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

Alan Simon  
Mayor

Planning Board Agenda  
November 5th, 2020  
7:00pm

1. Valley Spring Apartments (103 N. Main St)-Consideration of Negative Declaration  
   Proposed: Multi-family dwelling  
   Location: On the west side of Rt 45 0 ft from Lawler Blvd in a GB zone  
   Applicant: Rockland Housing Action Coalition

2. 127 Bethune Blvd- Intent  
   Proposed: 9 Unit Multi-Family Dwelling  
   Location: On the west side of Bethune Blvd 550 feet south of intersection of Ewing Ave and Bethune Blvd  
   Applicant: Shlomo Bochner

3. 324 Route 59-Consideration of Negative Declaration  
   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

4. 1 Fox Lane-Intent  
   Proposed: Two-Lot Subdivision  
   Location: On the west side of Fox Lane approx. 70 ft south of Dr Frank Rd  
   Applicant: Chananya D. & Esther Silber

5. 15 Chestnut St-Intent  
   Proposed: 3-story office building with a sub-basement.  
   Location: On the west side of Chestnut St, 0 ft South of Walnut St  
   Applicant: Chestnut Upstate Management LLC

6. 65 S. Madison Ave-Part II  
   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: 65 South Madison LLC
7. **41 Rose Ave - Final**
   Proposed: 9 Unit Multi-Family Dwelling
   Location: On the west side of Rose Ave, approx. 300 ft south of Fred Hecht Drive
   **Applicant: 41 Rose Ave NY LLC**
STATE ENVIRONMENTAL QUALITY REVIEW
NEGATIVE DECLARATION

Notice of Determination of Non-Significance

Project Name: Valley Spring Apartments (41 N. Madison Avenue)
Date: November 4, 2020
Lead Agency: Planning Board
Village of Spring Valley
200 North Main Street
Spring Valley, NY 10977
Prepared by: Michael D. Kauker, PP, AICP
Kauker & Kauker, LLC
356 Franklin Ave.
Wyckoff, NJ 07481
(201) 847-2900

This notice has been prepared in accordance with Article 8 (State Environmental Quality Review Act) of the New York State Environmental Conservation Law.

The Planning Board of the Village of Spring Valley, as lead agency, has determined that the proposed action described below will not have a significant effect on the environment and a Draft Environmental Impact Statement will not be prepared.

Name of Action: Valley Spring Apartments (41 N. Madison Avenue)
SEQR Status: Unlisted
Conditioned Negative Declaration: No

Description: The applicant has submitted a preliminary and final site development plan application to construct a six-story multi-family building containing a total of 67 units and a community room on the ground floor.

Location: The subject property consists of two separate tax lots located along North Main Street, North Madison Avenue and Lawler Boulevard in the Downtown Urban Renewal Area Overlay Zone of the GB District, Village of Spring Valley, Rockland County, New York.
Reasons Supporting This Determination:

1. The proposed use is not anticipated to result in any adverse environmental impacts as further described below.

2. The proposed action will not cause a substantial adverse change in existing air quality, ground or surface water quality or quantity, traffic or noise levels; a substantial increase in solid waste production; a substantial increase in potential for erosion, flooding, leaching or drainage problems.

3. The applicant has received a willingness to serve letter from Orange and Rockland dated September 9, 2020 indicating that they will provide electric and gas service for the proposed development.

4. The applicant has received a letter from Rockland County Sewer District No. 1 indicating that the sanitary flow from this development will connect to the District’s Sewer System. They are requiring a fee be paid and that a flow and capacity analysis be done by the applicant engineer prior to the District approving the connection. This letter and further action required by the applicant at a later date satisfactorily addresses any potential issues that may result from the increase in sanitary flow form this development.

5. The applicant has received a letter from SUEZ dated September 22, 2020 indicating that they will provide water service to the proposed development.

6. With respect to potential impacts related to parking and traffic the applicant has provided a Traffic Evaluation was prepared by Harry Baker and Associates dated October 19, 2020. The traffic analysis assesses potential impacts on traffic generated from the development and its impact on surround roadways. It concludes that the number of trips generated will not have a significant impact on the roads in the area. In addition, a parking analysis was provided which found that an overnight parking demand of 53% is anticipated and that because vehicles would be traveling to work during the day that there was sufficient capacity to address the day care center on the ground floor.

7. The proposed action will not result in the impairment of the environmental characteristics of a Critical Environmental Area. The property is located in a fully developed area of the Village with no environmental constraints on or near the subject property.

8. The proposed action will not result in a major change in the use of either the quantity or type of energy. In addition, the building will be LEED certified and built in accordance with green building procedures as defined in the New York State Housing and Community Renewal.

9. The proposed action will not result in the creation of a hazard to human health.

10. The applicant has provided a Hydraulic Analysis and Stormwater Design Calculations prepared Bart M. Rodi, PE dated October 5, 2020, which address the stormwater impacts resulting from the proposed development of the site and provide for a zero-net increase in stormwater runoff from the site.

11. This Negative Declaration does not constitute any approval of any drainage plan.
12. In addition, this negative declaration does not constitute any approval of any site plan and it only shows that the potential impacts could be mitigated.
MEMORANDUM

TO: Village of Spring Valley Planning Board
FROM: Michael D. Kauker, PP, AICP
Principal
DATE: October 28, 2020
SUBJECT: 127 Bethune Boulevard

The following materials were received and reviewed by this office:

3. SEQRA Short Environmental Assessment Form dated 10/28/20.

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 9-unit multifamily development. The subject property is an interior lot located on the west side of Bethune Boulevard north of Crispus Attucks. The subject property has an area of 14,644 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 a 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 applicant would be required to provide affordable housing on site commensurate with the requirements of the Village.

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 Crispus Attucks. The subject property is located within the PRD zoning district and has a lot area of 14,644 square feet. The property is developed with a single-family dwelling.

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 three-story 9-unit apartment 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 19 parking spaces proposed, where 18 would be required. The dimensions of the parking spaces are 9 feet by 18 feet. There is a play area shown in the rear yard. 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 semiattached 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>Proposed</th>
</tr>
</thead>
<tbody>
<tr>
<td>Lot Area</td>
<td>20,000</td>
<td>14,644 (V)</td>
</tr>
<tr>
<td>Lot Width</td>
<td>150</td>
<td>75 (V)</td>
</tr>
<tr>
<td>Front Yard</td>
<td>30</td>
<td>98</td>
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<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>25 (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>0.76 (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. 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 6 units would be permitted on this site, where 9 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
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: November 4, 2020
SUBJECT: 324 Route 59
          Review # 3

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 to 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 third appearance before the Planning Board.
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). **Provided.**
3. The applicant would still require a substantial parking variance even with the zone change to construct parking in the current R-1 District. In addition, the FAR is substantially above what is permitted in the zone. We would recommend that the size of the building be reduced, which would also result in a lower parking requirement. Another benefit of reducing the amount of required parking would be a reduction in impervious coverage and would allow the applicant to provide landscaping to screen the proposed parking area form the single-family residences along Temare Avenue.
4. The FAR which is already significantly greater than what is permitted does not include the basement area. The applicant should provide architectural plans to confirm if this are should be included.
5. With respect to the location of the parking area we would recommend at least a 10-foot setback form all property lines in order to provide landscaped buffer and mitigate any visual impact, especially for the single-family homes.
6. If the zone change is granted, we would recommend that the applicant submit a revised site development plan with a more conforming development.
7. As far as the SEQRA review for the zone change the applicant has provided sufficient information for the board to issue a negative declaration for referral to the Village Board for the consideration of the requested zone change.
8. Before any referral is made to the ZBA the applicant would need to return to the Planning Board with a revised site development plan as recommended.

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:** December 4, 2019
- **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
The applicant has submitted Part 3 of the SEQRA Short Environmental Assessment Form. Our office has reviewed that document and prepared a Negative Declaration for the Boards
consideration. The Negative Declaration finds that the potential impacts can be reasonably mitigated and there will not be a significant impact on the environment.

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.

Zoning Ordinance
- Permitted Uses – The subject property is located within the Village’s GB General Business 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 office use is a permitted use in the GB zone.

• 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>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>

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. Parking – 144 parking spaces proposed, where 113 would be required.

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

Building Plans and Elevations
Architectural building elevations and floor plans should be provided.

Circulation and Parking
Will review at a later date as we recommended changes to parking area.

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.”
Landscaping Plan
A landscaping plan should be provided.

Lighting Plan
A lighting plan should be provided.

Stormwater Management
The applicant indicates that they will comply with the requirements for a SPDES Permit and therefore there will be no impact as a result of the increase in stormwater runoff from the site.

cc: Applicant
STATE ENVIRONMENTAL QUALITY REVIEW
NEGATIVE DECLARATION

Notice of Determination of Non-Significance

Project Name: 324 Route 59
Date: November 4, 2020
Lead Agency: Planning Board
Village of Spring Valley
200 North Main Street
Spring Valley, NY 10977
Prepared by: Michael D. Kauker, PP, AICP
Kauker & Kauker, LLC
356 Franklin Ave.
Wyckoff, NJ 07481
(201) 847-2900

This notice has been prepared in accordance with Article 8 (State Environmental Quality Review Act) of the New York State Environmental Conservation Law.

The Planning Board of the Village of Spring Valley, as lead agency, has determined that the proposed action described below will not have a significant effect on the environment and a Draft Environmental Impact Statement will not be prepared.

Name of Action: 324 Route 59
SEQR Status: Unlisted
Conditioned Negative Declaration: No

Description: The applicant has submitted a preliminary and final site development plan application to construct a two-story office building with a basement and 113 parking spaces.

Location: The subject property consists of five separate tax lots located on the north side of Route 59 and has frontage on Yatto Lane, Summit Avenue and Tenure Avenue in the R-1 and POR District, Village of Spring Valley, Rockland County, New York.
Reasons Supporting This Determination:

1. The proposed use is not anticipated to result in any adverse environmental impacts as further described below.

2. The proposed action will not cause a substantial adverse change in existing air quality, ground or surface water quality or quantity, traffic or noise levels; a substantial increase in solid waste production; a substantial increase in potential for erosion, flooding, leaching or drainage problems.

3. The applicant indicates that a review has been conducted by the Rockland County Sewer District and it was determined that an impact fee would not be required.

4. The applicant has submitted a request for a willingness to serve letter form SUEZ. The applicant indicates that it is anticipated that the levels of flow will be acceptable.

5. With respect to potential impacts related to parking and traffic the applicant has provided a Traffic Evaluation was prepared by Klein Traffic Consulting, LLC. The traffic analysis concludes that the development would not have an impact as a result of traffic generated on the roadways in the area.

6. The proposed action will not result in the impairment of the environmental characteristics of a Critical Environmental Area. The property is located in a fully developed area of the Village with no environmental constraints on or near the subject property.

7. The proposed action will not result in the creation of a hazard to human health.

8. The applicant indicates that they will comply with the requirements in order to obtain a SPDES Permit and will be able to control additional stormwater runoff.

9. This Negative Declaration does not constitute any approval of any drainage plan.

10. In addition, this negative declaration does not constitute any approval of any site plan and it only shows that the potential impacts could be mitigated.
MEMORANDUM

TO: Village of Spring Valley Planning Board
FROM: Michael D. Kauker, PP, AICP
       Principal
DATE: November 5, 2020
SUBJECT: 65 South Madison Avenue
          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
   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
second 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 Lead Agency**: October 21, 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 an interior lot located on the southwest corner of South Madison Avenue and West Fanston 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.

Tax Map

Source: Rockland County GIS

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>
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<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>
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<tr>
<td>Bldg. Ht. (ft/st.)</td>
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<td>35/3</td>
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<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.

Kauker & Kauker, LLC • 356 Franklin Avenue • Wyckoff • New Jersey • 07481
201.847.2900 P • 201.847.2424 F
www.kaukerplan.com
65 South Madison Avenue
Village of Spring Valley
November 5, 2020
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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: November 5, 2020
SUBJECT: 65 South Madison Avenue

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>6,625 (V)</td>
<td>34%</td>
<td>6,398 (V)</td>
<td>36%</td>
</tr>
<tr>
<td>Lot Width</td>
<td>100/105</td>
<td>50.70 (V)</td>
<td>49%</td>
<td>57.18 (V)</td>
<td>43%</td>
</tr>
<tr>
<td>Front Yard</td>
<td>25</td>
<td>20 (V)</td>
<td>20%</td>
<td>20 (V)</td>
<td>20%</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>15 (V)</td>
<td>25%</td>
<td>15 (V)</td>
<td>25%</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 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.

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
**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>
</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>
</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? | ☑ |
DEPARTMENT OF PLANNING  
Dr. Robert L. Yeager Health Center  
50 Sanatorium Road, Building T  
Pomona, New York 10970  
Phone: (845) 364-3434  Fax: (845) 364-3435

Douglas J. Schuetsz  
Acting Commissioner  

Arlene R. Miller  
Deputy Commissioner

December 20, 2019
Spring Valley Planning Board  
200 N. Main Street  
Spring Valley, NY 10977

Tax Data: 57.24-1-48

Re: GENERAL MUNICIPAL LAW REVIEW: Section 239 L and M  
Map Date: 10/22/2019  
Date Review Received: 11/14/2019

Item: 41 ROSE AVENUE (SV-756D)

Site plan for the construction of a 12-family dwelling on 0.344 acres in the PRD zoning district. Variances for lot area, lot width, front yard, side yard, rear yard, floor area ratio, number of parking spaces, parking space size, and units per acre are required. A special permit from the Village Board is also requested for the multi-family dwelling.

West side of Rose Avenue, approximately 184 feet north of Fred Hecht Drive

Reason for Referral:

Towns of Clarkstown and Ramapo

The County of Rockland Department of Planning has reviewed the above item. Acting under the terms of the above GMIL powers and those vested by the County of Rockland Charter, I, the Commissioner of Planning, hereby:

*Disapprove

1 As stated in our review of the special permit required for this proposal, multi-family dwellings are a special permit use in the Planned Residential Development (PRD) Zoning District. This department is not opposed to allowing a multi-family development on this site provided that it complies with all applicable standards. We believe that new construction projects should comply with the bulk requirements of the zone in which it is proposed, as well as all standards specific to the proposed use. Special permit use requirements are outlined in Article VII of Village of Spring Valley's Zoning Code. Additional use requirements in the PRD Overlay District are listed in Section A-6.E. The maximum permitted residential density for multi-family dwellings is 18 units per acre. The applicant is proposing twelve units on a .3444-acre site which translates to more than 34 units per acre. A maximum of six units can be developed on this site. This proposal must be scaled back to more closely conform to the PRD Zoning District standards. By reducing the number of units and the size of the building, the yard variances may also be minimized or eliminated.
2 Permitting development that does not comply with the applicable bulk standards can set an undesirable land use precedent and result in the overutilization of individual sites. The lot area is 75% of the required minimum while the lot width is deficient by 34%. The front yard and side yard are both only 50% of the required minimum and the rear yard is 85%. The floor area ratio exceeds the maximum permitted amount by 10%. In addition, 12 units are proposed when only 6.19 are permitted on the site, nearly double the allowed density. The ability of the existing infrastructure to accommodate increased residential density on undersized parcels is a countywide concern and must be evaluated. This evaluation must consider whether local roads will become more congested and the sewer system, stormwater management systems and the public water supply will be overburdened. The Village must consider the cumulative and regional impacts of permitting such development. As indicated above, we recommend the number of units be reduced so as to eliminate most variances.

The following comments address our additional concerns about the proposal:

3 The Towns of Clarkstown and Ramapo are the reason this proposal was referred to this department for review. The municipal boundaries of Clarkstown and Ramapo are approximately 210 feet east of the site. The municipal boundary of Ramapo is the site. New York State General Municipal Law states that the purposes of Sections 239-l, 239-n and 239-n shall be to bring pertinent inter-community and countywide planning, zoning, site plan and subdivision considerations to the attention of neighboring municipalities and agencies having jurisdiction. Such review may include inter-community and county-wide considerations in respect to the compatibility of various land uses with one another; traffic generating characteristics of various land uses in relation to the effect of such traffic on other land uses and to the adequacy of existing and proposed thoroughfare facilities; and the projection of community character as regards predominant land uses, population density, and the relation between residential and nonresidential areas. In addition, Section 239-nn was enacted to encourage the coordination of land use development and regulation among adjacent municipalities, and as a result development occurs in a manner that is supportive of the goals and objectives of the general area.

The Towns of Clarkstown and Ramapo must be given the opportunity to review the proposal and its impact on community character, traffic, water quantity and quality, drainage, stormwater runoff and sanitary sewer service. The areas of countywide concern noted above that directly impact the Towns of Clarkstown and Ramapo must be considered and satisfactorily addressed, as well as any additional concerns about the proposal.

4 A review must be completed by the County of Rockland Department of Health, any comment or concerns addressed, and any required permits obtained.

5 A review must be completed by the County of Rockland Sewer District No. 1, any comments or concerns addressed, and all required permits obtained.

6 The proposed residential building must comply with all requirements of the New York State Uniform Fire Prevention and Building Code.

7 A review must be completed by the Rockland County Office of Fire and Emergency Services, the Village of Spring Valley Fire Inspector, or the Spring Valley Fire Department to ensure that there is sufficient maneuverability on site for fire trucks, in the event an emergency arises.

8 All proposed building entrances, exterior stairways, and window wells must be delineated on the site plan demonstrating that they will not impact yard requirements or increase the development coverage. Parking maneuverability shall not be affected by the location of these features.

9 It must be indicated if the multi-family building is intended to be of a condominium use or not.

10 The play area must be better defined on the site plan so that it does not conflict with the dumpster enclosure.
41 ROSE AVENUE (SV-756D)

11 Access to the dumpster enclosure may be impeded if a vehicle is parked in spaces #21 and/or #22. The dumpster enclosure shall be relocated to an area that is accessible for pick-up and does not impair the maneuvering of vehicles.

12 The handicapped ramp leads directly into the handicapped parking space. This may be difficult to access if a vehicle is parking in this space. The ramp must be relocated or reoriented so access to it is not impeded.

13 It will be difficult for a vehicle parked in spaces #18 and #19 to maneuver out of the space without a turnaround area. A turnaround must be provided so vehicles may safely maneuver out of the parking spaces.

14 Areas designated for snow removal must be clearly delineated on the site plan so that the plow drivers will know where to place the snow piles. In addition, providing specific locations on the site for the snow piles will reduce the loss of available parking spaces meant to be used by residents. This is especially critical since less than the required number of spaces are being provided.

15 Prior to the start of construction or grading, a soil and erosion control plan shall be developed and in place for the entire site that meets the latest edition of the New York State Standards for Urban Erosion and Sediment Control.

16 There shall be no net increase in the peak rate of discharge from the site at all design points.

17 A lighting plan shall be provided that shows fields of illumination. This plan must demonstrate that the intensity of the candescent lumens is less than 0.1 at the property line.

18 A landscaping plan must be included that provides a buffer to the neighboring residential properties.

19 Grading and utility plans shall be provided.

20 The Application Review Form indicates the property receives water service from United Water. This shall be corrected to Suez.

21 Water is a scarce resource in Rockland County; thus proper planning and phasing of this project are critical to supplying the current and future residents of the Villages, Towns, and County with an adequate supply of water. A letter from the public water supplier, stamped and signed by a NYS licensed professional engineer, shall be issued to the municipality, certifying that there will be a sufficient water supply during peak demand periods and in a drought situation.

22 Public sewer mains requiring extensions within a right-of-way or an easement shall be reviewed and approved by the Rockland County Department of Health prior to construction.

23 If any public water supply improvements are required, engineering plans and specifications for these improvements shall be reviewed by the Rockland County Department of Health prior to construction. In order to complete an application for approval of plans for public water supply improvements, the water supplier must supply an engineer’s report pursuant to the "Recommended Standards for Water Works, 2003 Edition," that certifies their ability to serve the proposed project while meeting the criteria contained within the Recommended Standards for Water Works. These standards are adopted in their entirety in 10 NYCRR, Subpart 5-1, the New York State regulations governing public water systems. Further, both the application and supporting engineer's report must be signed and stamped by a NYS licensed professional engineer and shall be accompanied by a completed NYS Department of Health Form 348, which must be signed by the public water supplier.
24 Pursuant to the Rockland County Sanitary Code, Article XIII, Section 13.8.1, all multiple dwellings with three or more rental units must register and obtain a Multiple Dwelling Rental Certificate (MDRC). If this proposed multi-family dwelling meets the requirements of the Multiple Dwelling Rental Registry requirement, then the owner must register and obtain the MDRC. Failure to comply is a violation of Article XIII, which may result in penalties of $2,000 per day.

25 Pursuant to General Municipal Law (GML) Section 239-m and 239-n, if any of the conditions of this GML review are overridden by the board, then the local land use board must file a report with the County Commissioner of Planning of the final action taken. If the final action is contrary to the recommendation of the Commissioner, the local land use board must state the reasons for such action.

26 In addition, pursuant to Executive Order 01-2017 signed by County Executive Day on May 22, 2017, County departments are prohibited from issuing a County permit, license, or approval until the report is filed with the County Commissioner of Planning. The applicant must provide to any County agency which has jurisdiction of the project: 1) a copy of the Commissioner report approving the proposed action; or 2) a copy of the Commissioner of Planning recommendations to modify or disapprove the proposed action, and a certified copy of the land use board statement overriding the recommendations to modify or disapprove, and the stated reasons for the land use board's override.

cc: Mayor Alan Simon, Spring Valley
New York State Department of State
Rockland County Department of Health
Rockland County Office of Fire and Emergency Services
Rockland County Sewer District #1
Spring Valley Fire District
Anthony R. Celentano P.E.
Towns of Clarkstown and Ramapo

Rockland County Planning Board Members

"NY General Municipal Law Section 239 requires you to vote of a 'majority plus one' of your agency to act contrary to the above findings. The review undertaken by the Rockland County Planning Department is pursuant to, and follows the mandates of Article 13-B of the New York General Municipal Law. Under Article 13-B the County of Rockland does not render opinions, nor does it make determinations, whether the item reviewed implicates the Religious Land Use and Institutionalized Persons Act. The Rockland County Planning Department does to the municipality forwarding the item reviewed to render such opinions and make such determinations if appropriate under the circumstances.

Proposals of projects are advised that under the Religious Land Use and Institutionalized Persons Act, the preemptive force of any provision of the Act may be avoided (1) by changing a policy or practice that may result in a substantial burden on religious exercise, (2) by retaining a policy or practice and exempting the substantially burdened religious exercise, (3) by providing exemptions from a policy or practice for applications that substantially burden religious exercise, or (4) by any other means that eliminates the substantial burden.

Pursuant to New York State General Municipal Law §239-m(6), the referring body shall file a report of final action it has taken with the Rockland County Department of Planning within thirty (30) days after final action. A referring body which acts contrary to a recommendation of modification or disapproval of a proposed action shall set forth the reasons for the contrary action in such report."
MEMORANDUM

TO: Village of Spring Valley Planning Board
FROM: Michael D. Kauker, PP, AICP
       Principal
DATE: October 30, 2020
SUBJECT: 41 Rose Avenue
          Review # 3

The following materials were received and reviewed by this office:

1. Site Plan consisting of 6 sheets prepared by Anthony R. Celentano, P.E.
   e. Sheet 5 of 6: Survey dated October 22, 2019 last revised 11/1/20.
3. SEQRA Short Environmental Assessment Form dated 11/8/19.

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

Introduction
An application has been submitted to the Planning Board for consideration of a preliminary and final site development plan to construct a three-story, 9-unit multiple-family development. The subject property is located on the west side of Rose Avenue between Crispus Attucks to the north and Fred Hecht Drive to the south. The site has an area of 15,000 square feet and is located within the PRD Planned Residential Development Overlay District. The proposed development will require site development 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 preliminary hearing before the Planning Board and it is the applicant’s third appearance before the Planning Board. The Planning Board of the village of Spring Valley is the lead agency for the SEQRA review. The Planning Board adopted a Part 2 and the applicant has provide an initial Part 3 and a supplement to the Part 3. The applicant has reduced
the number of units and size of the building and made some other changes that satisfactorily
address our comments. We have reviewed all of the information provided to date and have
prepared a SEQRA Negative Declaration for the Planning Boards consideration.

Conditions of Approval
If the Planning Board is inclined to approve the application, I would recommend the following
conditions.
1. A more residential type of lighting fixture should be provided.
2. Additional landscaping should be provided in the front yard between the building and
   street.
3. Details for the proposed fence should be provided.

General Comments
1. The proposal results in an overdevelopment of the site because of the proposed increase
   in density and deficiency in parking. The plan has been amended to propose 9 units
   and 18 parking spaces.
2. The application proposes 12 units, where only 6 units would be permitted at a density of
   18 units per acre. As mentioned, 9 units are now proposed.
3. We would recommend that the application be scaled back in terms of the size of the
   building and the number of units. Addressed as number of units has been reduced.
4. In order to mitigate potential impacts resulting from the development we also recommend
   that a 5-foot landscaped buffer be provided along the side and rear property lines and that
   a 10-foot landscaped buffer be provided along the front yard. The parking area shall not
   encroach on the landscaped buffer area. Buffer of 5 feet has been provided between
   the parking area and the side and rear property lines.

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: February 6, 2020
- Declaration of Lead Agency: June 4, 2020
- Adoption of Part 2: Initially adopted February 6, 2020 and readopted June 4, 2020
- Adoption of Negative Declaration: July 6, 2020.

Board Action
The applicant has returned to the Planning Board for the consideration of a final site
development plan for the proposed development.

Property Description
The subject property is an interior lot located on the west side of Rose Avenue in the PRD
District. The property has a lot area of 15,000 square feet. The property is currently occupied by
two older residential 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.

Proposed Development
The applicant’s proposal consists of the construction of a three-story 9-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 Rose Avenue. The dimension of the drive aisle width is 24 feet. There are 18 parking spaces proposed, where 18 would be required. The dimensions of the parking spaces are 9 feet by 18 feet, which complies with the code requirement. A play area is shown to the west of the proposed building within the rear yard. A garbage dumpster area is shown to the west of the parking area in the rear yard. A snow removal area shown is also provided and located to the west of the parking area adjacent to the dumpster. No landscaping is shown on the plan.
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 semidetached 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>Proposed</th>
</tr>
</thead>
<tbody>
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<td>100 (V)</td>
</tr>
<tr>
<td>Front Yard</td>
<td>30</td>
<td>27 (V)</td>
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<tr>
<td>Side Yard</td>
<td>20</td>
<td>10 (V)</td>
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<tr>
<td>Total Side Yard</td>
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<tr>
<td>Rear Yard</td>
<td>50</td>
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<tr>
<td>Bldg. Ht. (ft/st.)</td>
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<td>40/3</td>
</tr>
<tr>
<td>FAR</td>
<td>0.6</td>
<td>0.57 (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. 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.

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

**Building Plans and Elevations**

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