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

Alan Simon
Mayor

Planning Board Agenda
January 7th, 2021
7:00pm

1. 4 Jay St- Adopt Part II
   Proposed: Two-Lot Subdivision
   Location: On the east side of Jay St, 0 ft south from intersection of Jay St and Castle Ave
   Applicant: Joseph O’Donohue

2. 127 Bethune Blvd- Consideration of Negative Declaration
   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. 24 Memorial Park Drive- Intent
   Proposed: Multi-Family Dwelling
   Location: On the East side of Memorial Park Drive
   Applicant: Lazerbeam Acreage LLC

4. 51 S. Madison Ave- Consideration of Negative Declaration
   Proposed: Two Lot Subdivision with two family dwelling on each lot
   Location: On the west side of Madison Ave, 0 ft north of Funston Ave in a R-2 zone
   Applicant: Aires Realty LLC

5. 65 S. Madison Ave- Consideration of Negative Declaration
   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

6. 41 W. Church St- Consideration of Negative Declaration
   Proposed: Conversion of Tire Shop into a Warehouse with addition
   Location: On the north side of W. Church St, approx. 95.59 ft west of N. Myrtle Ave
   Applicant: Leopold Kaff
MEMORANDUM

TO: Village of Spring Valley Planning Board
FROM: Michael D. Kauker, PP, AICP
Principal
DATE: January 7, 2021
SUBJECT: 65 South Madison Avenue
Review # 4

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 12/14/20.
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 third appearance before the Planning Board. The applicant has provided a supplemental response to their SEQRA Part 3 to justify the proposed subdivision. The Planning Board had some initial concerns regarding the overdevelopment of this property as detailed below. The applicant’s Supplemental Part 3 provides some additional information related to the size of the proposed lots in comparison with other lots in the area.
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. **Statement**

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. **Not addressed.**

3. We would recommend that the applicant provide garages with a driveway to accommodate 2 spaces for each unit. **Not addressed.**

4. Dimensions for parking areas including parking space and aisles should be provided. **Not addressed.**

5. The distance between the proposed decks and the property lines should be provided. **Not addressed.**

6. The distance between the proposed driveways and parking spaces and the property lines should be provided. **Not addressed.**

7. The applicant has provided a revised plan, but it appears the only change is that the proposed drywells have been removed. **Statement**

8. The Planning board was of the opinion that the proposed subdivision was out of character with the surrounding neighborhood. **Statement**

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:

- Adoption of Part 2: November 5, 2020
- Adoption of Negative Declaration: TBD

SEQRA Part 3 Review
1. The applicant indicates that the proposed two-family use is consistent with other uses in the area and refers to a map which the applicant indicates shows other two-family homes and multi-family homes in the area. The attached map although showing lots and buildings does not indicate the use, so this statement can’t be verified.

2. A review of the tax map included in this memorandum indicates that there are only 3 other two-family homes in the area, which appear to be on larger lots than the lots that are proposed.

3. I believe the Planning Board’s main concern was that the proposed lot would be out of character with the surrounding area in terms of lot area and lot width.

4. The applicant’s analysis should be expanded to include other lots in the area of similar size that contain two-family dwellings and provide the lot dimensions and the setbacks for those buildings located on those other properties.

Supplemental Part 3 Review
1. The applicant contends that the proposed development is consistent with the character of the existing neighborhood and provides a surrounding land use map which depicts lots
that have been previously subdivided highlighted in yellow and lots that are similar in size highlighted in orange.

2. Among the lots that have been previously subdivided are 2 lots (34 Ridge Avenue and 69 South Madison) that have been approved by the Planning Board in the last 5 years. The applicant also cites as a precedent two other lots (3 and 4 John Street) that are not in the immediate neighborhood but are nearby. The applicant contends that these lots have lot areas similar to the lots as proposed in this application. As a point of comparison, I offer the following:

<table>
<thead>
<tr>
<th>Lot</th>
<th>Lot 1 Lot Area</th>
<th>Lot 2 Lot Area</th>
</tr>
</thead>
<tbody>
<tr>
<td>65 S. Madison</td>
<td>6,625</td>
<td>6,398</td>
</tr>
<tr>
<td>34 Ridge</td>
<td>6,139</td>
<td>6,734</td>
</tr>
<tr>
<td>69 S. Madison</td>
<td>7,776</td>
<td>8,715</td>
</tr>
<tr>
<td>3 John</td>
<td>6,471</td>
<td>6,427</td>
</tr>
<tr>
<td>4 John</td>
<td>5,580</td>
<td>5,684</td>
</tr>
</tbody>
</table>

As shown in the table above all the previously approved lots were in fact similar in size to the subdivision as proposed.

3. The applicant’s map also shows other lots in the surrounding area that are of a similar size. A review of the Rockland County Tax Maps confirms that this is in fact true.

**Board Action**
Our office has received and reviewed the SEQRA Part 3 and the Supplemental Part 3 document and found that any potential environmental impacts can be mitigated. We have prepared a SEQRA Negative Declaration for the board’s consideration. At this time, the Planning Board can adopt the Negative Declaration if they so desire and if adopted can refer the application to the ZBA.

**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 a 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
The applicant has provided drainage calculations prepared by Celentano Engineering, PLLC dated December 13, 2020, that show stormwater will be accommodated by installing three (3) drywells on the site. The 3 drywells will allow for a zero net increase in stormwater runoff will be achieved.

cc: Applicant
STATE ENVIRONMENTAL QUALITY REVIEW
NEGATIVE DECLARATION

Notice of Determination of Non-Significance

Project Name: 65 South Madison Avenue
Date: January 7, 2021
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: 65 South Madison Avenue
SEQR Status: Unlisted
Conditioned Negative Declaration: No

Description: The applicant has submitted an application for a two-lot subdivision in which two new two-family homes are proposed to be constructed for a total of four (4) dwelling units. The applicant will require subdivision and site plan approval from the Planning Board and associated variances from the Zoning Board.

Location: 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 in the R-2 zoning 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 proposed action will not result in the impairment of the environmental characteristics of a Critical Environmental Area;

4. The proposed action will not result in a major change in the use of either the quantity or type of energy;

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

6. The proposed action will not result in the encouraging or attracting of a large number of people to a place or places for more than a few days, compared to the number of people who would come to such place absent the action.

7. The applicant has provided drainage calculations prepared by Celentano Engineering, PLLC dated December 13, 2020, that show stormwater will be accommodated by installing three (3) drywells on the site. The 3 drywells will allow for a zero net increase in stormwater runoff will be achieved.

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

9. 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.
January 5, 2021

Michael Kauker
Village of Spring Valley
200 North Main Street
Spring Valley, New York 10977

Re: 65 South Madison

Dear Mr. Kauker:

Our office has received your review of the response of Anthony Celentano, PE, dated December 14, 2020 as part of the applicant’s State Environmental Quality Review Act process. We appreciate your thoughtful analysis of the redevelopment trends in this neighborhood.

This letter serves to supplement the EAF “Part III” on behalf of the applicant. As you know, the subject property is an interior lot located 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 application is consistent with the existing character of residential development in the neighborhood and parallels existing conditions and redevelopment projects approved by the Planning Board and the Zoning Board of Appeals. The Village is advancing a public policy of redevelopment of older and sometimes deteriorated properties in this neighborhood, replacing them with contemporary housing that meets the needs of the modern family. New housing offers resilient and environmentally responsible building materials, upgraded drainage and more spacious accommodations for the larger families that form part of the face of today’s Spring Valley.

While the memorandum prepared by your office suggest the proposal would yield overdevelopment incongruous with existing land use patterns, the opposite is the case. Annexed hereto as Exhibit A please find a vicinity map which demonstrates both similarly sized subdivided lots and numerous smaller lots than those contemplated by the subdivision. The lots denominated in yellow are the subdivided lots; the lots in orange are smaller.

The Board found no adverse from the subdivision of 34 Ridge Avenue, which is pending final approval with a .30 acres lot size, identical to the within proposal. 69 South Madison Avenue, two lots over, also as subdivided to .30 acre lots. Subdivisions of 3 John Street and 4 John Street, with lot sizes of .29 acres and .26 acres, respectively, had rear setbacks of 10 and 11
feet. A community character analysis must reflect these realities and therefore it can not be that proposed subdivision creates a SEQRA impact in this context. Moreover, no undesirable land use precedent is set by the instant application as the lots created fall within the range of lot sizes that surround it. Furthermore, overdevelopment means that the land does have the capacity to handle the proposed housing. That is not true. On site parking is provided, zero net runoff is realized and low impact modern electric, water and building maintenance features demonstrate improvement over existing conditions. There is no discernible significant adverse impact and certainly none that is empirically quantified in the SEQRA review.

The setbacks contemplated by the proposed subdivision are consistent with those granted by the Zoning Board of Appeals at 3 John Street and 4 John Street. There is not a meaningful difference that would justify a different result here. A decision “which neither adheres to its own prior precedent nor indicates its reason for reaching a different result on essentially the same facts is arbitrary and capricious.” Knight v. Amelkin, 68 N.Y.2d 975, 977 (1986) quoting In re Charles A. Field Delivery Service, 66 N.Y.2d 516, 517 (1986).

The applicant has demonstrated the ability of the project to provide quality housing without adverse, unmitigated environmental impacts, including compliance with zero net runoff standards, on-site parking requirements and building and fire code regulations. Moreover, the new construction will be a dramatic upgrade of deteriorated site conditions and feature attractively designed housing units that play a critical role in meeting local needs.

An architectural rendering reflecting an appropriate aesthetic for the neighborhood will be submitted under separate cover as requested.

Please do not hesitate to contact me if I can be of further assistance in this matter.

Very truly yours,

RyAn Karben

cc: Anthony Celentano, PE
Construction Expediting
MEMORANDUM

TO: Village of Spring Valley Planning Board
FROM: Michael D. Kauker, PP, AICP
Principal
DATE: January 6, 2021
SUBJECT: 4 Jay Street
Review # 2

The following materials were received and reviewed by this office:

3. SEQRA Short Environmental Assessment Form dated 12/10/20.

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 applicant has modified the layout subsequent to comments made at the first Planning board meeting. The subject property is an oddly shaped lot located at 4 Jay Street with frontage along Jay Street. 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 does not require 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 subject property is a very odd shape making it difficult for the lot to accommodate the proposed two lot subdivision with a total of four dwelling units. Approximately 3,762 square feet or 22% of the lot is undevelopable due to the configuration of the lot. The applicant has modified the layout to better fit the oddly shaped property.
2. We would recommend that the lots be reconfigured so that they are more normally shaped. The modifications although proposing a flag lot, propose more regular lots than the first submission.
3. The location of the play area is not the best location as it is in the front yard of two streets and because of its proximity to the street is not the safest location. **The play area is still in the same location concerns still stands.**

4. The distance from the deck to the property line shall be provided. **Decks have been eliminated.**

5. The applicant does provide a two-car garage for each unit, which is a positive aspect of this application. **Garages have been eliminated from the front lot but are still proposed for the rear lot. We would recommend garages for the front lot or at least a turnaround so vehicles do not have to back out onto Jay Street.**

6. Dimensions for all driveways and parking spaces 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: n/a
- Declaration of Lead Agency: December 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 although technically a corner lot as it has frontage along Jay Street and East Castle Avenue has the majority of its frontage and is functionally located along Jay Street as the lot only has 15 feet of frontage along East Castle Avenue. The site has an area of 16,942 square feet although as mentioned above approximately 22% of the lot area is unusable because of the properties odd shape. The property is located within the R-2 District. The property is currently occupied by a two-story two-family dwelling.

The subject property is surrounded primarily by residential uses.

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

![Map Image]

**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 be an oddly shaped lot that will have frontage on Jay Street and East Castle Avenue and will have a lot area of 9,135 square feet. Proposed lot 2 is another oddly shaped lot and will have frontage on Jay Street and East Castle Avenue and will have a lot area of 9,100 square feet. Access to lots 1 and 2 is proposed from Jay Street. The applicant does provide a two-car garage for each unit. 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 lots be reconfigured so that they are more normally shaped.
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>9,135 (V)</td>
<td>9,100 (V)</td>
</tr>
<tr>
<td>Lot Width</td>
<td>100/105</td>
<td>176</td>
<td>20.6 (V)</td>
</tr>
<tr>
<td>Front Yard</td>
<td>25</td>
<td>19.7 (V)</td>
<td>10 (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>23.5 (V)</td>
<td>43.5</td>
</tr>
<tr>
<td>Rear Yard</td>
<td>20</td>
<td>10 (V)</td>
<td>14.9 (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. Some of the yard requirements as listed in the bulk table were also incorrect and should be corrected to reflect the table above.

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

1. 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.

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
The applicant provides a two-car garage for the unit on Lot 2.
Stormwater Management
Should be provided.

cc: Applicant
MEMORANDUM

TO: Village of Spring Valley Planning Board
FROM: Michael D. Kauker, PP, AICP
Principal
DATE: January 6, 2021
SUBJECT: 4 Jay 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 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>9,135 (V)</td>
<td>8%</td>
<td>9,100 (V)</td>
<td>9%</td>
</tr>
<tr>
<td>Lot Width</td>
<td>100</td>
<td>176</td>
<td></td>
<td>20.6 (V)</td>
<td>79%</td>
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<tr>
<td>Front Yard</td>
<td>25</td>
<td>19.7 (V)</td>
<td>21%</td>
<td>10 (V)</td>
<td>60%</td>
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<td>Side Yard</td>
<td>15</td>
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<td>33%</td>
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<td>33%</td>
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<td>Total Side Yard</td>
<td>30</td>
<td>23.5 (V)</td>
<td>22%</td>
<td>43.5</td>
<td></td>
</tr>
<tr>
<td>Rear Yard</td>
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<td>10 (V)</td>
<td>50%</td>
<td>14.9 (V)</td>
<td>26%</td>
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<td>35/3</td>
<td></td>
<td>35/3</td>
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<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. 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
2. 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 two lot subdivision and resultant development are generally consistent with the existing development pattern in the surrounding area.
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>
<tr>
<td>7. Will the proposed action impact existing: 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: January 7, 2021
SUBJECT: 51 South Madison Avenue
          Review # 4

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 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 corner lot located on the southwest corner of South Madison Avenue and West Funston Avenue. The site has an area of 10,362 square feet and is located within the R-2 District. The proposed development will require subdivision and site development plan approval (§255-38.B) 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 third appearance before the Planning Board. The applicant has provided a supplemental response to their SEQRI Part 3 to justify the proposed subdivision. The Planning Board had some initial concerns regarding the overdevelopment of this property as detailed below. The applicant has not addressed any of these comments but is choosing to move forward with the application as originally proposed. The applicant has not responded to any of our comments in our first memorandum.
General Comments
1. The proposed lots are very undersized at 4,982 square feet and 5,380 square feet, where 10,000 square feet is required, thus resulting in an overdevelopment of the site. **Statement**
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. **Not addressed.**
3. We would recommend that the applicant provide garages with a driveway to accommodate 2 spaces for each unit. **Not addressed.**
4. Dimensions for parking areas including parking space and aisles should be provided. **Not addressed.**
5. The distance from the proposed decks to the property lines should be provided. **Not addressed.**

The Planning Board made the following recommendation at the October 1, 2020 meeting, which have not been addressed by the applicant.
1. The applicant should increase the rear yard setback from 10 feet to a greater distance so there is more room in the rear yard. **Not addressed.**
2. The basement be fully underground rather than exposed. **Not addressed.**
3. The board recommended that the smaller lot be developed with a single-family home instead of a two-family. **Not addressed.**

**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:** September 3, 2020
- **Adoption of Part 2:** October 1, 2020
- **Adoption of Negative Declaration:** TBD

**SEQRA Part 3 Review**
1. The applicant indicates that the proposed two-family use is consistent with other uses in the area and refers to a map which the applicant indicates shows other two-family homes and multi-family homes in the area. The attached map although showing lots and buildings does not indicate the use, so this statement can’t be verified.
2. A review of the tax map included in this memorandum indicates that there are only 3 other two-family homes in the area, which appear to be on larger lots than the lots that are proposed.
3. The Planning Board had concerns with the limited size of the lot, the size of the structures being too large for the lots and the limited yard setbacks, especially the rear yard.
4. The applicant’s analysis should be expanded to include other lots in the area of similar size that contain two-family dwellings and provide the lot dimensions and the setbacks for those buildings located on those other properties.
Supplemental Part 3 Review

1. The applicant contends that the proposed development is consistent with the character of the existing neighborhood and provides a surrounding land use map which depicts lots that have been previously subdivided highlighted in yellow and lots that are smaller highlighted in orange.

2. Among the lots that have been previously subdivided are 2 lots (34 Ridge Avenue and 69 South Madison) that have been approved by the Planning Board in the last 5 years. The applicant also cites as a precedent two other lots (3 and 4 John Street) that are not in the immediate neighborhood but are nearby. The applicant contends that these lots have lot areas similar to the lots as proposed in this application. As a point of comparison, I offer the following:

<table>
<thead>
<tr>
<th></th>
<th>Lot 1 Lot Area</th>
<th>Lot 2 Lot Area</th>
</tr>
</thead>
<tbody>
<tr>
<td>51 S. Madison</td>
<td>4,982</td>
<td>5,380</td>
</tr>
<tr>
<td>34 Ridge</td>
<td>6,139</td>
<td>6,734</td>
</tr>
<tr>
<td>69 S. Madison</td>
<td>7,776</td>
<td>8,715</td>
</tr>
<tr>
<td>3 John</td>
<td>6,471</td>
<td>6,427</td>
</tr>
<tr>
<td>4 John</td>
<td>5,580</td>
<td>5,684</td>
</tr>
</tbody>
</table>

As shown in the table above all the previously approved lots were larger than the proposed lots and none of them were less than 5,000 square feet.

3. As far as lots that are smaller in the area the applicant has identified 41 lots that they indicate are smaller than the proposed subdivided lots. A closer look at the Rockland County Tax Maps indicates that only 2 of these lots would be smaller than the proposed lots. 20 W. Funston Avenue, which is immediately adjacent to the subject property has a lot area of 4,814 square feet and is developed with a one-family dwelling and 60 S. Madison Avenue, which is located across the street and to the south and is developed with a one-family home. Furthermore, all 41 lots are developed with one-family homes.

4. The applicant does provide evidence in the form of a certificate of occupancy that indicates there are currently 4 dwelling units that exist in 1 building on the site and I would also agree that the existing dwelling is substandard and the redevelopment of the site with brand new housing would be a benefit.

Board Action

The applicant is choosing to move forward with the application as is and without making any modifications to address the Planning Boards initial concerns. At this point it is up to the Planning Board to make a SEQRA determination with respect to this project. Listed above are relevant aspects of this application as further proffered by the applicant in the Supplemental Part 3, that the board should take into consideration when making its determination. We have also prepared a SEQRA Negative Declaration for the Boards consideration, if it is determined by the
board that the plan can be modified or if they chose to move forward with the application in its current form. If the Planning Board still finds the application as proposed unacceptable then the applicant should be directed to modify the application, or the Planning Board can issue a SEQRA Positive Declaration at the next meeting.

**Property Description**
The subject property is a corner lot located on the southwest corner of South Madison Avenue and West Funston Avenue. The site has an area of 10,362 square feet and is located within the R-2 District. The property is currently occupied by two, two-story dwelling with 4 dwelling units.

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.

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 West Funston Avenue and will have a lot area of 4,982 square feet. Proposed lot 2 will have frontage on West Funston Avenue and South Madison Avenue and will have a lot area of 5,380 square feet. Access to both lots is provided from West Funston Avenue and there a 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>4,982 (V)</td>
<td>5,380 (V)</td>
</tr>
<tr>
<td>Lot Width</td>
<td>100/105</td>
<td>62.5 (V)</td>
<td>67.5 (V)</td>
</tr>
<tr>
<td>Front Yard (W. Funston)</td>
<td>25</td>
<td>20 (V)</td>
<td>20 (V)</td>
</tr>
<tr>
<td>Front Yard (S. Madison)</td>
<td>25</td>
<td>n/a</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>n/a</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>35/2</td>
<td>35/2</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 form the requirements of the zoning ordinance.

1. Street Frontage of 70 feet is required, where 62.5 feet is proposed for lot 1 and 67.5 feet for lot 2.
2. Pursuant to 255-30A, no vehicle shall be parked or stored in any required fire lane.

The applicant should provide architectural 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
The applicant has provided drainage calculations prepared by Celentano Engineering, PLLC dated December 13, 2020, that show stormwater will be accommodated by installing one (1) drywell on the site. The drywell will allow for a zero net increase in stormwater runoff will be achieved.

cc: Applicant
STATE ENVIRONMENTAL QUALITY REVIEW
NEGATIVE DECLARATION

Notice of Determination of Non-Significance

Project Name: 51 South Madison Avenue
Date: January 7, 2021
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: 51 South Madison Avenue

SEQR Status: Unlisted

Conditioned Negative Declaration: No

Description: The applicant has submitted an application for a two-lot subdivision in which two new two-family homes are proposed to be constructed for a total of four (4) dwelling units. The applicant will require subdivision and site plan approval from the Planning Board and associated variances from the Zoning Board.

Location: The subject property is a corner lot located on the southwest corner of South Madison Avenue and West Funston Avenue in the R-2 zoning 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 proposed action will not result in the impairment of the environmental characteristics of a Critical Environmental Area;

4. The proposed action will not result in a major change in the use of either the quantity or type of energy;

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

6. The proposed action will not result in the encouraging or attracting of a large number of people to a place or places for more than a few days, compared to the number of people who would come to such place absent the action.

7. The applicant has provided drainage calculations prepared by Celentano Engineering, PLLC dated December 13, 2020, that show stormwater will be accommodated by installing one (1) drywell on the site. The drywell will allow for a zero net increase in stormwater runoff will be achieved.

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

9. 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.
December 14, 2020

Part III

Re: 51 South Madison Avenue
Tax Lot 57.54-1-39

1) Will the Proposed Action create a material conflict with an adopted land use plan or zoning regulations?
2) Will the proposed action result in a change in the use or intensity of use of land?
3) Will the proposed action result impair the character of quality of the existing community?

Answer: Currently our property is R-2 Zoned. This is a permitted use. As shown from the attached map all of the adjacent parcels are Multi-families and two familys. Most of the lots on Ridge Avenue, Funston Avenue, Hillman Place and Castle Avenue are Multi and Two Families. Lot one will require variance for lot area, lot width, side yard, total side yard, rear yard and street frontage. The Lot two will need lot area, lot width, side yard, rear yard and total side yard. Our dwelling will be under the required floor area ratio. So the lot will provide the required parking and density per zoning code. We will offset this impact with vinyl fencing and landscaping. Our dwelling will be under the required floor area ratio. So the lot will provide the required parking and density per zoning code. These lots are within walking distance of Route 45. With respect to recreation as shown on the attached map these lots are within walking distance to public parks.

10) Will the proposed action result in an increase in the potential for erosion, flooding or drainage problems?

Answer: Zero net provided and drainage calculations attached.
Village of Spring Valley
Re: Drainage Calculations
51 South Madison
Spring Valley, NY
Subject: Zero Net Calculations

1. Select Design Storm

Here assume: 100-year, 24-hour, zero increase in runoff.

2. Select type of subsurface disposal system

Precast Drywell use Woodward’s concrete products inc. DW-6.5, capacity 1000 gallons, 6 foot deep, 6" diameter, surrounded by 2 foot of crushed 3/4" stone with filter fabric.

3. Determine soil percolation rate
   a. Area of percolation ($A_p$):
      1) Surface area of cylinder ($A_c$)
         $$A_c = \pi d h_{avg}$$
         $$= 3.14 \times 1 \text{ft} \times 8.5 \text{in}/12 \text{in}/\text{ft} = 2.23 \text{ ft}^2$$
      2) Bottom area
         $$A_b = \pi r^2 = \pi (0.5)^2 = 0.785 \text{ ft}^2$$

Therefore

$$A_p = A_c + A_b = 2.23 + 0.785 = 3.01 \text{ ft}^2$$

b. Volume of percolation ($V_p$):
   $$V_p = A_b \times h$$
   $$= 0.785 \text{ ft}^2 \times 1/12 \text{in}/\text{ft} = 0.0654 \text{ ft}^3$$

c. Soil percolation rate ($S_r$):
   ASSUME PERCOLATION OF 1" PER 30 MIN
   $$S_r = \text{volume/area/time}$$
   $$= 0.0654 \text{ ft}^3/3.01 \text{ ft}^2/30 \text{ min}$$
   $$S_r = 0.0007 \text{ ft}^3/\text{ft}^2/\text{min}$$
   Or $0.0007 \times 60 \text{ min} \times 24 \text{ hr} = 1.04$

   $$S_r = 1.04 \times 0.25\% \text{(clogging factor)}$$
   $$S_r = 1.04 \times 0.26 = 0.78 \text{ ft}^3/\text{ft}^2/\text{day}$$

4. Calculate required storage volume ($V_s$)
100-year, 24-hour rainfall = 9.00 in
Existing CN = 86.88, therefore runoff depth (V_r) = 7.41 in
Proposed CN = 88.73, therefore runoff depth (V_r) = 7.64 in
Therefore \( \Delta V_r = 7.64 \text{ in} - 7.41 \text{ in} = 0.23 \text{ in} \)
\[ V_s = \Delta V_r \times \text{Area} \]
\[ 0.23 \text{ in} / 12 \text{ in/ft} \times 10363 \text{ ft}^2 = 198 \text{ ft}^3 \]

5. **Volume of drywell (V_w)**
   As per manufacture 1000 gallon * 0.1337 ft³/gal = 133.7 ft³

6. **Volume of Stone Around Drywell (V_s)**
   \[ V_{st} = \frac{\pi r^2 x h - m^2 x h}{(3.14 \times 5^2 \times 7.58) - (3.14 \times 3^2 \times 5.58)} = 303.7 \text{ ft}^3 \]
   \[ V_{st} = \text{Use 40% void Volume} \times 0.40 = 175 \text{ ft}^3 \]

7. **Calculate 24-hour percolation volume per drywell (V_p)**
   \[ V_p = \text{Absorption area} \times \text{soil percolation rate (S_i)} \]
   \[ \text{Bottom of Drywell area} = 3.14 \times 5 \times 5 = 78.5 \] 
   \[ = 78.5 \text{ ft}^2 \times 0.78 \text{ ft}^3/\text{ft}^2/\text{day} \]
   \[ V_p = 183.69 \text{ ft}^3/\text{day/drywell} = 61 \text{ ft}^3 \]

8. **Calculate the total 24-hour volume per drywell (V_t)**
   \[ V_t = \text{volume of drywell (V_w)} + \text{percolation volume (V_p)} + \text{volume of stone (V_st)} \]
   \[ V_t = 133.7 \text{ ft}^3 + 61 \text{ ft}^3 + 175 \text{ ft}^3 = 369 \text{ ft}^3 \]

9. **Number of drywells used (DW_u)**
   \[ DW_R = \text{required volume of storage (V_s)} / \text{total volume per drywell (V_t)} \]
   \[ DW_R = 198 \text{ ft}^3 / 369 \text{ ft}^3 = 0.53 \]
   USE 1 DRYWELLS
TR 55 Worksheet 2: Runoff Curve Number and Runoff

Project: ___________________________  Designed By: ___________________________  Date: __12/14__
Location: 51 South Madison  Checked: ___________________________  Date: __12/14__
Check one: □ Present  □ Developed

1. Runoff curve number (CN)

<table>
<thead>
<tr>
<th>Soil name and hydrologic group (Appendix A)</th>
<th>Cover description</th>
<th>CN 3/</th>
<th>Area</th>
<th>Product of CN x area</th>
</tr>
</thead>
<tbody>
<tr>
<td>WUL</td>
<td>Extrem. HSE Dev.</td>
<td>90</td>
<td></td>
<td>5562</td>
</tr>
<tr>
<td>WUL</td>
<td>Open Space</td>
<td>74</td>
<td></td>
<td>4801</td>
</tr>
</tbody>
</table>

3/ Use only one CN source per line.

CN (weighted) = \[ \frac{\text{total product}}{\text{total area}} \] = ________  = ________  Use CN = ________

2. Runoff

<table>
<thead>
<tr>
<th>Storm #1</th>
<th>Storm #2</th>
<th>Storm #3</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Storm #1</td>
<td>Storm #2</td>
<td>Storm #3</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Frequency: _________ years
Rainfall, P (24 hour): _________ in.
Runoff, Q: _________ in.

(Use P and CN with Table 2-1, Figure 2-1, or equations 2-3 and 2-4.)
TR 55 Worksheet 2: Runoff Curve Number and Runoff

Project:  
Designed By:  
Date: 12/14

Location: B1 South Madison  
Checked:  
Date: 12/14

Check one: □ Present  □ Developed

1. Runoff curve number (CN)

<table>
<thead>
<tr>
<th>Soil name and hydrologic group (Appendix A)</th>
<th>Cover description</th>
<th>CN</th>
<th>Area</th>
<th>Product of CN x area</th>
</tr>
</thead>
<tbody>
<tr>
<td>WUC</td>
<td>NEW HOUSES</td>
<td>98</td>
<td>6361</td>
<td></td>
</tr>
<tr>
<td>WUC</td>
<td>OPEN SPACE</td>
<td>74</td>
<td>4002</td>
<td></td>
</tr>
</tbody>
</table>

\[ \text{CN (weighted)} = \frac{\text{total product}}{\text{total area}} \]

Use CN = 96.73

2. Runoff

Frequency ........................................... years
Rainfall, P (24 hour) ................................ in.
Runoff, Q .......................................... in.

(Use P and CN with Table 2-1, Figure 2-1, or equations 2-3 and 2-4.)

<table>
<thead>
<tr>
<th>Storm #1</th>
<th>Storm #2</th>
<th>Storm #3</th>
</tr>
</thead>
<tbody>
<tr>
<td>4.00</td>
<td>9.00</td>
<td>7.64</td>
</tr>
</tbody>
</table>
The soil surveys that comprise your AOI were mapped at 1:24,000.

Warning: Soil Map may not be valid at this scale.

Enlargement of maps beyond the scale of mapping can cause misunderstanding of the detail of mapping and accuracy of soil line placement. The maps do not show the small areas of contrasting soils that could have been shown at a more detailed scale.

Please rely on the bar scale on each map sheet for map measurements.

Source of Map: Natural Resources Conservation Service
Web Soil Survey URL: [Web Soil Survey](https://websoilsurvey.nrcs.usda.gov/)
Coordinate System: Web Mercator (EPSG:3857)

Maps from the Web Soil Survey are based on the Web Mercator projection, which preserves direction and shape but distorts distance and area. A projection that preserves area, such as the Albers equal-area conic projection, should be used if more accurate calculations of distance or area are required.

This product is generated from the USDA-NRCS certified data as of the version date(s) listed below.

Soil Survey Area: Rockland County, New York
Survey Area Data: Version 18, Jun 11, 2020

Soil map units are labeled (as space allows) for map scales 1:50,000 or larger.

Date(s) aerial images were photographed: Oct 7, 2013—Feb 26, 2017

The orthophoto or other base map on which the soil lines were compiled and digitized probably differs from the background imagery displayed on these maps. As a result, some minor shifting of map unit boundaries may be evident.
## Map Unit Legend

<table>
<thead>
<tr>
<th>Map Unit Symbol</th>
<th>Map Unit Name</th>
<th>Acres in AOI</th>
<th>Percent of AOI</th>
</tr>
</thead>
<tbody>
<tr>
<td>WuC</td>
<td>Wethersfield-Urban land complex, 8 to 15 percent slopes</td>
<td>2.7</td>
<td>100.0%</td>
</tr>
<tr>
<td><strong>Totals for Area of Interest</strong></td>
<td></td>
<td><strong>2.7</strong></td>
<td><strong>100.0%</strong></td>
</tr>
</tbody>
</table>
MEMORANDUM

TO: Village of Spring Valley Planning Board
FROM: Michael D. Kauker, PP, AICP
Principal
DATE: January 6, 2021
SUBJECT: 127 Bethune Boulevard
Review # 3

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. Although the site plan has a revision date of 1/6/21, it does not appear that any changes have been made to the plan. 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 third 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.
3. The Planning Board requested that the FAR be reduced to 0.65. The applicant has not yet revised the plan to incorporate this recommendation.
4. In addition to the reduction in FAR, I would also recommend that the side yard be increased to 15 feet. I am not aware of another multi-family dwelling that the board has approved with a side yard less than 15 feet.

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: November 5, 2020
- Declaration of Lead Agency: December 21, 2020
- Adoption of Part 2: December 21, 2020
- Adoption of Negative Declaration: TBD

SEQRA Part 3 Review
1. The applicant indicates that the proposed 9-unit multi-family building and use are consistent with other buildings and uses in the area and refers to a map which the applicant indicates shows other multi-family homes in the area. The attached map although showing lots and buildings does not indicate the use, so this statement can’t be verified. In addition, the density of these other development is not known.

2. The applicant also indicates that the side yard is consistent with other developments recently approved by the Planning Board including 14 Rose Avenue, 17 Union Road and 13-15 Bethune Boulevard.

3. In order to properly compare this development, to the ones approved I offer the following:
   a. 14 Rose Avenue although having a 10-foot side yard setback was only for one side yard and not both and had a total side yard setback of 60 feet, where the proposed development has a total side yard setback of 20 feet. The FAR for 14 Rose was 0.6, where the FAR proposed for this development is 0.76. The PB asked the applicant to reduce the FAR to 0.65, which has not been addressed by the applicant.
   b. 17 Union Road similarly had a 10-foot side yard setback but only on one side and also was a townhome development on a much larger lot.
   c. 13-15 Bethune also had only one side yard at 10 feet and the other side yard was much greater. In addition, the FAR was 0.65.

4. The applicant’s analysis should also take into consideration the density of the existing multi-family projects in the surrounding area.

Board Action
No action at this time. The applicant should be directed to address the comments noted above.

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 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>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>
</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>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