Lane and Rt 59
Applicant: Yakov Grunwald

175,185,193 Route 59 (Central Crossing)-Declare Lead Agency/ Adopt Part II
Proposed: Demolish existing building. Combine 3 lots, divide into 2 lots, and build 5 story retail and office space in 1 lot
Location: On the north side of NYS Rt 59, 0 ft east of NYS Rt 45
Applicant:

107-115 Bethune Blvd-Declare Lead Agency
Proposed: Multi family dwelling
Location: on the west side of Bethune Blvd, south of Fred Hecht Dr
Applicant: Moka Builders

65 S. Madison Ave-Declare Lead Agency
Proposed: Two Lot Subdivision with Two-Family Detached Dwelling on each lot
Location: On the west side of S. Madison Ave, 0 ft north of Castle Ave
Applicant:

40 Jacaruso Drive- Declare Lead Agency/ Adopt Part II
Proposed: Two Lot Subdivision with Two-Family Detached Dwelling on each lot
Location: On the east side of Jacaruso Dr., approx. 760 ft west of N. Rigaud Rd
Applicant:

41 W. Church St- Declare Lead / Adopt Part II
Proposed: Conversion of Existing Tire shop to a warehouse with addition to existing building
Location: On the north side of W. Church St, approx. 95.59 ft west of North Myrtle Ave
Applicant: Leopold KAff
MEMORANDUM

TO: Village of Spring Valley Planning Board
FROM: Michael D. Kauker, PP, AICP
Principal
DATE: October 15, 2020
SUBJECT: 324 Route 59

Our office has reviewed Part 1 of the SEQRA Short Environmental Assessment Form (SEAF) and has prepared a Part 2. We would recommend that the Planning Board pass a resolution adopting Part 2 and that it be forwarded to the applicant for use in preparing a Part 3.

Attached is the Part 2, which lists the potential moderate to large impacts that have been identified. The applicant should address the impacts that have been identified as moderate to large in Part 3 of the SEAF. In instances where sufficient information was not provided or not available to determine the impact or if the impact were unknown it was marked off as a potential moderate to large impact.

In Part 3 the applicant should explain why a potential impact identified in Part 2 may result or will not result in a significant adverse environmental impact. Part 3 should, in sufficient detail, identify the impact, including any measures or design elements that are proposed by the project sponsor to avoid or reduce impacts.

The following provides some additional detail regarding questions where moderate to large impacts may occur as a result of the proposed project and require additional input form the applicant.

Part 2, Question 1
Will the proposed action create a material conflict with an adopted land use plan or zoning regulations?

The applicant is requesting a zoning amendment from the Village Board in order to change the zoning from an R-1 zoning designation to a POR zoning designation. The applicant ultimately will require preliminary and final site development plan approval in order construct a two-story office building with a basement and 113 parking spaces on the subject property. The board will have to consider whether or not the proposed zone change and subsequent development is compatible with the uses in the surrounding neighborhood and find that there would not be a substantial impact to the surrounding neighborhood as a result of the proposed zone change. The applicant would require a number of area variances even if the requested zone change were granted. Since the applicant does not meet a number of area requirements the proposed action is
inconsistent with the zoning regulations. The board must determine whether or not the variances result in a small impact or a moderate to large impact. In order to make this determination one must consider the number of variances and the magnitude of the variances being requested. Individual area variances in of themselves would not create a material conflict with the zoning regulations but a number of variances which significantly deviate from the requirements of the ordinance could create a material conflict and may result in impacts to the area. In this case the applicant is proposing a three lot subdivision in which none of the proposed lots meet the minimum lot area requirement. In all there are a total of 8 area requirements for the zone. The applicant is requesting variances for 5 out of the 8 requirements for proposed lot 1 and variances for 4 out of the 8 requirements for proposed lots 2 and 3. Any deviation greater than 10% is typically considered a material deviation. In this application the applicant is requesting the variances and percent deviations shown in the table below.

The following table lists the variances and percent of the deviation requested

<table>
<thead>
<tr>
<th>Zoning Requirements</th>
<th>Required</th>
<th>Proposed</th>
</tr>
</thead>
<tbody>
<tr>
<td>Lot Area</td>
<td>10,000</td>
<td>67,491</td>
</tr>
<tr>
<td>Lot Width</td>
<td>105</td>
<td>250</td>
</tr>
<tr>
<td>Front Yard (Yatto)</td>
<td>30</td>
<td>25 (V) 16%</td>
</tr>
<tr>
<td>Front Yard (Summit)</td>
<td>30</td>
<td>23.9 (V) 20%</td>
</tr>
<tr>
<td>Front Yard (Route 59)</td>
<td>30</td>
<td>25 (V) 16%</td>
</tr>
<tr>
<td>Front Yard (Tenure)</td>
<td>30</td>
<td>&gt;30</td>
</tr>
<tr>
<td>Side Yard</td>
<td>15</td>
<td>n/a</td>
</tr>
<tr>
<td>Total Side Yard</td>
<td>30</td>
<td>n/a</td>
</tr>
<tr>
<td>Rear Yard</td>
<td>30</td>
<td>52.9</td>
</tr>
<tr>
<td>Bldg. Ht. (ft/st.)</td>
<td>35/3</td>
<td>35/2</td>
</tr>
<tr>
<td>FAR</td>
<td>0.3</td>
<td>0.53 (V) 76%</td>
</tr>
<tr>
<td>Parking</td>
<td>144</td>
<td>113 (V) 22%</td>
</tr>
</tbody>
</table>

Therefore, if the impacts associated with the requested variances cannot be mitigated the applicant should seek to eliminate or reduce the degree of the variances so there would not be any impact.

**Part 2, Question 2**
Will the proposed action result in a change in the use or intensity of use of land?

The proposal would result in an increase in the intensity of the use of land over what currently exists and as compared to what would be permitted by ordinance as evidenced by the fact that variances are required for FAR and parking which results from the size in square feet of the proposed office use.

**Part 2, Question 3**
Will the proposed action impair the character or quality of the existing community?
The proposed office building located along Route 59 would be consistent with the character of land uses that exist and are permitted along Route 59, but the parking area located along Tenure which is predominantly a single-family residential neighborhood should be carefully considered. I would recommend that a setback of at least 15 feet be that is substantially landscaped in order to provide a buffer to the existing homes.

Part 2, Question 4
Will the proposed action have an impact on the environmental characteristics that caused the establishment of a Critical Environmental Area?

The site of the proposed action is neither located in, nor does it adjoin, a State listed Critical Environmental Area.

Part 2, Question 5
Will the proposed action result in an adverse change in the existing level of traffic or affect existing infrastructure for mass transit, biking or walking?

The applicant proposes to construct two-story, 36,000 square foot office building. Because of the project’s location and the size of the office building, the applicant should prepare a traffic and parking analysis assessing the impact of the proposed development on the surrounding roads.

Part 2, Question 6
Will the proposed action cause an increase in the use of energy and it fails to incorporate reasonably available energy conservation or renewable energy opportunities?

The applicant indicates that they will meet or exceed the state energy code requirements. The applicant should describe the proposed design features and green technologies used in the development that would exceed the state requirements.

Part 2, Question 7
Will the proposed action impact existing:
   a. Public/private water supplies?
   b. Public/private wastewater treatment facilities?

The applicant should provide the board with information as to whether or not there is sufficient capacity to accommodate the proposed office building.

Part 2, Question 8
Will the proposed action impair the character or quality of important historic, archaeological, architectural or aesthetic resources?

The site does not contain a structure that is listed on either the State or National Register of Historic
Places and the proposed action is not located in an archeological sensitive area.

**Part 2, Question 9**
Will the proposed action result in an adverse change to natural resources?

The subject site is located in a fully developed suburban area, is not located in or adjacent a State listed Critical Environmental Area, does not contain any wetlands or waterbodies, does not contain any unique land forms and does not contain any species of animal, or associated habitats, listed by the State or Federal government as threatened or endangered.

**Part 2, Question 10**
Will the proposed action result in an increase in the potential for erosion, flooding or drainage problems?

The applicant should provide an analysis assessing the impact the proposed development may have regarding stormwater runoff.

**Part 2, Question 11**
Will the proposed action create a hazard to environmental resources or human health?

The activities associated with the proposed residential use would not create a hazard to environmental resources or human health.

cc: Applicant
**Short Environmental Assessment Form**

**Part 2 - Impact Assessment**

**Part 2 is to be completed by the Lead Agency.**

Answer all of the following questions in Part 2 using the information contained in Part 1 and other materials submitted by the project sponsor or otherwise available to the reviewer. When answering the questions the reviewer should be guided by the concept “Have my responses been reasonable considering the scale and context of the proposed action?”

<table>
<thead>
<tr>
<th>Question</th>
<th>No, or small impact may occur</th>
<th>Moderate to large impact may occur</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. Will the proposed action create a material conflict with an adopted land use plan or zoning regulations?</td>
<td>☐</td>
<td>☃</td>
</tr>
<tr>
<td>2. Will the proposed action result in a change in the use or intensity of use of land?</td>
<td>☐</td>
<td>☃</td>
</tr>
<tr>
<td>3. Will the proposed action impair the character or quality of the existing community?</td>
<td>☐</td>
<td>☃</td>
</tr>
<tr>
<td>4. Will the proposed action have an impact on the environmental characteristics that caused the establishment of a Critical Environmental Area (CEA)?</td>
<td>☃</td>
<td>☐</td>
</tr>
<tr>
<td>5. Will the proposed action result in an adverse change in the existing level of traffic or affect existing infrastructure for mass transit, biking or walkway?</td>
<td>☐</td>
<td>☃</td>
</tr>
<tr>
<td>6. Will the proposed action cause an increase in the use of energy and it fails to incorporate reasonably available energy conservation or renewable energy opportunities?</td>
<td>☃</td>
<td>☐</td>
</tr>
<tr>
<td>7. Will the proposed action impact existing:</td>
<td></td>
<td></td>
</tr>
<tr>
<td>a. public / private water supplies?</td>
<td>☐</td>
<td>☃</td>
</tr>
<tr>
<td>b. public / private wastewater treatment utilities?</td>
<td>☐</td>
<td>☃</td>
</tr>
<tr>
<td>8. Will the proposed action impair the character or quality of important historic, archaeological, architectural or aesthetic resources?</td>
<td>☃</td>
<td>☐</td>
</tr>
<tr>
<td>9. Will the proposed action result in an adverse change to natural resources (e.g., wetlands, waterbodies, groundwater, air quality, flora and fauna)?</td>
<td>☃</td>
<td>☐</td>
</tr>
<tr>
<td>10. Will the proposed action result in an increase in the potential for erosion, flooding or drainage problems?</td>
<td>☐</td>
<td>☃</td>
</tr>
<tr>
<td>11. Will the proposed action create a hazard to environmental resources or human health?</td>
<td>☃</td>
<td>☐</td>
</tr>
</tbody>
</table>
MEMORANDUM

TO: Village of Spring Valley Planning Board
FROM: Michael D. Kauker, PP, AICP Principal
DATE: October 20, 2020
SUBJECT: 107-115 Bethune Boulevard

The following materials were received and reviewed by this office:

4. SEQRA Short Environmental Assessment Form dated 9/2/20.

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

Introduction
The applicant has submitted an application for the consideration of preliminary and final site plan approval in order construct a 22-unit multifamily development. The subject property is an interior lot located on the west side of Bethune Boulevard north of Fred Hecht Drive. The subject property has an area of 36,549 square feet and is located within the PRD Planned Residential Development Overlay District. The proposed development will require preliminary and final site plan approval from the Planning Board, variances from the ZBA and special permit from the Village Board.

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.

General Comments
1. Given the number and degree of variances we feel that the proposal is an overutilization of the property.
2. The 3 separate buildings and their location on site, deviation in density and FAR, and lack of parking are a concern.
3. We recommend a CDRC meeting take place to discuss the proposal.
4. There is no justifiable reason that on a 36,000 square foot site that the applicant can’t comply with the required yard setbacks.
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: TBD
- Declaration of Lead Agency: TBD
- Adoption of Part 2: TBD
- Adoption of Negative Declaration: TBD

Board Action
As early as possible in an agency's formulation of an action it proposes to undertake, or as soon as an agency receives an application for funding or for approval of an action, it must do the following:

(i) determine whether the action is subject to SEQR. If the action is a Type II action, the agency has no further responsibilities under this Part;
(ii) determine whether the action involves a Federal agency. If the action involves a Federal agency, the provisions of section 617.15 of this Part apply;
(iii) determine whether the action may involve one or more other agencies; and
(iv) make a preliminary classification of an action as Type I or Unlisted, using the information available and comparing it with the thresholds set forth in section 617.4 of this Part. Such preliminary classification will assist in determining whether a full EAF and coordinated review is necessary.

Pursuant to SEQRA Regulations, the Planning Board of the Village of Spring Valley ("Planning Board") finds (i) that the proposed action is subject to SEQRA; (ii) the action does not involve a Federal agency; (iii) the action may involve one or more other agencies, including the of Spring Valley Planning Board ("PB") the Village of Spring Valley Board of Trustees, and the Village of Spring Valley Zoning Board of Appeals ("ZBA"), ("Involved agencies"), and (iv) this action is classified as an Unlisted action.

We recommend that the Planning Board issue its Notice of Intention to be the SEQRA Lead Agency for this action, and to distribute said Notice of Intention to all Involved agencies.

Property Description
The subject property is an interior lot located on the west side of Bethune Boulevard north of Fred Hecht Drive. The property is comprised of three tax lots that are located within the PRD zoning district and have a combined lot area of 36,549 square feet. The properties are developed with multiple uses including a deli-grocery store and residential dwellings.

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.

![Tax Map](Image)

**Source:** Rockland County GIS

**Proposed Development**
The applicant’s proposal consists of the construction of three separate buildings that are each three-stories in height. The narrative and bulk table indicate that 22 units are proposed but the site plan depicts only 19 units located in three spearheaded buildings. 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 39 parking spaces proposed, where 44 would be required. The dimensions of the parking spaces are 8 feet by 18 feet. There is no play area shown. There is no garbage dumpster shown and no provision for snow removal is 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 semia ttached dwellings and Two-family detached dwellings. The proposed multi-family use is a 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>Proposed</th>
</tr>
</thead>
<tbody>
<tr>
<td>Lot Area</td>
<td>20,000</td>
<td>36,549</td>
</tr>
<tr>
<td>Lot Width</td>
<td>150</td>
<td>200</td>
</tr>
<tr>
<td>Front Yard</td>
<td>30</td>
<td>20 (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>20 (V)</td>
</tr>
<tr>
<td>Rear Yard</td>
<td>50</td>
<td>10 (V)</td>
</tr>
<tr>
<td>Bldg. Ht. (ft/st.)</td>
<td>40/3</td>
<td>40/3</td>
</tr>
<tr>
<td>FAR</td>
<td>0.6</td>
<td>0.75 (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. Number of parking spaces – 44 spaces are required, where 39 spaces are proposed.
2. Parking stall size – 9 feet by 18 feet is required, where 8 feet by 18 feet is proposed.
3. A variance would be required for more than 1 building on a lot.
4. A variance may be required for building separation.
5. The density for multifamily dwellings shall be a maximum of 18 dwelling units per acre, where the applicant proposes a density of 26 units per acre. In other words 15 units would be permitted on this site, where 22 units are proposed.

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

**Building Plans and Elevations**

Should be provided.

**Circulation and Parking**

See comment above.
The office of the fire inspector should review and provide their comments on the proposed site plan, specifically related to areas of public safety and fire access. Pursuant to §255-40G of the code, “The site development plan shall provide for adequate fire truck maneuvering, sufficient fire hydrants, properly delineated fire lanes and adequate emergency access.”

**Stormwater Management**

Should be provided.

cc: Applicant
MEMORANDUM

TO: Village of Spring Valley Planning Board
FROM: Michael D. Kauker, PP, AICP
Principal
DATE: October 20, 2020
SUBJECT: 65 South Madison Avenue
Review # 1

The following materials were received and reviewed by this office:

1. Subdivision Plat consisting of 1 sheet prepared by Anthony R. Celentano, P.E. dated July 1, 2020 as revised 9/1/20.
4. SEQRA Short Environmental Assessment Form dated 9/10/20.

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

Introduction
The applicant has submitted an application for a two-lot subdivision in which two, two-family homes are proposed to be constructed on each newly created lot. The subject property is an interior lot located at 65 South Madison Avenue between West Funston Avenue to the north and Singer Avenue to the south. The site has an area of 13,023 square feet and is located within the R-2 District. The proposed development will require subdivision and site development plan approval (pursuant to §255-38.B) from the Planning Board and variances from the ZBA. The application also requires a referral to the County for a GML review.

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.

General Comments
1. The proposed lots are undersized at 6,625 square feet and 6,398 square feet, where 10,000 square feet is required, thus resulting in an overdevelopment of the site.
2. Pursuant to §229-41A, all new driveways and additions to existing driveways shall terminate no closer than five feet from the side yard property lines.
3. We would recommend that the applicant either provide garages with a driveway to accommodate 2 spaces for each unit.
4. Dimensions for parking areas including parking space and aisles should be provided.
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: TBD
- Declaration of Lead Agency: TBD
- Adoption of Part 2: TBD
- Adoption of Negative Declaration: TBD

Board Action

As early as possible in an agency's formulation of an action it proposes to undertake, or as soon as an agency receives an application for funding or for approval of an action, it must do the following:

(i) determine whether the action is subject to SEQR. If the action is a Type II action, the agency has no further responsibilities under this Part;
(ii) determine whether the action involves a Federal agency. If the action involves a Federal agency, the provisions of section 617.15 of this Part apply;
(iii) determine whether the action may involve one or more other agencies; and
(iv) make a preliminary classification of an action as Type I or Unlisted, using the information available and comparing it with the thresholds set forth in section 617.4 of this Part. Such preliminary classification will assist in determining whether a full EAF and coordinated review is necessary.

Pursuant to SEQRA Regulations, the Planning Board of the Village of Spring Valley ("Planning Board") finds (i) that the proposed action is subject to SEQRA; (ii) the action does not involve a Federal agency; (iii) the action may involve one or more other agencies, including the of Spring Valley Planning Board ("PB") and the Village of Spring Valley Zoning Board of Appeals ("ZBA"), ("Involved agencies"), and (iv) this action is classified as an Unlisted action.

As the Planning Board and Zoning Board are the only Involved Agencies and the Planning Board and Zoning Board have an agreement that the Planning Board will serve as SEQRA Lead Agency for all joint actions, we recommend that the Planning Board declare itself SEQRA Lead Agency for this action.

Property Description

The subject property is an interior lot located on the southwest corner of South Madison Avenue and West Funston Avenue. The site has an area of 13,023 square feet and is located within the R-2 District. The property is currently occupied by two and one-half story, single-family dwelling.

The subject property especially along South Madison is characterized primarily by lower density single-family 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.

Proposed Development
The applicant's proposal consists of a two-lot subdivision in which two, two-family homes will be constructed, one two-family dwelling on each lot. Proposed lot 1 will have frontage on South Madison Avenue and will have a lot area of 6,625 square feet. Proposed lot 2 will have frontage on South Madison Avenue and will have a lot area of 6,398 square feet. Access to both lots is provided from South Madison Avenue and there are 4 parking spaces proposed in the front yard for each of the proposed lots. The dimensions of the parking spaces and drive aisle shall be shown on the plan. Pursuant to §229-41A, all new driveways and additions to existing driveways shall terminate no closer than five feet from the side yard property lines. We would...
recommend that the parking configuration be reconfigured so that the applicant provides a garage for each of the proposed units with an additional parking space in the driveway.

**Zoning Ordinance**

**Permitted Uses** – The subject property is located within the Village’s R-2 Residential District. Permitted uses in the R-2 District include One-family detached dwellings, Churches or other places of worship, Convent, Uses of the Village of Spring Valley, Uses of other governments, Public schools, One-family semiattached dwellings, Two-family detached dwellings. Government assisted housing is permitted by special permit form the Village Board. The applicant shall confirm and provide documentation that the proposed use will be government assisted housing.

- **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 Lot 1</th>
<th>Proposed Lot 2</th>
</tr>
</thead>
<tbody>
<tr>
<td>Lot Area</td>
<td>10,000</td>
<td>6,625 (V)</td>
<td>6,398 (V)</td>
</tr>
<tr>
<td>Lot Width</td>
<td>100/105</td>
<td>50.70 (V)</td>
<td>57.18 (V)</td>
</tr>
<tr>
<td>Front Yard</td>
<td>25</td>
<td>20 (V)</td>
<td>20 (V)</td>
</tr>
<tr>
<td>Side Yard</td>
<td>15</td>
<td>10 (V)</td>
<td>10 (V)</td>
</tr>
<tr>
<td>Total Side Yard</td>
<td>30</td>
<td>20 (V)</td>
<td>20 (V)</td>
</tr>
<tr>
<td>Rear Yard</td>
<td>20</td>
<td>15 (V)</td>
<td>15 (V)</td>
</tr>
<tr>
<td>Bldg. Ht. (ft/st.)</td>
<td>35/3</td>
<td>35/3</td>
<td>35/3</td>
</tr>
<tr>
<td>FAR</td>
<td>0.65</td>
<td>0.65</td>
<td>0.65</td>
</tr>
</tbody>
</table>

The applicant requires a number of 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. Street Frontage of 70 feet is required, where 50.70 feet is proposed for lot 1 and 57.18 is proposed for lot 2.
2. Pursuant to §229-41A, all new driveways and additions to existing driveways shall terminate no closer than five feet from the side yard property lines
3. Pursuant to 255-30A, no vehicle shall be parked or stored in any required fire lane.

The applicant should provide architectural building elevations and floor plans in order to confirm the building height and FAR.

**Building Plans and Elevations**

Should be provided.
Circulation and Parking
See comment above related to providing a combination garage and driveway that can accommodate 2 parking spaces each

Stormwater Management
Should be provided.

cc: Applicant
MEMORANDUM

TO: Village of Spring Valley Planning Board
FROM: Michael D. Kauker, PP, AICP
Principal
DATE: October 19, 2020
SUBJECT: 40 Jacaruso Drive
Review # 2

The following materials were received and reviewed by this office:

1. Subdivision Plat consisting of 1 sheet prepared by Anthony R. Celentano, P.E. dated October 18, 2019 as revised 9/1/20.
2. Application Form dated 1/2/20.
4. SEQRA Short Environmental Assessment Form dated 9/10/20.

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

Introduction
The applicant has submitted an application for a two-lot subdivision in which two, two-family homes are proposed to be constructed on each newly created lot. The subject property is a through lot located at 40 Jacaruso Drive with frontage along both Jacaruso Drive and Union Road. The site has an area of 16,308 square feet and is located within the R-2 District. The proposed development will require subdivision and site development plan approval (pursuant to §255-38.B) from the Planning Board and variances from the ZBA. The application also requires a referral to the County for a GML review.

Application Status
The applicant is on for a preliminary hearing before the Planning Board and it is the applicant’s second appearance before the Planning Board. The applicant has not responded to any of our comments in our first memorandum.

General Comments
1. I would consider relocating access to both lots to Jacaruso Drive. This would eliminate a curb cut from Union Road a more heavily traveled roadway. **It was determined by the Planning Board that the proposed access from both roads is acceptable.**
2. We would recommend that the applicant either provide garages with a driveway to accommodate 2 spaces for each unit.
3. Dimensions for parking areas including parking space and aisles should be provided.
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 Lead Agency**: October 1, 2020
- **Adoption of Part 2**: TBD
- **Adoption of Negative Declaration**: TBD

Board Action
The Planning Board of the Village of Spring Valley ("Planning Board") has already declared itself to be SEQRA Lead Agency. We have reviewed Part 1 of the SEQRA SEAF and have prepared Part 2. The Planning Board can adopt the SEQRA Part 2 prepared by our office and direct the applicant to prepare the Part 3 response.

Property Description
The subject property is a through lot located at the terminus of Jacaruso Drive and the west side of Union Road. The site has an area of 16,308 square feet and is located within the R-2 District. The property is currently occupied by two, two-story dwelling. It is not clear how many units are in the building.

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.

Proposed Development
The applicant’s proposal consists of a two-lot subdivision in which two, two-family homes will be constructed, one two-family dwelling on each lot. Proposed lot 1 will have frontage on Jacaruso Drive and will have a lot area of 8,367 square feet. Proposed lot 2 will have frontage on Union Road and will have a lot area of 7,941 square feet. Access to lot 1 is proposed from Jacaruso Drive and access to lot 2 is proposed from Union Road. There a 4 stacked parking spaces proposed in the side yard for each of the proposed lots. The dimensions of the parking spaces and drive aisle shall be shown on the plan. Pursuant to §229-41A, all new driveways and additions to existing driveways shall terminate no closer than five feet from the side yard property lines. We would recommend that the parking configuration be reconfigured so that the
applicant provides a garage for each of the proposed units with an additional parking space in the driveway.

Zoning Ordinance
Permitted Uses – The subject property is located within the Village’s R-2 Residential District. Permitted uses in the R-2 District include One-family detached dwellings, Churches or other places of worship, Convent, Uses of the Village of Spring Valley, Uses of other governments, Public schools, One-family semiattached dwellings, Two-family detached dwellings. Government assisted housing is permitted by special permit form the Village Board. The applicant shall confirm and provide documentation that the proposed use will be government assisted housing.

- 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 Lot 1</th>
<th>Proposed Lot 2</th>
</tr>
</thead>
<tbody>
<tr>
<td>Lot Area</td>
<td>10,000</td>
<td>8,367 (V)</td>
<td>7,941 (V)</td>
</tr>
<tr>
<td>Lot Width</td>
<td>100/105</td>
<td>112.47</td>
<td>103.39</td>
</tr>
<tr>
<td>Front Yard</td>
<td>25</td>
<td>15 (V)</td>
<td>15 (V)</td>
</tr>
<tr>
<td>Side Yard</td>
<td>15</td>
<td>10 (V)</td>
<td>10 (V)</td>
</tr>
<tr>
<td>Total Side Yard</td>
<td>30</td>
<td>20 (V)</td>
<td>20 (V)</td>
</tr>
<tr>
<td>Rear Yard</td>
<td>20</td>
<td>10 (V)</td>
<td>10 (V)</td>
</tr>
<tr>
<td>Bldg. Ht. (ft/st.)</td>
<td>35/3</td>
<td>35/3</td>
<td>35/3</td>
</tr>
<tr>
<td>FAR</td>
<td>0.65</td>
<td>0.65</td>
<td>0.65</td>
</tr>
</tbody>
</table>

The applicant requires a number of 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. Street Frontage of 70 feet is required, where 25.43 feet is proposed for lot 1.
2. Pursuant to §229-41A, all new driveways and additions to existing driveways shall terminate no closer than five feet from the side yard property lines
3. Pursuant to 255-30A, no vehicle shall be parked or stored in any required fire lane.

The applicant should provide architectural building elevations and floor plans in order to confirm the building height and FAR.

Building Plans and Elevations
Should be provided.
Circulation and Parking
See comment above related to providing a combination garage and driveway that can accommodate 2 parking spaces each.

Stormwater Management
Should be provided.

cc: Applicant
MEMORANDUM

TO: Village of Spring Valley Planning Board
FROM: Michael D. Kauker, PP, AICP
Principal
DATE: October 19, 2020
SUBJECT: 40 Jacaruso Drive

Our office has reviewed Part 1 of the SEQRA Short Environmental Assessment Form (SEAF) and has prepared a Part 2. We would recommend that the Planning Board pass a resolution adopting Part 2 and that it be forwarded to the applicant for use in preparing a Part 3.

Attached is the Part 2, which lists the potential moderate to large impacts that have been identified. The applicant should address the impacts that have been identified as moderate to large in Part 3 of the SEAF. In instances where sufficient information was not provided or not available to determine the impact or if the impact were unknown it was marked off as a potential moderate to large impact.

In Part 3, the applicant should explain why a potential impact identified in Part 2 may result or will not result in a significant adverse environmental impact. Part 3 should, in sufficient detail, identify the impact, including any measures or design elements that are proposed by the project sponsor to avoid or reduce impacts.

The following provides some additional detail regarding questions where moderate to large impacts may occur as a result of the proposed project and require additional input from the applicant.

Part 2, Question 1
Will the proposed action create a material conflict with an adopted land use plan or zoning regulations?

Although the proposed use is permitted in the R-2 zone the applicant would require many area variances. Since the applicant does not meet many area requirements, the proposed action is inconsistent with the zoning regulations. The board must determine if the variances result in a small impact or a moderate to large impact. To make this determination, the board must consider the number of variances and the magnitude of the variances being requested. Individual area variances in of themselves, would not create a material conflict with the zoning regulations, but several variances, which significantly deviate from the requirements of the ordinance, could create a material conflict and may result in impacts to the area. In this case the applicant is
proposing a two-lot subdivision in which two, two-family homes are proposed. The variances requested by the applicant are shown in the table below.

The following table lists the variances and percent of the deviation requested:

<table>
<thead>
<tr>
<th>Zoning Requirements</th>
<th>Required Two-Family</th>
<th>Proposed Lot 1</th>
<th>% Deviation</th>
<th>Proposed Lot 2</th>
<th>% Deviation</th>
</tr>
</thead>
<tbody>
<tr>
<td>Lot Area</td>
<td>10,000</td>
<td>8,367 (V)</td>
<td>16%</td>
<td>7,941 (V)</td>
<td>21%</td>
</tr>
<tr>
<td>Lot Width</td>
<td>100/105</td>
<td>112.47</td>
<td></td>
<td>103.39</td>
<td></td>
</tr>
<tr>
<td>Front Yard</td>
<td>25</td>
<td>15 (V)</td>
<td>40%</td>
<td>15 (V)</td>
<td>40%</td>
</tr>
<tr>
<td>Side Yard</td>
<td>15</td>
<td>10 (V)</td>
<td>33%</td>
<td>10 (V)</td>
<td>33%</td>
</tr>
<tr>
<td>Total Side Yard</td>
<td>30</td>
<td>20 (V)</td>
<td>33%</td>
<td>20 (V)</td>
<td>33%</td>
</tr>
<tr>
<td>Rear Yard</td>
<td>20</td>
<td>10 (V)</td>
<td>50%</td>
<td>10 (V)</td>
<td>50%</td>
</tr>
<tr>
<td>Bldg. Ht. (ft/st.)</td>
<td>35/3</td>
<td>35/3</td>
<td></td>
<td>35/3</td>
<td></td>
</tr>
<tr>
<td>FAR</td>
<td>0.65</td>
<td>0.65</td>
<td></td>
<td>0.65</td>
<td></td>
</tr>
</tbody>
</table>

As shown in the table above, the applicant is requesting variances for the proposed development. Any deviation greater than 10% is typically considered a material deviation.

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

1. Street Frontage of 70 feet is required, where 25.43 feet is proposed for lot 1.
2. Pursuant to §229-41A, all new driveways and additions to existing driveways shall terminate no closer than five feet from the side yard property lines
3. Pursuant to 255-30A, no vehicle shall be parked or stored in any required fire lane.

Therefore, if the impacts associated with the requested variances cannot be mitigated the applicant should seek to eliminate or reduce the degree of the variances so there would not be any impact.

**Part 2, Question 2**
Will the proposed action result in a change in the use or intensity of use of land?

The proposal would create 2 lots where only 1 lot would be permitted, thereby increasing the intensity of the use of land.

**Part 2, Question 3**
Will the proposed action impair the character or quality of the existing community?

The proposed action results in an increase in density on the site and does not comply with several area variances in addition the proposed parking is not the most desirable layout. Therefore, the
proposed development is in contrast to other development in the neighborhood and may have an impact on the character of the neighborhood.

**Part 2, Question 4**
Will the proposed action have an impact on the environmental characteristics that caused the establishment of a Critical Environmental Area?

The site of the proposed action is neither located in, nor does it adjoin, a State listed Critical Environmental Area.

**Part 2, Question 5**
Will the proposed action result in an adverse change in the existing level of traffic or affect existing infrastructure for mass transit, biking or walking?

The applicant proposes a two-lot subdivision which would result in the creation of two, two-family homes. The number of trips generated by the proposed development according to the Table 1 provided in the SEAF Workbook is below the 100-trip threshold determined to result in a potential moderate to large impacts. Therefore, the increase in the number of trips would be negligible and further study would not be required. The impact would be classified as “no or small impact”.

**Part 2, Question 6**
Will the proposed action cause an increase in the use of energy and it fails to incorporate reasonably available energy conservation or renewable energy opportunities?

The proposed residential development is in an already suburbanized area and is comparable to existing uses in the surrounding area and there probably would not be a significant increase in the use of energy. The applicant indicates that they will meet or exceed the state energy code requirements. The applicant should describe the proposed design features and technologies used in the development that would exceed the state requirements.

**Part 2, Question 7**
Will the proposed action impact existing:
   a. Public/private water supplies?
   b. Public/private wastewater treatment facilities?

The proposed development should not have a significant impact on the existing water supply and wastewater system.

**Part 2, Question 8**
Will the proposed action impair the character or quality of important historic, archaeological, architectural or aesthetic resources?

The site does not contain a structure that is listed on either the State or National Register of
Historic Places and the proposed action is not located in an archeological sensitive area.

**Part 2, Question 9**
Will the proposed action result in an adverse change to natural resources?

The subject site is in a fully developed suburban area, is not located in or adjacent a State listed Critical Environmental Area, does not contain any wetlands or waterbodies, does not contain any unique land forms and does not contain any species of animal, or associated habitats, listed by the State or Federal government as threatened or endangered.

**Part 2, Question 10**
Will the proposed action result in an increase in the potential for erosion, flooding or drainage problems?

The applicant should provide an analysis assessing the impact from the proposed development as a result of potential stormwater runoff. The applicant should provide for a zero-net increase in stormwater runoff.

**Part 2, Question 11**
Will the proposed action create a hazard to environmental resources or human health?

The proposed action would not create a hazard to environmental resources or human health.

cc: Applicant
Part 2 is to be completed by the Lead Agency.
Answer all of the following questions in Part 2 using the information contained in Part 1 and other materials submitted by the project sponsor or otherwise available to the reviewer. When answering the questions the reviewer should be guided by the concept “Have my responses been reasonable considering the scale and context of the proposed action?”

<table>
<thead>
<tr>
<th>No, or small impact may occur</th>
<th>Moderate to large impact may occur</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. Will the proposed action create a material conflict with an adopted land use plan or zoning regulations?</td>
<td>☑</td>
</tr>
<tr>
<td>2. Will the proposed action result in a change in the use or intensity of use of land?</td>
<td>☑</td>
</tr>
<tr>
<td>3. Will the proposed action impair the character or quality of the existing community?</td>
<td>☑</td>
</tr>
<tr>
<td>4. Will the proposed action have an impact on the environmental characteristics that caused the establishment of a Critical Environmental Area (CEA)?</td>
<td>☑</td>
</tr>
<tr>
<td>5. Will the proposed action result in an adverse change in the existing level of traffic or affect existing infrastructure for mass transit, biking or walkway?</td>
<td>☑</td>
</tr>
<tr>
<td>6. Will the proposed action cause an increase in the use of energy and it fails to incorporate reasonably available energy conservation or renewable energy opportunities?</td>
<td>☑</td>
</tr>
<tr>
<td>7. Will the proposed action impact existing:</td>
<td>☑</td>
</tr>
<tr>
<td>a. public / private water supplies?</td>
<td>☑</td>
</tr>
<tr>
<td>b. public / private wastewater treatment utilities?</td>
<td>☑</td>
</tr>
<tr>
<td>8. Will the proposed action impair the character or quality of important historic, archaeological, architectural or aesthetic resources?</td>
<td>☑</td>
</tr>
<tr>
<td>9. Will the proposed action result in an adverse change to natural resources (e.g., wetlands, waterbodies, groundwater, air quality, flora and fauna)?</td>
<td>☑</td>
</tr>
<tr>
<td>10. Will the proposed action result in an increase in the potential for erosion, flooding or drainage problems?</td>
<td>☑</td>
</tr>
<tr>
<td>11. Will the proposed action create a hazard to environmental resources or human health?</td>
<td>☑</td>
</tr>
</tbody>
</table>
MEMORANDUM

TO: Village of Spring Valley Planning Board
FROM: Michael D. Kauker, PP, AICP
       Principal
DATE: October 20, 2020
SUBJECT: 41 West Church Street
          Review # 2

The following materials were received and reviewed by this office:
1. Site Development Plan consisting of 1 sheet prepared by Anthony R. Celentano, P.E. dated
   March 6, 2020 as revised 7/25/20.
3. SEQRA Short Environmental Assessment Form Part 1 dated 9/2/20.

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

Introduction
An application has been submitted to the Village of Spring Valley Planning Board for the
consideration of a preliminary and final site development plan to convert an existing tire shop
into a warehouse and to construct a two-story addition to the existing one-story building. The
subject property is located on the north side of West Church Street just to the east of North
Myrtle Avenue. The site has an area of 10,832 square feet and is located within the GB –
General Business District. The GB District permits wholesale businesses, storage and
warehousing by a special permit from the Village Board. The applicant would require a special
permit from the Village Board, site development plan approval from the Planning Board and
variances from the ZBA.

Application Status
The applicant is on for a preliminary hearing before the Planning Board and it is the applicant’s
second appearance before the Planning Board. The applicant has not responded to any of our
comments in our first memorandum as provided below.

General Comments
1. The use of the building should be provided. It appears that the entire use of the property
   including the addition will be for warehouse use, but this needs to be confirmed.
2. In order to calculate the parking requirement, we need the total area of the building and
   the areas of the building dedicated to specific uses.
3. The applicant should provide floor plans of the existing building and the proposed addition in order to determine the size of the building. This information is needed in order to calculate the parking requirement.
4. The proposed development of this property appears to be an overdevelopment of the site as evidenced by the fact that there is a substantial deviation on the permitted FAR and setback requirements. It also appears that the applicant would be deficient with respect to the required parking.
5. The dimensions should be provided for the proposed parking area and parking spaces. It does not appear that there is sufficient room on site to accommodate parking and circulation. At a minimum the parking spaces should be 9 feet by 18 feet and the drive aisles should be 24 feet.
6. If this building will be used partially or entirely for warehouse use, how will deliveries be made? There does not appear to be any designated loading areas on site for trucks.
7. How will garbage be handled? There does not appear to be any location provided on site for a dumpster.
8. How will snow removal be accommodated?

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 3, 2020
- Declaration of Lead Agency: TBD
- Adoption of Part 2: TBD
- Adoption of Negative Declaration: TBD

Board Action
The Planning Board of the Village of Spring Valley ("Planning Board") declared its intent to be lead agency on September 3, 2020. More than 30 days have elapsed since that time and at this time the Planning Board can declare itself to be SEQRA Lead Agency. We have reviewed Part 1 of the SEQRA SEAF and have prepared Part 2. The Planning Board can adopt the SEQRA Part 2 prepared by our office and direct the applicant to prepare the Part 3 response.

Property Description
The subject property is an interior lot located on the north side of West Church Street just to the east of North Myrtle Avenue. The subject property is in the GB – General Business District and has a lot area of 10,832 square feet. The property is currently improved with a one-story commercial building and parking area.

The subject property is surrounded by a mix of residential and nonresidential 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.

Proposed Development
The applicant’s proposal consists the conversion of an existing tire shop into a warehouse and to construct a two-story addition to the existing one-story building. There is a total of 9 parking spaces. All dimensions for the parking spaces, loading spaces and the drive aisles should be provided on the site plan. Provisions for garbage and snow removal are not shown on the plan.

Zoning Ordinance
- **Permitted Uses** – The subject property is located within the Village’s GB District. Permitted uses in the GB District include uses of the Village of Spring Valley, uses of other governments, business or professional offices, parking lots or parking garages of the Village.
of Spring Valley, stores for sales at retail or performance of customary personal service or services clearly incident to retail sales, but not including sales of automobile parts or accessories involving installation at the point of sale, commercial indoor recreation facilities, theaters, auditoriums, banks, business or trade schools, libraries, museums or art galleries, medical laboratories, retail laundries, laundromats or retail dry cleaners, restaurants and cafeterias, churches and other places of worship and fast food restaurant. The proposed wholesale businesses, storage and warehousing use is permitted by a special permit from the Village Board in the GB 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>Proposed</th>
</tr>
</thead>
<tbody>
<tr>
<td>Lot Area</td>
<td>10,000</td>
<td>10,832</td>
</tr>
<tr>
<td>Lot Width</td>
<td>100</td>
<td>80 (V)</td>
</tr>
<tr>
<td>Front Yard</td>
<td>30</td>
<td>18.5 (V)</td>
</tr>
<tr>
<td>Side Yard</td>
<td>15</td>
<td>5.8 (V)</td>
</tr>
<tr>
<td>Total Side Yard</td>
<td>30</td>
<td>21.3 (V)</td>
</tr>
<tr>
<td>Rear Yard</td>
<td>30</td>
<td>16.7 (V)</td>
</tr>
<tr>
<td>Bldg. Ht. (ft/st.)</td>
<td>35/3</td>
<td>35/3</td>
</tr>
<tr>
<td>FAR</td>
<td>0.3</td>
<td>0.80 (V)</td>
</tr>
</tbody>
</table>

The table above and shown on the site plan compares the proposed use to “business or professional offices and business, administrative or headquarters offices for philanthropic institutions” as required by the ordinance. The applicant should provide a bulk table that compares the proposal to the requirements for “wholesale businesses, storage and warehousing”.

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

1. Parking spaces – TBD.
2. Loading space – TBD.

Building Plans and Elevations
Should be provided.

Circulation and Parking
See comments above.

Stormwater Management
Should be provided.
Site Development Plan Specifications
A proposed site development plan should be presented in a series of sheets of uniform size containing the information listed below:

1. Preliminary Site Development Plan Specifications for Village of Spring Valley
   a. Key plan at 200 scale indicating site location within Village.
   b. Survey of property with North arrow and scale including:
      1) Existing contours at 1’ or 2’ interval.
      2) Location of all above- and below-ground buildings and structures.
      3) Location of any major trees 6” caliber and over.
      4) Locations of all utilities, easements and R.O.W.’s.
      5) Names and address of all adjoining property owners.
      6) Present zoning of property.
      7) Names of all existing streets adjoining property.
   c. Size and location of all proposed buildings.
   d. General plan of all proposed site development including:
      1) Vehicular parking layout with entrances and curb cuts.
      2) Proposed utility layout for storm water, gas, electric, sanitary, and water.
      3) Proposed pedestrian walks.
      4) General description on plan of all site appurtenances including retaining walls, dumpsters, signage and site lighting, etc.
      5) General placement on plan of all planting.
      6) General description of erosion control measures proposed.
      7) General description of any free-standing signage.
      8) General description of any variances or special permits sought by the applicant.

cc: Applicant
MEMORANDUM

TO: Village of Spring Valley Planning Board
FROM: Michael D. Kauker, PP, AICP
       Principal
DATE: October 20, 2020
SUBJECT: 41 West Church Street

Our office has reviewed Part 1 of the SEQRA Short Environmental Assessment Form (SEAF) and has prepared a Part 2. We would recommend that the Planning Board pass a resolution adopting Part 2 and that it be forwarded to the applicant for use in preparing a Part 3.

Attached is the Part 2, which lists the potential moderate to large impacts that have been identified. The applicant should address the impacts that have been identified as moderate to large in Part 3 of the SEAF. In instances where sufficient information was not provided or not available to determine the impact or if the impact were unknown it was marked off as a potential moderate to large impact.

In Part 3, the applicant should explain why a potential impact identified in Part 2 may result or will not result in a significant adverse environmental impact. Part 3 should, in sufficient detail, identify the impact, including any measures or design elements that are proposed by the project sponsor to avoid or reduce impacts.

The following provides some additional detail regarding questions where moderate to large impacts may occur as a result of the proposed project and require additional input from the applicant.

Part 2, Question 1
Will the proposed action create a material conflict with an adopted land use plan or zoning regulations?

Although the proposed use is permitted in the GB District the applicant would require many area variances. Since the applicant does not meet many area requirements, the proposed action is inconsistent with the zoning regulations. The board must determine if the variances result in a small impact or a moderate to large impact. To make this determination, the board must consider the number of variances and the magnitude of the variances being requested. Individual area variances in of themselves, would not create a material conflict with the zoning regulations, but several variances, which significantly deviate from the requirements of the ordinance, could create a material conflict and may result in impacts to the area. In this case the applicant is
proposing a two-lot subdivision in which two, two-family homes are proposed. The variances requested by the applicant are shown in the table below.

The following table lists the variances and percent of the deviation requested:

<table>
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<tr>
<th>Zoning Requirements</th>
<th>Required</th>
<th>Proposed</th>
<th>% Deviation</th>
</tr>
</thead>
<tbody>
<tr>
<td>Lot Area</td>
<td>10,000</td>
<td>10,832</td>
<td></td>
</tr>
<tr>
<td>Lot Width</td>
<td>100</td>
<td>80 (V)</td>
<td>20%</td>
</tr>
<tr>
<td>Front Yard</td>
<td>30</td>
<td>18.5 (V)</td>
<td>38%</td>
</tr>
<tr>
<td>Side Yard</td>
<td>15</td>
<td>5.8 (V)</td>
<td>61%</td>
</tr>
<tr>
<td>Total Side Yard</td>
<td>30</td>
<td>21.3 (V)</td>
<td>19%</td>
</tr>
<tr>
<td>Rear Yard</td>
<td>30</td>
<td>16.7 (V)</td>
<td>44%</td>
</tr>
<tr>
<td>Bldg. Ht. (ft/st.)</td>
<td>35/3</td>
<td>35/3</td>
<td></td>
</tr>
<tr>
<td>FAR</td>
<td>0.3</td>
<td>0.80 (V)</td>
<td>166%</td>
</tr>
</tbody>
</table>

As shown in the table above, the applicant is requesting variances for the proposed development. Any deviation greater than 10% is typically considered a material deviation.

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

1. Parking - TBD
2. Loading - TBD

Therefore, if the impacts associated with the requested variances cannot be mitigated the applicant should seek to eliminate or reduce the degree of the variances so there would not be any impact.

**Part 2, Question 2**
Will the proposed action result in a change in the use or intensity of use of land?

The applicant is proposing the expansion of a building that is already nonconforming and would increase the use of the property through an additional use, thereby increasing the intensity of the use of land.

**Part 2, Question 3**
Will the proposed action impair the character or quality of the existing community?

The proposed use would be consistent with other uses that exist in the neighborhood and that are permitted in the zoning ordinance and therefore should not impair the character or quality of the existing community.
Part 2, Question 4
Will the proposed action have an impact on the environmental characteristics that caused the establishment of a Critical Environmental Area?

The site of the proposed action is neither located in, nor does it adjoin, a State listed Critical Environmental Area.

Part 2, Question 5
Will the proposed action result in an adverse change in the existing level of traffic or affect existing infrastructure for mass transit, biking or walking?

The applicant proposes the expansion of an existing use for a warehouse. The number of trips generated by the proposed development according to the Table 1 provided in the SEAF Workbook is below the 100-trip threshold determined to result in a potential moderate to large impacts. Therefore, the increase in the number of trips would be negligible and further study would not be required. The impact would be classified as “no or small impact”.

Part 2, Question 6
Will the proposed action cause an increase in the use of energy and it fails to incorporate reasonably available energy conservation or renewable energy opportunities?

The proposed residential development is in an already suburbanized area and is comparable to existing uses in the surrounding area and there probably would not be a significant increase in the use of energy. The applicant indicates that they will meet or exceed the state energy code requirements. The applicant should describe the proposed design features and technologies used in the development that would exceed the state requirements.

Part 2, Question 7
Will the proposed action impact existing:
   a. Public/private water supplies?
   b. Public/private wastewater treatment facilities?

The proposed development should not have a significant impact on the existing water supply and wastewater system.

Part 2, Question 8
Will the proposed action impair the character or quality of important historic, archaeological, architectural or aesthetic resources?

The site does not contain a structure that is listed on either the State or National Register of Historic Places and the proposed action is not located in an archeological sensitive area.

Part 2, Question 9
Will the proposed action result in an adverse change to natural resources?
The subject site is in a fully developed suburban area, is not located in or adjacent a State listed Critical Environmental Area, does not contain any wetlands or waterbodies, does not contain any unique land forms and does not contain any species of animal, or associated habitats, listed by the State or Federal government as threatened or endangered.

**Part 2, Question 10**
Will the proposed action result in an increase in the potential for erosion, flooding or drainage problems?

The applicant should provide an analysis assessing the impact from the proposed development as a result of potential stormwater runoff. The applicant should provide for a zero-net increase in stormwater runoff.

**Part 2, Question 11**
Will the proposed action create a hazard to environmental resources or human health?

The proposed action would not create a hazard to environmental resources or human health.

cc: Applicant
Short Environmental Assessment Form
Part 2 - Impact Assessment

Part 2 is to be completed by the Lead Agency. Answer all of the following questions in Part 2 using the information contained in Part 1 and other materials submitted by the project sponsor or otherwise available to the reviewer. When answering the questions the reviewer should be guided by the concept “Have my responses been reasonable considering the scale and context of the proposed action?”

<table>
<thead>
<tr>
<th>No. or small impact may occur</th>
<th>Moderate to large impact may occur</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. Will the proposed action create a material conflict with an adopted land use plan or zoning regulations?</td>
<td>✓</td>
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<tr>
<td>2. Will the proposed action result in a change in the use or intensity of use of land?</td>
<td>✓</td>
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<tr>
<td>3. Will the proposed action impair the character or quality of the existing community?</td>
<td>✓</td>
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<tr>
<td>4. Will the proposed action have an impact on the environmental characteristics that caused the establishment of a Critical Environmental Area (CEA)?</td>
<td>✓</td>
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<tr>
<td>5. Will the proposed action result in an adverse change in the existing level of traffic or affect existing infrastructure for mass transit, biking or walkway?</td>
<td>✓</td>
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<tr>
<td>6. Will the proposed action cause an increase in the use of energy and it fails to incorporate reasonably available energy conservation or renewable energy opportunities?</td>
<td>✓</td>
</tr>
</tbody>
</table>
| 7. Will the proposed action impact existing:  
  a. public / private water supplies? | ✓ |
  b. public / private wastewater treatment utilities? | ✓ |
| 8. Will the proposed action impair the character or quality of important historic, archaeological, architectural or aesthetic resources? | ✓ |
| 9. Will the proposed action result in an adverse change to natural resources (e.g., wetlands, waterbodies, groundwater, air quality, flora and fauna)? | ✓ |
| 10. Will the proposed action result in an increase in the potential for erosion, flooding or drainage problems? | ✓ |
| 11. Will the proposed action create a hazard to environmental resources or human health? | ✓ |