Village of Spring Valley
Zoning Board Agenda
June 10th, 2020

Zoning Board Members

- Moshe Hopstein, Chairman
- Ghulam Fani, Vice Chairman
- Eli Solomon
- Martha Patrick
- Simon Deutsch
- Abel Torres-Rivera

A. Call to Order
B. Pledge of Allegiance

9-11-13 Lafayette:
The subject property is located on the west side of Lafayette St, 150 ft north from intersection of White St and Lafayette St in a R-2 Zone. The property is designated on the Town of Ramapo Tax Map as Section 57.40 Block 1 Lot 44.3,44.4,44.5. The applicant is seeking variances for proposed Three Two-family Dwelling. The variances are as follows: Lot Area: 10,000 sf required, 2,500 sf provided (Lot 1), 10,000 sf required, 2,500 sf provided (Lot 2), 10,000 sf required, 2,500 sf provided (Lot 3); Lot Width: 100 ft required, 25 ft provided (Lot 1), 100 ft required, 25 ft provided (Lot 2), 100 ft required, 25 ft provided (Lot 3); Street Frontage: 70 ft required, 25 ft provided (Lot 1), 70 ft required, 25 ft provided (Lot 2), 70 ft required, 25 ft provided (Lot 3); Side Yard: 15 ft required, 10 ft provided (Lot 1), 15 ft required, 0 ft provided (Lot 2), 15 ft required, 0 ft provided (Lot 3); Rear Yard: 20 ft required, 10 ft provided (Lot 1), 20 ft required, 10 ft provided (Lot 2), 20 ft required, 10 ft provided (Lot 3); Total Side Yard: 30 ft required, 20 ft provided (Lot 1), 20 ft required, 10 ft provided (Lot 2), 20 ft required, 10 ft provided (Lot 3); parking spaces: 4 required, 2 provided (Lot 1), 4 required, 2 provided (Lot 2).
Applicant: Mordechai Bixenspan

16 Funston Ave: Extension of Prior Approval

21 Collins Ave
The subject property is located on the west side of Collins Ave, 150 feet south of West Church St in a R-2 zone. The property is designated on the Town of Ramapo Tax Map as Section 57.40 Block 1 Lot 34. The applicant is seeking variances for a proposed two-family dwelling. The requested variances are as follows: Lot Area: 10,000 sf required, 5,750 sf provided; Lot Width: 100 ft required, 50 ft provided; Front Yard: 25 ft required, 22 ft provided; Side Yard: 15 ft required, 10 ft provided; Rear Yard: 20 ft required, 10 ft provided; FAR: Max allowed .65, .6758 proposed
Applicant: Ace Builders
4-6 Stanley Place:
The subject property is located on the North East Corner of Aselin Dr. and Stanley Drive in a R-1A zone. The property is designated on the Town of Ramapo Tax Map as section 50.62 block 1 lot 23. The applicant is seeking variances for a proposed Two-family dwelling. The variances are as follows: FAR: Max allowed .65, .97 proposed.

**Applicant: Moses Friedman**

The subject property is located on the East side of Stanley Drive, 0 ft south of Valley View Terr. in a R-1A zone. The property is designated on the Town of Ramapo Tax Map as section 50.62 block 1 lot 22. The applicant is seeking variances for a proposed Two-family dwelling. The variances are as follows: FAR: Max allowed .65, .91 proposed

**Applicant: Moses Friedman**

14 Elener Lane:
The subject property is located on the south side of Elener lane, approx.157 ft west of North Rigaud in a R-1A zone. The property is designated on the Town of Ramapo Tax Map as section 50.53 Block 1 Lot 15. The applicant is seeking variances for a proposed two-family dwelling. The variances requested are as follows: Lot Width: 80 ft required, 73.76 ft provided; Side Yard: 15 ft required, 10 ft provided; Total Side Yard: 30 ft required, 20 ft provided

**Applicant: Samuel Kurtz**

80 Francis Place:
The subject property is located on the North side of Francis Place, 300 ft East of Zeissner St in a R-1A zone. The property is designated on the Town of Ramapo Tax Map as Section 50.77 Block 1 Lot 3. The applicant is seeking variances for a proposed two-family dwelling. The variances requested are as follows: FAR: Max allowed .65, 1.08 proposed

**Applicant: Sam Wettenstein**
March 19, 2020

Spring Valley Zoning Board of Appeals
200 N. Main Street
Spring Valley, NY 10977

Tax Data: 50.62-1-23

Re: GENERAL MUNICIPAL LAW REVIEW: Section 239 L and M
Map Date: 2/4/2020

Item: 4 STANLEY PLACE (SV-886A)

A variance application for floor area ratio (FAR) for a two-family dwelling on a corner lot with 0.17 acres in the R-1A zoning district. Variances were previously granted for lot area, lot width, front yards (Stanley Place and Aselin Drive), side yard, and rear yard. Substantial construction has been completed. The floor area ratio variance is requested because the basement, as constructed, no longer qualifies for an exemption of floor area ratio.

The northeastern corner of Aselin Drive and Stanley Place

Reason for Referral:

Pascack Brook, Town of Ramapo

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

*Recommend the following modifications

1. A previous variance application for this property was reviewed by this department on May 9, 2018. According to the narrative provided, field conditions during construction required the structure to be built at a higher elevation than proposed. This prevented the basement from being exempt from floor area ratio requirements, which necessitated obtaining an additional variance. In a previous communication with the Spring Valley village attorney's office regarding the FAR exemption for basements, this department noted that a residential FAR requirement that does not incorporate all residential living space is ill-conceived. This project, and the current application, reinforces this statement. The purpose of placing restrictions on FAR, like that of other bulk requirements, is to limit the land use impacts of a project. The land use impacts of the original proposal and the current application are essentially unchanged, demonstrating that allowing the basement exemption to the FAR requirement masks the extent of those impacts and renders the requirement pointless. The village must re-evaluate how FAR is calculated and consider amending the zoning regulations to incorporate all living spaces within the residential FAR requirement, as this would more accurately represent the actual land use impacts of a proposal.
4 STANLEY PLACE (SV-886A)

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. This property has already received substantial area variances. The lot area is 88% of the required minimum. The lot width along Aselin Drive is 86% of the minimum. The two front yards are deficient by 39% and 12%. The side yard is deficient by 33% and the rear yard is deficient by 40%. The currently proposed variance of floor area ratio exceeds the maximum standard by 49%. 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.

3. The Town of Ramapo is one of the reasons this proposal was referred to this department for review. The municipal boundary is approximately 305 feet to the east of the parcel. New York State General Municipal Law states that the purposes of Sections 239-l, 239-m 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 protection of community character as regards predominant land uses, population density, and the relation between residential and nonresidential areas. In addition, Section 239-n 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 Town of 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 Town of Ramapo must be considered and satisfactorily addressed, as well as any additional concerns about the proposal.

4. The applicant must comply with all comments made by the Rockland County Sewer District No. 1 in their letter of February 24, 2020.

5. The application form indicates the property receives water service from United Water. The form must be corrected to Suez.

6. As shown, the proposed residential building may require a variance from the New York State Uniform Fire Prevention and Building Code since a deck is located closer than ten feet to the property line.

7. The NYS Department of State has determined that the Village is not administering or enforcing the State Uniform Fire Prevention and Building Code in accordance with minimum standards set forth in 19 NYCRR part 1203. Given the concerns about the Village’s administration and enforcement of the State Uniform Fire Prevention and Building Code raised in the Executive Deputy Secretary of State’s letter of July 15, 2016, the proposed residential building must be held to the requisite minimum standards and comply with all requirements of this code.

8. 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.
4 STANLEY PLACE (SV-886A)

9 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.

Douglas J. Schuets
Acting Commissioner of Planning

cc: Mayor Alan Simon, Spring Valley
    New York State Department of State
    Rockland County Department of Health
    Rockland County Drainage Agency
    Rockland County Sewer District #1
    Anthony R. Celentano P.E.
    Town of Ramapo Planning Board

*NYS General Municipal Law Section 239 requires a 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 12-B of the New York General Municipal Law. Under Article 12-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 forwards the item reviewed to render such opinions and make such determinations if appropriate under the circumstances.

In this respect, municipalities 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.

Proponents of projects are advised to apply for variances, special permits or exceptions, hardship approval or other relief.

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.
March 19, 2020

Spring Valley Zoning Board of Appeals
200 N. Main Street
Spring Valley, NY 10977

Tax Data: 50.62-1-22

Re: GENERAL MUNICIPAL LAW REVIEW: Section 239 L and M
Map Date: 2/4/2020

Date Review Received: 2/25/2020

Item: 6 STANLEY PLACE (SV-887A)

- A variance application for floor area ratio for a two-family dwelling on a corner lot with 0.18 acres in the R-1A zoning district. Variances were previously granted for lot area, lot width, front yards (Stanley Place and Valley View Terrace), side yard, and rear yard. Substantial construction has been completed. The floor area ratio variance is requested because the basement, as constructed, no longer qualifies for an exemption of floor area ratio.
- The southeastern corner of Stanley Place and Valley View Terrace.

Reason for Referral:

Pasack Brook, Town of Ramapo

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

"Recommend the following modifications

1. A previous variance application for this property was reviewed by this department on May 15, 2018. According to the narrative provided, field conditions during construction required the structure to be built at a higher elevation than proposed. This prevented the basement from being exempt from floor area ratio requirements, which necessitated obtaining an additional variance. In a previous communication with the Spring Valley village attorney's office regarding the FAR exemption for basements, this department noted that a residential FAR requirement that does not incorporate all residential living space is ill-conceived. This project, and the current application, reinforces this statement. The purpose of placing restrictions on FAR, like that of other bulk requirements, is to limit the land use impacts of a project. The land use impacts of the original proposal and the current application are essentially unchanged, demonstrating that allowing the basement exemption to the FAR requirement masks the extent of those impacts and renders the requirement pointless. The village must re-evaluate how FAR is calculated and consider amending the zoning regulations to incorporate all living spaces within the residential FAR requirement, as this would more accurately represent the actual land use impacts of a proposal."
6 STANLEY PLACE (SV-887A)

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. This property has already received substantial area variances. The lot area is 93% of the required minimum. The lot width along Valley View Terrace is 94% of the minimum. The two front yards are deficient by 20%. The side yard is deficient by 33% and the rear yard is deficient by 25%. The currently proposed variance of floor area ratio exceeds the maximum standard by 40%. 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.

3 The Town of Ramapo is one of the reasons this proposal was referred to this department for review. The municipal boundary is approximately 355 feet to the east of the parcel. New York State General Municipal Law states that the purposes of Sections 239-I, 239-m 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 protection of community character as regards predominant land uses, population density, and the relation between residential and nonresidential areas. In addition, Section 239-nm 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 Town of 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 Town of Ramapo must be considered and satisfactorily addressed, as well as any additional concerns about the proposal.

4 The application form indicates the property receives water service from United Water. The form must be corrected to Suez.

5 The applicant must comply with all comments made by the Rockland County Sewer District No. 1 in their letter of February 24, 2020.

6 As shown, the proposed residential building may require a variance from the New York State Uniform Fire Prevention and Building Code since a deck is located closer than ten feet to the property line.

7 The NYS Department of State has determined that the Village is not administering or enforcing the State Uniform Fire Prevention and Building Code in accordance with minimum standards set forth in 19 NYCRR part 1203. Given the concerns about the Village’s administration and enforcement of the State Uniform Fire Prevention and Building Code raised in the Executive Deputy Secretary of State’s letter of July 15, 2016, the proposed residential building must be held to the requisite minimum standards and comply with all requirements of this code.

8 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.
6 STANLEY PLACE (SV-887A)

9 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 Drainage Agency
    Rockland County Sewer District #1
    Anthony R. Calentano P.E.
    Town of Ramapo Planning Board

Douglas J. Schuetz
Acting Commissioner of Planning

*NYS General Municipal Law Section 239 requires a 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 12-B of the New York General Municipal Law. Under Article 12-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 defers to the municipality forwarding the item reviewed to render such opinions and make such determinations if appropriate under the circumstances.

In this respect, municipalities 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.

Proponents of projects are advised to apply for variances, special permits or exceptions, hardship approval or other relief.

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.
March 30, 2020

Spring Valley Zoning Board of Appeals
200 N. Main Street
Spring Valley, NY 10977

Tax Data: 57.40-1-44.5 57.40-1-44.4 57.40-1-44.3

Re: GENERAL MUNICIPAL LAW REVIEW: Section 239 L and M
Map Date: 9/17/2019

Item: 9-13 LAFAYETTE STREET (SV-988A)

Variances to permit the construction of three two-family dwellings located on 0.17 acres in the R-2 zoning district. The variances required for all Lots include lot area, lot width, side yard, total side yard, and street frontage. A variance for parking is required for Lots 1 and 3 and a variance for rear yard is required for Lots 1 and 2.

West side of Lafayette Street, approximately 166 feet north of White Street

Reason for Referral:

Town of Clarkstown

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

*Disapprove

The subject parcels do not meet the minimum lot area standard of 8,500 square feet required for a single-family residence, and provide only one quarter of the lot area required for a two-family dwelling. The lots are non-conforming for width and street frontage, as well. The proposed two-family residences will require substantial yard variances to accommodate oversized residential buildings on undersized parcels. The surrounding neighborhood is characterized by similarly-sized parcels. Granting these bulk variances will set a precedent that may result in nearby property owners seeking the same relief. A doubling of the residential density in this neighborhood of non-conforming parcels will negatively impact its community character and infrastructure capacity. Additional residents will generate more traffic on the local streets, leading to congestion and traffic conflicts. While two-family residences are permitted as of right in the R-2 zoning district, they are subject to stricter bulk requirements. These parcels are particularly deficient in meeting these more stringent standards. The required variances must be denied, and only a single-family dwelling permitted on each lot.
9-13 LAFAYETTE STREET (SV-988A)

2 The Village zoning regulations authorize the Zoning Board of Appeals to "vary or modify the strict letter of this chapter, where its literal interpretation would cause practical difficulties or unnecessary hardships..." The subject property is a regularly-shaped parcel with no unusual conditions or hardships for which any variances would be necessary to grant relief. The application, therefore, does not represent a request for relief from a hardship, but rather is a request to overdevelop the properties. Bulk requirements, such as minimum yard size and parking in the side yard, serve an important and necessary function, and should not be dismissed without cause or the identification of a legitimate hardship. As stated above, we recommend that this application be disapproved, and that the properties be developed within the requirements of the village zoning regulations.

3 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 proposed lot area and lot width are only 25% of the required minimums for each lot. The street frontages are 36% of the required minimum. There is no side yard for any lot when 15 feet is required. The total side yard is deficient by 73% for Lots 1 and 3, and no side yard is provided for Lot 2. In addition, Lots 1 and 3 only provide two parking spaces when four are required. 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. To maintain the integrity of the zoning ordinance, the variances must be denied and the two-family dwellings must not be permitted.

4 Variances of this magnitude and extent must not continually be approved. The Village has developed zoning standards that are reasonable and must be followed. If the Village continues to grant variances of this intensity, the intent of the zoning ordinance is undermined. If development that reflects the end result of granting these numerous and significant variances continues, then the zoning ordinance must be amended and a Comprehensive Plan updated and/or created. A plan that reflects current goals and objectives will provide a unified vision for the Village that the zoning code will reflect. With a Comprehensive Plan in place that permits larger development on what is now considered an undersized parcel, the applicant will no longer need to apply for any variances as their development will conform to the overall vision of the Village.

The following comments address our additional concerns about this proposal:

5 The Town of Clarkstown is the reason this proposal was referred to this department for review. The municipal boundary is approximately 440 feet east of the parcel. New York State General Municipal Law states that the purposes of Sections 239-l, 239-m 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 protection 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 Town of Clarkstown 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 Town of Clarkstown must be considered and satisfactorily addressed, as well as any additional concerns about the proposal.

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

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

Page 2 of 4
9-13 LAFAYETTE STREET (SV-988A)

8 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 sufficient access to the site is provided in the event an emergency arises.

9 Map note N must be amended to not refer to section 239 N of the General Municipal Law as no subdivision is currently proposed.

10 The calculation for the floor area ratio for each lot must be provided on the site plan so their accuracy can be verified.

11 Our department previously reviewed a variance application for tax lot 57.40-1-44.5. The site plan provided with that application had a date of September 17, 2019. The site plan provided with this application appears to be a revision of the previous plan, but also has a date of September 17, 2019. A revision table must be provided with the most recent date provided chronologically.

12 The proposed residential building must comply with all requirements of the New York State Uniform Fire Prevention and Building Code. All sidewalks, stairs, decks, and window wells must be shown on the site plan to ensure that there is sufficient access to the building for firefighting purposes.

13 The NYS Department of State has determined that the Village is not administering or enforcing the State Uniform Fire Prevention and Building Code in accordance with minimum standards set forth in 19 NYCRR part 1203. Given the concerns about the Village's administration and enforcement of the State Uniform Fire Prevention and Building Code initially raised in the Executive Deputy Secretary of State's letter of July 15, 2016, and subsequently again in December 18, 2017, the proposed residential building must be held to the requisite minimum standards and comply with all requirements of this code.

14 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.

15 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.
Town of Clarkstown

Page 3 of 4
9-13 LAFAYETTE STREET (SV-988A)

Rockland County Planning Board Members

"NYS General Municipal Law Section 239 requires a 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 12-B of the New York General Municipal Law. Under Article 12-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 defers to the municipality forwarding the item reviewed to render such opinions and make such determinations if appropriate under the circumstances.

In this respect, municipalities 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.

Proponents of projects are advised to apply for variances, special permits or exceptions, hardship approval or other relief.

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 relining 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.
February 25, 2020

Spring Valley Zoning Board of Appeals
200 N. Main Street
Spring Valley, NY 10977

Tax Data: 50.53-1-15

Re: GENERAL MUNICIPAL LAW REVIEW: Section 239 L and M
Map Date: 11/20/2019

Date Review Received: 1/29/2020

Item:  **14 ELENER LANE (SV-994)**

A variance application to allow the construction of a two-family dwelling on 0.21 acres in the R-1A zoning district. Variances are requested for lot width, side yard, and total side yard.

The southern side of Elenor Lane, approximately 175 feet east of North Rigaud Road

Reason for Referral:

Town of Ramapo

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

*Recommend the following modifications*

1. 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 proposed lot width is 92% of the required minimum. The side and total side yards are deficient by 33%. 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. The size of the building must be reduced so that the side yard and total side yards are compliant.
2. The Town of Ramapo is the reason this proposal was referred to this department for review. The municipal boundary is approximately 325 feet west of the parcel. New York State General Municipal Law states that the purposes of Sections 239-l, 239-m 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 protection 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 Town of 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 Town of Ramapo must be considered and satisfactorily addressed, as well as any additional concerns about the proposal.

3. There are discrepancies between the site plan and the architectural plans that were provided by Hartman Design, dated January 12, 2020. Two rear decks are depicted on the architectural plans but are not indicated on the site plan. The architectural plans depict a building jog along each side wall of the structure, set back approximately 16 feet from the front façade. The site plan appears to indicate building jogs approximately 24 feet from the front façade. The site plan indicates there are two side entries with staircases and an 8'x6' entry platform that are not depicted in the architectural plans. Lastly, there are two front projections indicated on the site plan that are not in the same configuration as those depicted in the architectural plans. All materials must be consistent. The applicant must clarify their intentions and correct these discrepancies, and if required, additional variances sought.

4. The front projections, as depicted in the architectural plans, consist of enclosed living space and do not fall under the yard exemption of Section 255.22.C of the village's zoning regulations. The site plan must be amended to measure the front yard distance from the property line to these projections. If a variance of the front yard is required, the application must be revised and resubmitted for review and a new public hearing notice must be issued.

5. The architectural plans provided are not to-scale. To-scale drawing must be provided.

6. A review must be completed by the Rockland County Department of Health to ensure compliance with Article XIX (Mosquito Control) of the Rockland County Sanitary Code.

7. A review must be completed by the County of Rockland Sewer District No. 1 and all required permits obtained from them.

8. 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.

9. A turnaround area must be provided to prevent vehicles from backing into the roadway.

10. The application form indicates the property receives water service from United Water. The form must be corrected to Suez.
14 ELENER LANE (SV-994)

11 The NYS Department of State has determined that the Village is not administering or enforcing the State Uniform Fire Prevention and Building Code in accordance with minimum standards set forth in 19 NYCRR part 1203. Given the concerns about the Village's administration and enforcement of the State Uniform Fire Prevention and Building Code initially raised in the Executive Deputy Secretary of State's letter of July 15, 2016, and subsequently again in December 18, 2017, the proposed residential building must be held to the requisite minimum standards and comply with all requirements of this code.

12 Pursuant to General Municipal Law (GML) Section 239-m and 239-n, if any of the conditions of this GML review are overlooked 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.

13 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
Rockland County Department of Health
Rockland County Sewer District #1
New York State Department of State
Anthony R. Calantano P.E.
Town of Ramapo Planning Board

Douglas J. Schuetz
Acting Commissioner of Planning

*NYS General Municipal Law Section 239 requires a 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 12-B of the New York General Municipal Law. Under Article 12-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 defers to the municipality forwarding the item reviewed to render such opinions and make such determinations if appropriate under the circumstances.

In this respect, municipalities 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.

Proponents of projects are advised to apply for variances, special permits or exceptions, hardship approval or other relief.

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.
December 16, 2019

Spring Valley Zoning Board of Appeals
200 N. Main Street
Spring Valley, NY 10977

Tax Data: 57.37-1-34

Re: GENERAL MUNICIPAL LAW REVIEW: Section 239 L and M
Map Date: 10/25/2019

Date Review Received: 11/14/2019

Item: 21 COLLINS AVENUE (SV-987)

A variance application to allow the construction of a two-family dwelling on 0.13 acres in the R-2 zoning district. Variances are requested for lot area, lot width, front yard, side yard, total side yard, rear yard, floor area ratio, street frontage, and parking in the front yard.

The western side of Collins Avenue, approximately 200 feet north of West Church Street

Reason for Referral:

Town of Ramapo

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

*Disapprove

1 The subject site does not meet the minimum lot area standard of 8,500 square feet required for a single-family residence, and provides slightly more than one-half of the lot area required for a two-family dwelling. The lot itself is non-conforming for width and street frontage, as well. The proposed two-family residence will require substantial yard variances to accommodate an oversized residential building on an undersized parcel. The surrounding neighborhood is characterized by similarly-sized parcels. Granting these bulk variances will set a precedent that may result in nearby property owners seeking the same relief. A doubling of the residential density in this neighborhood of non-conforming parcels will negatively impact its community character and infrastructure capacity. Additional residents will generate more traffic on the local streets, leading to congestion and traffic conflicts. While two-family residences are permitted as of right in the R-2 zoning district, they are subject to stricter bulk requirements. This site is particularly deficient in meeting these more stringent standards. We recommend that the required variances be denied, and that only a single-family residence be permitted.
21 COLLINS AVENUE (SV-987)

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 proposed lot area is 56% of the required minimum. The lot width is only 50% compliant, while the street frontage is 71% of the required minimum. The front yard is deficient by 8%, the side and total side yards are deficient by 67%, and the rear yard is deficient by 50%. The FAR exceeds the maximum standard by 4%. 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, only a single-family dwelling can be constructed to maintain the integrity of the zoning ordinance.

The following comments address our additional concerns about this proposal.

3 The Town of Ramapo is the reason this proposal was referred to this department for review. The municipal boundary is approximately 295 feet west of the parcel. New York State General Municipal Law states that the purposes of Sections 239-l, 239-m 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 protection 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 Town of 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 Town of Ramapo must be considered and satisfactorily addressed, as well as any additional concerns about the proposal.

4 The applicant must comply with all comments made by the Rockland County Department of Health in their letter of December 9, 2019.

5 A review must be completed by the County of Rockland Sewer District No. 1 and all required permits obtained from them.

6 The site plan has been reduced in size and is not to-scale. A full-sized, to-scale site plan shall be provided.

7 The north arrows on the site plan and the vicinity map are not mutually compatible. The arrows are oriented in the same direction, while the property lines depicted on the site plan and the vicinity map are not. The inaccurate north arrow must be identified and corrected.

8 The site plan shall contain map notes, including district information. The applicant's engineer has been reminded of this requirement, and the importance of providing these details.

9 The site plan indicates that there is a utility pole within the southern accessway. The site plan must indicate the pole is to be relocated. In addition, curb cuts must be depicted on the site plan.

10 The application form indicates the property receives water service from United Water. The form must be corrected to Suez.
21 COLLINS AVENUE (SV-987)

11 The NYS Department of State has determined that the Village is not administering or enforcing the State Uniform Fire Prevention and Building Code in accordance with minimum standards set forth in 19 NYCRR part 1203. Given the concerns about the Village's administration and enforcement of the State Uniform Fire Prevention and Building Code initially raised in the Executive Deputy Secretary of State's letter of July 15, 2016, and subsequently again in December 18, 2017, the proposed residential building must be held to the requisite minimum standards and comply with all requirements of this code.

12 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.

13 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
Rockland County Department of Health
Rockland County Sewer District #1
New York State Department of State
Anthony R. Calicanto P.E.
Town of Ramapo Planning Board

Rockland County Planning Board Members

*NYS General Municipal Law Section 239 requires a 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 12-B of the New York General Municipal Law. Under Article 12-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 defers to the municipality forwarding the item reviewed to render such opinions and make such determinations if appropriate under the circumstances.

In this respect, municipalities 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.

Proponents of projects are advised to apply for variances, special permits or exceptions, hardship approval or other relief.

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.
July 11, 2018

Spring Valley Zoning Board of Appeals
200 N. Main Street
Spring Valley, NY 10977

Tax Data: 50.77-1-3

Re: GENERAL MUNICIPAL LAW REVIEW: Section 239 L and M
Map Date: 11/21/2017

Item: 80 FRANCIS PLACE (SV-910)

A variance application to allow the construction of a two-family dwelling on 0.17 acres in the R-1A zoning district. Variances are requested for lot area, lot width, front yard, side yard, and total side yard. The southern side of Francis Place, approximately 230 feet east of Zeissner Lane.

Reason for Referral:

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

*Recommend the following modifications

1. 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 proposed lot area is 89% of the required minimum and the lot width is 90% of the minimum. The front yard is deficient by 12% and the side and total side yards are deficient by 33%. 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.
2 The Town of Ramapo is one of the reasons this proposal was referred to this department for review. The municipal boundary is adjacent to the southern property line of the parcel. New York State General Municipal Law states that the purposes of Sections 239-l, 239-m 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 protection 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 Town of 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 Town of Ramapo must be considered and satisfactorily addressed, as well as any additional concerns about the proposal.

3 The applicant must comply with all comments made by the Rockland County Department of Health in their letter of May 31, 2018.

4 The applicant must comply with all comments made by the Rockland County Sewer District No. 1 in their letter of June 29, 2018.

5 A review must be completed by the County of Rockland Drainage Agency and all required permits obtained from them.

6 The use of tandem parking spaces prevents egress for vehicles blocked by other vehicles and creates an inconvenient situation for residents. This layout will encourage residents to park vehicles off-site instead of in their designated spaces and negates the purpose of on-site parking requirements. The tandem parking spaces must be reconfigured to allow independent access for all parking spaces.

7 The site plan indicates the proposed structure will have three stories and a FAR of 0.65. However, the site plan shows a building footprint of approximately 2,716 square feet. Assuming each story will have a gross floor area equal to the footprint, the proposed structure will have an overall gross floor area of approximately 8,148 square feet. This would result in a FAR of 1.08. Although this is an estimate, a FAR of 1.18 is 66% greater than the allowed maximum FAR of 0.65. The magnitude of this discrepancy requires further attention. The applicant must positively demonstrate that the proposed structure will conform to the Village’s FAR requirement; a FAR calculation must be provided on the site plan. If the FAR exceeds the allowable 0.65, the variance application must be amended and the public hearing notice must be reissued. Any application that is revised due to an increase in FAR must be sent to this department for review.

8 The bulk table indicates that the provided street frontage is 70 feet, but the site plan indicates the front property line is 72 feet long. The bulk table must be corrected.

9 The proposed residential building must comply with all requirements of the New York State Uniform Fire Prevention and Building Code. All sidewalks, entries, and window wells must be shown on the site plan to ensure that there is sufficient access to the building for firefighting purposes.
10. The NYS Department of State has determined that the Village is not administering or enforcing the State Uniform Fire Prevention and Building Code in accordance with minimum standards set forth in 19 NYCRR part 1203. Given the concerns about the Village’s administration and enforcement of the State Uniform Fire Prevention and Building Code raised in the Executive Deputy Secretary of State’s letter of July 15, 2016, the proposed residential building must be held to the requisite minimum standards and comply with all requirements of this code.

11. 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.

12. 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
Rockland County Department of Health
Rockland County Drainage Agency
Rockland County Sewer District #1
New York State Department of State
Anthony R. Celentano P.L.S.
Town of Ramapo

--

Douglas J. Schultz
Acting Commissioner of Planning

*NYS General Municipal Law Section 239 requires a 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 12-B of the New York General Municipal Law. Under Article 12-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 defers to the municipality forwarding the item reviewed to render such opinions and make such determinations if appropriate under the circumstances.

In this respect, municipalities 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.

Proponents of projects are advised to apply for variances, special permits or exceptions, hardship approval or other relief.

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.
March 19, 2020

Spring Valley Zoning Board of Appeals
200 N. Main Street
Spring Valley, NY 10977

Tax Data: 50.62-1-22

Re: GENERAL MUNICIPAL LAW REVIEW: Section 239 L and M
Map Date: 2/4/2020

Item: 6 STANLEY PLACE (SV-887A)

A variance application for floor area ratio for a two-family dwelling on a corner lot with 0.18 acres in the R-1A zoning district. Variances were previously granted for lot area, lot width, front yards (Stanley Place and Valley View Terrace), side yard, and rear yard. Substantial construction has been completed. The floor area ratio variance is requested because the basement, as constructed, no longer qualifies for an exemption of floor area ratio.

The southeastern corner of Stanley Place and Valley View Terrace.

Reason for Referral:

Pasack Brook, Town of Ramapo

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

*Recommend the following modifications

1. A previous variance application for this property was reviewed by this department on May 15, 2018. According to the narrative provided, field conditions during construction required the structure to be built at a higher elevation than proposed. This prevented the basement from being exempt from floor area ratio requirements, which necessitated obtaining an additional variance. In a previous communication with the Spring Valley village attorney’s office regarding the FAR exemption for basements, this department noted that a residential FAR requirement that does not incorporate all residential living space is ill-conceived. This project, and the current application, reinforces this statement. The purpose of placing restrictions on FAR, like that of other bulk requirements, is to limit the land use impacts of a project. The land use impacts of the original proposal and the current application are essentially unchanged, demonstrating that allowing the basement exemption to the FAR requirement masks the extent of those impacts and renders the requirement pointless. The village must re-evaluate how FAR is calculated and consider amending the zoning regulations to incorporate all living spaces within the residential FAR requirement, as this would more accurately represent the actual land use impacts of a proposal.
6 STANLEY PLACE (SV-887A)

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. This property has already received substantial area variances. The lot area is 93% of the required minimum. The lot width along Valley View Terrace is 94% of the minimum. The two front yards are deficient by 20%. The side yard is deficient by 33% and the rear yard is deficient by 25%. The currently proposed variance of floor area ratio exceeds the maximum standard by 40%. 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.

3 The Town of Ramapo is one of the reasons this proposal was referred to this department for review. The municipal boundary is approximately 355 feet to the east of the parcel. New York State General Municipal Law states that the purposes of Sections 239-l, 239-m 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 protection of community character as regards predominant land uses, population density, and the relation between residential and nonresidential areas. In addition, Section 239-n 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 Town of 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 Town of Ramapo must be considered and satisfactorily addressed, as well as any additional concerns about the proposal.

4 The application form indicates the property receives water service from United Water. The form must be corrected to Suez.

5 The applicant must comply with all comments made by the Rockland County Sewer District No. 1 in their letter of February 24, 2020.

6 As shown, the proposed residential building may require a variance from the New York State Uniform Fire Prevention and Building Code since a deck is located closer than ten feet to the property line.

7 The NYS Department of State has determined that the Village is not administering or enforcing the State Uniform Fire Prevention and Building Code in accordance with minimum standards set forth in 19 NYCRR part 1203. Given the concerns about the Village's administration and enforcement of the State Uniform Fire Prevention and Building Code raised in the Executive Deputy Secretary of State's letter of July 15, 2016, the proposed residential building must be held to the requisite minimum standards and comply with all requirements of this code.

8 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.
6 STANLEY PLACE (SV-887A)

9 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.

Douglas J. Schuez
Acting Commissioner of Planning

cc: Mayor Alan Simon, Spring Valley
New York State Department of State
Rockland County Department of Health
Rockland County Drainage Agency
Rockland County Sewer District #1

Anthony R. Calentano P.E.
Town of Ramapo Planning Board

*NYS General Municipal Law Section 239 requires a 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 12-B of the New York General Municipal Law. Under Article 12-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 defers to the municipality forwarding the item reviewed to render such opinions and make such determinations if appropriate under the circumstances.

In this respect, municipalities 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. Proponents of projects are advised to apply for variances, special permits or exceptions, hardship approval or other relief.

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.
February 25, 2020

Spring Valley Zoning Board of Appeals
200 N. Main Street
Spring Valley, NY 10977

Tax Data: 50.53-1-15

Re: GENERAL MUNICIPAL LAW REVIEW: Section 239 L and M
Map Date: 11/20/2019

Item: **14 ELENER LANE (SV-994)**

A variance application to allow the construction of a two-family dwelling on 0.21 acres in the R-1A zoning district. Variances are requested for lot width, side yard, and total side yard.  
The southern side of Elener Lane, approximately 175 feet east of North Rigaud Road

Reason for Referral:

Town of Ramapo

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

*Recommend the following modifications*

1. 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 proposed lot width is 92% of the required minimum. The side and total side yards are deficient by 33%. 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. The size of the building must be reduced so that the side yard and total side yards are compliant.
2 The Town of Ramapo is the reason this proposal was referred to this department for review. The municipal boundary is approximately 325 feet west of the parcel. New York State General Municipal Law states that the purposes of Sections 239-l, 239-m 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 protection 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 Town of 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 Town of Ramapo must be considered and satisfactorily addressed, as well as any additional concerns about the proposal.

3 There are discrepancies between the site plan and the architectural plans that were provided by Hartman Design, dated January 12, 2020. Two rear decks are depicted on the architectural plans but are not indicated on the site plan. The architectural plans depict a building jog along each side wall of the structure, set back approximately 16 feet from the front façade. The site plan appears to indicate building jogs approximately 24 feet from the front façade. The site plan indicates there are two side entries with staircases and an 8' x 8' entry platform that are not depicted in the architectural plans. Lastly, there are two front projections indicated on the site plan that are not in the same configuration as those depicted in the architectural plans. All materials must be consistent. The applicant must clarify their intentions and correct these discrepancies, and if required, additional variances sought.

4 The front projections, as depicted in the architectural plans, consist of enclosed living space and do not fall under the yard exemption of Section 255.22.C of the village's zoning regulations. The site plan must be amended to measure the front yard distance from the property line to these projections. If a variance of the front yard is required, the application must be revised and resubmitted for review and a new public hearing notice must be issued.

5 The architectural plans provided are not to-scale. To-scale drawing must be provided.

6 A review must be completed by the Rockland County Department of Health to ensure compliance with Article XIX (Mosquito Control) of the Rockland County Sanitary Code.

7 A review must be completed by the County of Rockland Sewer District No. 1 and all required permits obtained from them.

8 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.

9 A turnaround area must be provided to prevent vehicles from backing into the roadway.

10 The application form indicates the property receives water service from United Water. The form must be corrected to Suez.
14 ELLENE LANE (SV-994)

11 The NYS Department of State has determined that the Village is not administering or enforcing the State Uniform Fire Prevention and Building Code in accordance with minimum standards set forth in 19 NYCRR part 1203. Given the concerns about the Village's administration and enforcement of the State Uniform Fire Prevention and Building Code initially raised in the Executive Deputy Secretary of State's letter of July 15, 2016, and subsequently again in December 18, 2017, the proposed residential building must be held to the requisite minimum standards and comply with all requirements of this code.

12 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.

13 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
    Rockland County Department of Health
    Rockland County Sewer District #1
    New York State Department of State
    Anthony R. Calantano P.E.
    Town of Ramapo Planning Board

*NYS General Municipal Law Section 239 requires a 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 12-8 of the New York General Municipal Law. Under Article 12-8 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 defers to the municipality forwarding the item reviewed to render such opinions and make such determinations if appropriate under the circumstances.

In this respect, municipalities 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.

Proponents of projects are advised to apply for variances, special permits or exceptions, hardship approval or other relief.

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.
Zone: R-1A Two-Family Dwelling

Bulk Requirements

<table>
<thead>
<tr>
<th>Land Use</th>
<th>Minimum Lot Area</th>
<th>Maximum Lot Area</th>
<th>Maximum Building Height</th>
<th>Maximum FAR</th>
<th>Minimum Parking</th>
</tr>
</thead>
<tbody>
<tr>
<td>Lot 15 Block C</td>
<td>8,500 SF</td>
<td>8,944 SF</td>
<td>30'</td>
<td>0.65</td>
<td>3</td>
</tr>
</tbody>
</table>

Lot Dimensions:
- Front Yard: 35' (max)
- Side Yard: 20' (min)
- Rear Yard: 20' (max)
- Total Side Yard: 35' (max)

Proposed Two Family for 14 Elener Ln.

Address: 31 Rosman Road, Thieles, N.Y. 10984
Phone: 845 429 5290 Fax: 429 5974

LIC# 76244

Anthony R. Celelanto P.E.
Town of Ramapo, Rockland County
Spring Valley, New York
November 20, 2019
Scale: 1" = 10'
May 14, 2020

Hon. Moshe Hopstein, Chairman
Zoning Board of Appeals
Village of Spring Valley
200 North Main Street
Spring Valley, New York 10977

Re: 14 Elener Lane

Dear Chairman Hopstein:

This office is counsel with respect to the above referenced application to the Zoning Board of Appeals of the Village of Spring Valley.

As part of the Zoning Board of Appeals’ review, it considers a February 25, 2020 review conducted by the Rockland County Department of Planning, purportedly pursuant Sections 239 L & M of the General Municipal Law. The statutory purposes of said review is to address regional and countywide planning concerns based on the project’s impacts on the Town of Ramapo. No such impacts on are noted. Notwithstanding the foregoing, said review addresses areas outside of its permitted of scope under the General Municipal Law and Village Law and outside the balancing test required to be applied by the Zoning Board of Appeals and therefore impermissible for consideration.

With respect to Comment 1, this is a use permitted by right in the zone consistent with the density and style of homes in the neighborhood. Sufficient on-site parking is provided, zero net runoff will be complied with and there is adequate public water and sewer capacity. The applicant will pay any sewer impact fee. As such, these comments and requests do not accurately reflect the character of the community and should be overridden. In evaluating the variances, the Board should also note the benefits to community character, including fire sprinklers, improved landscaping, lighting and curbing and modern, energy efficient and less combustible building materials, as well as the urgent need for additional housing to accommodate an array of family types. None of the considerations under the balancing test that sustained the original variances request have changed. Override requested.

With respect to Comment 2, the Town of Ramapo was notified and provided the opportunity to comment upon the application.

With respect to Comments 3 and 4, the plans have been corrected.

With respect to Comment 9, a turnaround is provided. Override requested.
Very truly yours,

Ryan S. Karben

RYAN KARBEN
PROPOSED RESIDENCE FOR:
14 ELENER LANE
VILLAGE OF SPRING VALLEY
ROCKLAND COUNTY, NEW YORK

BASEMENT FLOOR PLAN
SCALE: 1/4" = 1'-0"
FIRST FLOOR PLAN

PROPOSED RESIDENCE FOR:
14 ELENER LANE
VILLAGE OF SPRING VALLEY
ROCKLAND COUNTY, NEW YORK
PROPOSED RESIDENCE FOR:
14 ELENER LANE
VILLAGE OF SPRING VALLEY
ROCKLAND COUNTY, NEW YORK

1. FRONT ELEVATION

2. RIGHT ELEVATION
Hon. Moshe Hopstein, Chairman
Zoning Board of Appeals
Village of Spring Valley
200 North Main Street
Spring Valley, New York 10977

Re: 6 Stanley Place

Dear Chairman Hopstein:

This office is counsel with respect to the above referenced application to the Zoning Board of Appeals of the Village of Spring Valley.

As part of the Zoning Board of Appeals’ review, it considers a March 19, 2020 review conducted by the Rockland County Department of Planning, purportedly pursuant Sections 239 L & M of the General Municipal Law. The statutory purposes of said review is to address regional and countywide planning concerns based on the project’s impacts on the Town of Ramapo and Pascack Brook. No such impacts on are noted. Notwithstanding the foregoing, said review addresses areas outside of its permitted of scope under the General Municipal Law and Village Law and outside the balancing test required to be applied by the Zoning Board of Appeals and therefore impermissible for consideration.

Outrageously, Comment 1 seeks to use the limited scope of Section 239 of the General Municipal Law to impose a sweeping and illegal mandate on the Village of Spring Valley to “recalculate how FAR is calculated.” The County further opines that allowing living space in the area excluded from the FAR is “ill conceived”, though it is the Code of the Village. Neither of these items- the configuration of an individual’s basement nor the legal exercise of the statutory authority of the Village to interpret its own Code are the business of the County of Rockland. It is a separate government, not a super government and it cannot use the vehicle of this review to attempt to seize control of the Village of Spring Valley’s land use process and vitiate the home rule standards that are the hallmark of state zoning law. Nothing in the Comment pertains to the balancing test standard for the requested variance which is met by the applicant insofar as granting the revised variance for the already approved project will have no meaningful impact on the surrounding properties. Override requested.

With respect to Comment 2, this is a use permitted by right in the zone consistent with the density and style of homes in the neighborhood. Sufficient on-site parking is provided, zero net runoff will be complied with and there is adequate public water and sewer capacity. The applicant will pay any sewer impact fee. As such, these comments and requests do not accurately reflect the character of the community and should be overridden. In evaluating the variances, the
Board should also note the benefits to community character, including fire sprinklers, improved landscaping, lighting and curbing and modern, energy efficient and less combustible building materials, as well as the urgent need for additional housing to accommodate an array of family types. None of the considerations under the balancing test that sustained the original variances request have changed. **Override requested.**

With respect to Comment 3, the Town of Ramapo was notified and provided the opportunity to comment upon the application.

With respect to Comment 6, no variance from the Fire Code will be required.

Very truly yours,

[Signature]

RYAN KARBEN
February 13, 2020

To: Zoning Board of Appeals

Re: 4-6 Stanley Ave
    Spring Valley NY 10977

SUBJECT: Narrative

Enclosed are applications for Tax Lot 50.62-1-22&23. The project is located at 4&6 Stanley Ave, Spring Valley, NY 10977. The applicant completed Construction for a two family dwelling on each lot.

This project was originally approved by the Zoning board on December 12, 2018. With respect to the GML letter dated May 9, 2018, the board voted to override comments 1, 3, 6, and 9. With respect to comment 2, the Town of Ramapo was giving the opportunity to comment. With respect to Comment 4, the info has been corrected. With respect to comment 5, the site plan notes have been added. With respect to comment 7, the applicant is complying with the health department letter dated 2.22.18. With respect to comment 8, a review was completed by RC Sewer District, and the applicant is complying with that. With respect to comments 10, 11, and 12, the comments are so noted.

The reason for returning to the ZBA is as follows;

In order for a story to be considered a basement and not count towards the Floor Area Ratio, the following needs to be met.

A. Basement shall be less than six feet from grade to finished first floor.

B. basement ceiling height shall not exceed 7’6”.

During construction, as the foundation was being poured, the applicant went down to the proposed footing height level & hit ground water, which would have caused footings being below the water table. So, we purred thicker footings, raised the walls & filled it with new dry compacted fill & that automatically raised our Basement floor. As a result, the basement is now more than six feet above grand now counts towards the Floor Area Ratio calculation, and a variance for FAR is now required. However, the ceiling height did remain at 7’6”.
NOTES:
1. TAX MAP NUMBER: MAP 57-40-1-44.3, 57-40-1-44.4, & 57-40-1-44.5
2. APPLICANT:
   LUCRATIVE LLC & VALUABLE LLC
   9-13 LAFAYETTE
   SPRING VALLEY, NY 10977
3. OWNER, SAME AS APPLICANT
4. TOTAL AREA = 7,500 SQUARE FEET = 0.17 ACRES
5. TOTAL NUMBER OF LOTS = 3
6. THIS PLAT DOES NOT CONFLICT WITH THE COUNTY OFFICIAL MAP
   AND HAS BEEN APPROVED IN THE MANNER SPECIFIED IN SECTION
   238-M & N OF THE GENERAL MUNICIPAL LAW WHEN APPLICABLE.
7. INFORMATION REGARDING PLAT REVIEW, APPROVAL, AND DETAILS IS
   AVAILABLE IN THE SPRING VALLEY PLANNING BOARD FILES.
8. PROPERTY IS NOT LOCATED IN FLOOD PLAN OVERLAY DISTRICT

1) ELECTRIC DISTRICT: ORANGE AND ROCKLAND
2) WATER DISTRICT: SPRING HILL
3) FIRE DISTRICT: SPRING VALLEY
4) AMBULANCE DISTRICT: SPRING HILL
5) SEWER DISTRICT: EAST RANGER

TOWN OF CLARKSTOWN, ROCKLAND COUNTY
VILLAGE OF SPRING VALLEY, NEW YORK
SEPTMBRE 17, 2019
SCALE: 1" = 10'

LOT AREA = 7,500 SQUARE FEET
TAX MAP DESIGNATION: 57-40-1-44.3, 57-40-1-44.4 & 57-40-1-44.5

PROPOSED 6 FAMILIES FOR LUCRATIVE LLC

ANTHONY R. CELENTANO P.E.
31 JOSKIN ROAD
THIES, N.Y. 10984
845-429-5290 FAX 429-5974

14.75 X 55'
PROPOSED TWO FAMILY RESIDENCE FOR:

21 COLLINS AVENUE

INDEX

A-101 FOUNDATION AND BASEMENT PLAN
A-102 FIRST FLOOR PLAN
A-103 SECOND FLOOR PLAN
A-104 ROOF PLAN PLUMBING RISER DIAGRAM TYPICAL WALL SECTION
A-201 FRONT AND REAR ELEVATION
A-202 LEFT AND RIGHT ELEVATION
SP-01 DETAILS SPECIFICATIONS
SP-02 SPECIFICATIONS
E-101 ELECTRICAL PLANS
T-01 T.J. DETAILS

RELEASE DATE:

2019-10-31

21 COLLINS AVENUE
VILLAGE OF SPRING VALLEY
ROCKLAND COUNTY, NEW YORK
SEC.-BLK.-LOT 57.37-1-34

21 COLLINS AVENUE
VILLAGE OF SPRING VALLEY
ROCKLAND COUNTY, NEW YORK
SEC.-BLK.-LOT 57.37-1-34

412 N. MAIN STREET, SUITE 301
MONROE NY 10950
845-781-4222
LARRY@LHARTMANDESIGN.COM
Load bearing or shear wall above (must stack over wall below)

Blocking panel

Web stiffeners required each side at B1W and B2W

Blocking panels may be required with shear walls above or below - see detail B1

IRC 502-7 requires lateral restraint (blocking) at all intermediate supports in Seismic Design Categories D0, D1, and D2 to strengthen the floor diaphragm.

NOTE: NO BRIDGING PROPOSED

A-102

412 N. MAIN STREET, SUITE 301
MONROE NY 10950
845-781-4222
LARRY@LHARTMANDESIGN.COM

FIRST FLOOR PLAN

SCALE: 1/4" = 1'-0"

STAIR AND HAND RAIL DETAIL

SCALE: 3/8" = 1'-0"

TJI DETAIL

SCALE: 3/8" = 1'-0"

WINDOW AND DOOR SCHEDULE

SCALE: 1/4" = 1'-0"

UNIT SEPARATION WALL

SCALE: 1" = 1'-0"

WINDOW EGRESS DETAIL

SCALE: 3/4" = 1'-0"

BATHROOM FIXTURE CLEARANCES

SCALE: 1/4" = 1'-0"
1 HOUR FIRE GENERIC FLOOR-CEILING SYSTEMS, WOOD-FRAMED WOOD JOISTS, GYPSUM WALLBOARD

Approx. Ceiling Weight: 5 psf

Fire Test: FM FC 172, 2-25-72; ITS, 8-6-98

Sound Test: Estimated

GA FILE NO. FC 5407 A-104

412 N. MAIN STREET, SUITE 301
MONROE NY 10950
845-781-4222
LARRY@LHARTMANDESIGN.COM
PROPOSED TWO FAMILY RESIDENCE FOR:
21 COLLINS AVE
VILLAGE OF SPRING VALLEY
ROCKLAND COUNTY, NEW YORK

CULTURED STONE ATTACHMENT DETAIL

FRONT ELEVATION

REAR ELEVATION
PROPOSED TWO FAMILY RESIDENCE FOR:
21 COLLINS AVE
VILLAGE OF SPRING VALLEY
ROCKLAND COUNTY, NEW YORK
PROPOSED TWO FAMILY RESIDENCE FOR:
21 COLLINS AVE
VILLAGE OF SPRING VALLEY
ROCKLAND COUNTY, NEW YORK

<table>
<thead>
<tr>
<th>Proposed Family Residence</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>21 Collins Ave</td>
<td></td>
</tr>
<tr>
<td>Village of Spring Valley</td>
<td></td>
</tr>
<tr>
<td>Rockland County, New York</td>
<td></td>
</tr>
</tbody>
</table>

**Tables and Diagrams**

- **Table 1**: Detailed specification of materials and dimensions.
- **Diagram**: Architectural plan and elevation views.

**Notes**

- Compliance with local zoning and building codes.
- Approval pending final inspections.

**Contact Information**

- LHARTMANDESIGN.COM
- 845-781-4222

**Address**

- 412 N. MAIN STREET, SUITE 301
- MONROE NY 10950

**Date**

- OCT 31, 2019
PROPOSED TWO FAMILY RESIDENCE FOR:
21 COLLINS AVE
VILLAGE OF SPRING VALLEY
ROCKLAND COUNTY, NEW YORK

SECOND FLOOR ELECTRICAL PLAN
SCALE: 3/16" = 1'-0"

BASEMENT ELECTRICAL PLAN
SCALE: 3/16" = 1'-0"

FIRST FLOOR ELECTRICAL PLAN
SCALE: 3/16" = 1'-0"
Amendment to original Application For 9 Lafayette Street

APPLICATION REVIEW FORM

Name of Municipality: Springs Valley Date: 12/8/19

Please check all that apply

- Planning Board
- Zoning Board of Appeals (Fill out Part II of this form)
- Subdivision
- Number of lots
- Site Plan
- Special Permit
- Zoning Code Amendment
- Zoning Variance
- Municipal Board
- Historical Board
- Architectural Board
- Pre-preliminary/Sketch
- Preliminary
- Final
- Conditional Use
- Zone Change
- Other

Project Name: Lucrative LLC / Valuable LLC
Tax Map Designation: Section 57.40 Block 1 Lot 44.3 - 44.4 74.5

Property Location: On the west side of Lafayette Street, 150 feet north from the intersection of White Street and Lafayette Street, in the Village of Spring Valley, County of Rockland, Town of Clarkstown.

Acreage of Parcel: 7500 SF Zoning District: R-2
School District: East Ramapo Postal District: Spring Valley
Fire District: Spring Valley Ambulance District: Spring Hill
Water District: Susz Sewer District: RCSP # 1

Project Description (If additional space is required, please attach a narrative summary)

Construct 3 two family homes
APPLICATION REVIEW FORM

If Subdivision:
1) Is any variance from the subdivision regulation required? NO
2) Is any open space being offered? NO If so, what amount?
3) Is this standard or average density subdivision? 

If Site Plan:
1) Total size of building or buildings in square feet. NO
2) Proposed addition. 
3) Number of dwelling units.
   a) Number of one (1) bedroom units.
   b) Number of two (2) bedroom units.
   c) Number of three (3) bedroom Units.
   d) Other dwelling units. 

If special permit, list the special permit use and what the property will be used for: NONE

Are their slopes greater than 25%? If so, please indicate the amount and show the gross and net area. NO
Are there any streams on the site? If yes, please provide the names. NO
Are there any wetlands on the site? If yes please provide the names and type. NO

Project History: Has this project ever been reviewed before? NO
If so, provide a narrative, including the list case number, name date, and Board you appeared before.

List tax map section, block and lot numbers for all other abutting properties in the same ownership as this project.

Applicant: MOSECHAI BIXEN SPAN Phone #
Address: 32 NISSAN COURT, MONSAY NY 10952
Property Owner: LUCRATIVE LLC/valuable LLC Phone #
Address: 6 BLUE SKY DRIVE, SUFFERN, NY 10901
APPLICATION REVIEW FORM.

Engineer: Anthony Celen +ano Phone#: 429-5290
Address: 31 Rosman Road, Thiells, NY 10984

Architect: Phone #:
Address: (street no. and name) (post office) (state) (zip code)

Surveyor: same as above Phone #:
Address: (street no. and name) (post office) (state) (zip code)

Attorney: Licata + Cow Klin Phone#: 357-4242
Address: 55010 Turnpike Road, Suite 606, Minnewaska, NY 10954

Contact Person: Phone #:
Address: (street no. and name) (post office) (state) (zip code)

THIS PROPERTY IS WITHIN 500 FEET OF:
If any item is checked, the Rockland County Commissioner of Planning must do a review under the State General Municipal Law, sections 239 k, I, iii, and ii.

□ State or County Road □ State or County Park
□ Long Path □ County Stream
□ Municipal Boundary □ County Facility

List all names of facilities checked above: Town of Clarkstown

Referral Agencies: (Please make sure that the appropriate agencies as needed receive copies of your application and plans for their review and comment.)

□ Rockland County Highway
□ Rockland County Park Commission
□ Rockland County Drainage Agency
□ Rockland County Environmental Management Council
□ Rockland County Soil and Water Conservation District
□ Rockland County Department of Environmental Health
□ New York State Department of Transportation
□ New York State Department of Environmental Conservation
□ New York State Thruway Authority
□ Palisades Interstate Park Commission
□ Rockland County Sewer District
□ Adjacent Municipality (same as the municipality)
APPLICATION REVIEW FORM

TO ALL APPLICANTS "YOU MUST SEND COPIES OF THE APPLICATION AND THE PLANS TO:"

Mr. William Speckenbach, Regional Manager
C/o Orange and Rockland Utilities
75 West Route 59
Spring Valley, New York 10977

I have informed the above checked agencies and Orange and Rockland on ___ (date)___

Name: More dechial Bi xemspan (print or type) Signature: X

APPLICANT'S SIGNATURE AND CERTIFICATION:
State of New York)
County of Rockland SS:
Town/Village of Spring Valley).

I, More dechial Bi xemspan (pleaseprint), hereby deposes and says that all the
above statements contained in the papers submitted herewith are true.

(Signature)

Mailing Address:


AFF

SWORN to before this
8th day of December, 2019

(Notary Public)
APPLICATION REVIEW FORM

OWNER/APPLICANT’S CONSENT FORM TO VISIT THE PROPERTY:

I, Mordechai Bixenspan, owner of the property described in application submitted to the Village of Spring Valley, Village Board, Planning Board, Zoning Board of Appeals and or supporting staff, do hereby give permission to members of said boards and or supporting staff to visit the property in question at a reasonable time during the day.

OWNER/APPLICANT: [Signature]

REIMBURSEMENT FOR PROFESSIONAL CONSULTING SERVICES:

The Town/Village Board, Planning Board and Zoning Board of Appeals in the review of any application described above, may refer any such application presented to it to such engineering, planning, environmental or other technical consultant as such Board shall deem reasonably necessary to enable it to review such applications required by law. The charges made by such consultants shall be in accord with charges usually made for such services in the metropolitan New York region or pursuant to an existing contractual agreement between the Town/Village for the cost of such consultant services upon receipt of the bill. Such reimbursement shall be made prior to final action on the application. Permits will not be issued and site plan or subdivision will not be signed until the bill is paid in full.

Applicant: Mordechai Bixenspan

 Applicant: [Signature]

REIMBURSEMENT TO BEFORE THIS
8 day of Dec, 2019

Notary Public

JAMES D. LICATA, No. 4846023
NOTARY PUBLIC, State of New York
Qualified in Rockland County
Commission Expires July 31, 2021

PAGE 5
APPLICATION REVIEW FORM

AFFIDAVIT OF OWNERSHIP/OWNER'S CONSENT

State of New York
County of Rockland
Town/Village of Springs Valley

I, [Signature], being duly sworn, hereby depose and say
that I reside at: 32 Nisson Court
In the county of Rockland in the State of

I am the (*Member) owner in fee simple of the premises located at: 13119 Lafayette St

described in a certain deed of said premises recorded in the Rockland County Clerk's
Office in Liber __________ of conveyances, page __________.

Said premises have been in my/its possession since __________. Said premises
are also known and designated on the Town of Clarkstown, Tax Map as:
Section __________ Block __________ Lot(s) 44.3, 44.4, 44.5
Section __________ Block __________ Lot(s)
Section __________ Block __________ Lot(s)

I hereby authorize the within application on my behalf, and that the statements of fact
contained in said application are true and agree to be bound by the determination of the
Board.

Owners Mailing Address

Owners Telephone Number

AFF

Sworn to before this 8 day of Dec 2019

(Notary Public)

* If owner is a corporation, fill in the office held by deponent and name of corporation
and provide a list of all directors, officers and stockholders owning more than 5% of any
class of stock.
Lot # 2

APPLICATION REVIEW FORM

Application before the Zoning Board of Appeals

Application, petition or request is hereby submitted for:

☒ Variance from the requirements of Section 2-2-120 (c)
1, 2, 4, 5, 6, Street Frontage

☐ Special Permit per the requirements of Section

☐ Review of an administrative decision of the Building Inspector
☐ An order to issue a Certificate of Occupancy
☐ An order to issue a Building Permit
☐ An interpretation of the Zoning Ordinance or Map
☐ Certification of an existing Non-Conforming structure or use
☐ Other (explain) ________________________________

To permit construction, maintenance and use of ____________________________

If any area variance is required, please fill out below:

This application seeks a variance from the provisions of Article 2-2-120 (c)
Section(s) 1, 2, 4, 5, 6, Street Frontage.

Lot Area 10,000 SF Required 2500 SF Requested
Lot Width 100' Required 25' Requested
Lot Area
Street Frontage 70' Required 25' Requested
Front Yard
Side Yard 15' Required 0' Requested
Rear Yard 20' Required 19.5' Requested
Total Side Yard 30' Required 0' Requested
Building Height
Number of Stories
Floor Area Ratio
Number of Parking Spaces
APPLICATION REVIEW FORM

Application before the Zoning Board of Appeals

Application, petition or request is hereby submitted for:

☑ Variance from the requirements of Section 1 - 2 - B - 2 (c)

☐ Special Permit per the requirements of Section

☐ Review of a administrative decision of the Building Inspector
☐ An order to issue a Certificate of Occupancy
☐ An order to issue a Building Permit
☐ An interpretation of the Zoning Ordinance or Map
☐ Certification of an existing Non-Conforming structure or use
☐ Other (explain)

To permit construction, maintenance and use of 3 two family homes.

If any area variance is required, please fill out below:

This application seeks a variance from the provisions of Article 1 - 2 - B - 2 (c)

Section(s) 1, 2, 4, 6, Street Frontage, Parking

Lot Area 10,000 sf Required 2,500' Requested

Lot Width 100' Required 25' Requested

Lot Area

Street Frontage 70' Required 25' Requested

Front Yard

Side Yard 15' Required 0' Requested

Rear Yard

Total Side Yard 30' Required 18' Requested

Building Height

Number of Stories

Floor Area Ratio

Number of Parking Spaces 4 Required 2 Requested

Page 10
APPLICATION REVIEW FORM

AFFIDAVIT PURSUANT TO SECTION 309 OF THE GENERAL MUNICIPAL LAW

State of New York
County of Rockland) SS:
Town/Village of Springs Valley

I, Mordechai Bixenspan, being duly sworn, hereby depose and say that all the following statements and the statements contained in the papers submitted herewith are true and that the nature and extent of any interests set forth are disclosed to the extent that the applicant knows them.

1.) Print or type full name and post office address: Mordechai Bixenspan
32 Minskow Court
Monsey, NY 10952

Certifies that he is the owner or agent of all that certain lot, piece or parcel of land and/or building described in this application and if not the owner that he/she has been duly and properly authorized to make this application and to assume responsibility for the owner in connection with this application for the relief below set forth:

2.) To the ZBA Board of the Town/Village of Springs Valley, Rockland County, New York:
APPLICATION, PETITION OR REQUEST IS HEREBY SUBMITTED FOR:
X Variance or modification from the requirements of Section(s): 1, 2, 4, 5, 6, Street Frontage, Parking

( ) Special Permit per the requirements of Section(s):
( ) Review and approval of proposed subdivision plat:
( ) Exemption from a plat or official map:
( ) An order to issue a certificate, permit or license:
( ) An amendment to the Zoning Ordinance or Official or change thereof:
( ) Other (explain)

To permit construction, maintenance and use of: 3 Two Family Homes

3.) Premises affected are in a R-2 Zone and from the town of Clarks Town
Tax map, the property is known as Section 57.46 Block 1 and lot number(s) 44.3, 44.4, 44.5.

Page 7
APPLICATION REVIEW FORM

4.) There is no State Officer, Rockland County Officer or employee or Town/Village officer or employee nor his or her spouse, brother, sister, parent, child or grandchild, or a spouse of any of these relatives who is the applicant or who has an interest in the person, partnership or association making this application, petition or request, or is an officer, director, partner or employee of the applicant, or that such officer or employee, if this applicant is a corporation, legally or beneficially owns or controls any stock of the applicant in excess of 5% of the total of the corporation if its stock is listed on the New York or American Stock Exchange; or is a member or partner of the applicant, express or implied, whereby such officer or employee may receive any payment or other benefit, whether or not for services rendered, which is dependent or contingent upon the favorable approval of this application, petition or request.

5.) That to the extent that the same is known to your applicant, and to the owner of the subject premises there is disclosed herewith the interest of the following officer or employee of the State of New York or the County of Rockland or of the Town/Village of ___________ in the petition, request or application or in the property or subject matter to which it relates: (if none, so state)

a.) Name and address of officer or employee: ___________ N O N E ___________

b.) Nature of interest: __________________________________________

c.) If Stockholder, number of shares: ____________________________

d.) If officer or partner, nature of office and name of partnership: _______

e.) If a spouse or brother, sister, parent, child, grandchild or the spouse of any of these blood relatives of such State, County or Town/Village officer or employee, State name and nature of relationship to officer and employee and nature and extent of office, interest or participation or association having an interest in such ownership or in business entity sharing in such ownership.

________________________

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

________________________
APPLICATION REVIEW FORM

AFFIDAVIT

I, Moedechai Bixenspan (PRINT NAME) do hereby depose and say that all the preceding statements and statements contains in the papers submitted herewith are true, knowing that a person who knowingly and intentionally violates any section is guilty of a misdemeanor.

(ADVERTISEMENT)

(street address or post office box)

(city) (state)

(telephone number)

AFFIRMED to before this 8th day of December, 2019

Notary Public

JAMES D. LICATA, No. 4866023
NOTARY PUBLIC, State of New York
Qualified in Rockland County
Commission Expires July 31, 2019

Page 11
APPLICANT: LUCRATIVE LLC/ VALUABLE LLC
PREMISES: 9, 11 & 13 LAFAYETTE STREET, SPRING VALLEY, NEW YORK 10977
SECTION: SECTION 57.40, BLOCK 1, LOTS 44.3, 44.4, & 44.5

The applicant wishes to construct 3 two-family homes on the 3 lots listed above. The applicant wishes to construct starter homes in the amount of 812 square feet per unit. These would be 6 small two-bedroom units for sale. The size of the units would make them more affordable for first home buyers. I have attached a chart to his narrative that indicates our reasoning behind creating 6 small units as opposed to 2 very large units. Two very large units with 7 bedrooms in each would lend itself to overcrowding and potentially creation of a roaming house type situation. I will discuss the attached chart at the zoning meeting.

---

**CHART**

<table>
<thead>
<tr>
<th></th>
<th>1 TWO-FAMILY UNITS</th>
<th>3 TWO-FAMILY UNITS</th>
</tr>
</thead>
<tbody>
<tr>
<td>TOTAL SQ FEET</td>
<td>4875 sf two units with 2437 sf per unit</td>
<td>4875 sf - 6 units with 812 sf per unit</td>
</tr>
<tr>
<td>TOTAL BEDROOMS</td>
<td>14 seven (7) per unit</td>
<td>14 two (2) per unit</td>
</tr>
</tbody>
</table>
VILLAGE OF SPRING VALLEY
BUILDING DEPARTMENT
200 NORTH MAIN STREET, SPRING VALLEY, N.Y. 10977
TEL (845) 517-1129 • FAX (845) 356-6035

NOTE! INCOMPLETE OR ILLIGIBLE APPLICATION WILL NOT BE PROCESSED. PRINT CLEARLY

App. Date: 2/1/2020
Type Permit: ☒ Building ☐ Plumbing ☐ Mechanical ☐ Other
Cost of Construction: Applicant: ☒ Owner ☐ Agent
Has work commenced? ☐ YES ☒ NO

1. PROPERTY INFORMATION
Street Address: 9, 11, 13 Lafayette St.
□ Existing ☒ Vacant Land
Sec./Block/Lot #: 57.40 - 1
Zoning District: □ R1-A ☐ R-1 ☐ R-2 ☐ R-3 ☐ R-4 ☐ R-5 □ PO
□ GB □ NB □ HB □ POR □ PRD □ PLU □ RSH □ FPO

2. OWNER INFORMATION
Business Name: Lucrative LLC / Valuable LLC
First & Last Name: Mordechai Biskin
Street Address: 32 Nassau Court
City: Monsey
Phone #: State & Zip Code: NY 10952

3. TYPE OF PERMIT
IMPROVEMENT TYPE: ☒ NEW CONSTRUCTION
□ ADDITION
□ ALTERATION
□ Level 1 □ Level 2
□ REPAIR/REPLACEMENT
□ DEMOLITION
□ CHANGE OF USE
□ RENEWAL
□ SOLAR PANEL
□ GENERATOR
□ DECK
□ ROOFING
□ FENCE

PROPOSED USE:
□ ASSEMBLY (A)
□ Restaurants (A-2)
□ Commercial Kitchens (A-2)
□ Religious Worship (A-3)
□ Funeral Parlors (A-3)
□ BUSINESS (B)
□ Clinic – Out Patient
□ Assembly < 50 Person or 750 Sq. Ft.
□ FACTORY (F)
□ Moderate Hazard (F-1)
□ Bakery
□ Clothing
□ Food Processing
□ Woodworking (Cabinet)

INSTITUTIONAL (I)
□ Group Home (I-1)
□ Convalescent Facility (I-1)
□ Daycare Facility (I-4)
□ MERCANTILE (M)
□ Pharmacy
□ Markets
□ Retail
□ Whole Sale
□ RESIDENTIAL (R)
□ Hotel, Motel (R-1)
□ Boarding House (R-1)
□ Multi-Family (R-2)
□ Dormitory (R-2)
□ Single/Two Family (R-3)
□ Detached One/Two Family/Townhouse

STORAGE
□ Moderate Hazard (S-1)
□ Wax Candle
□ Repair Garage
□ Low Hazard (S-2)
□ Food Product
□ Utility & Misc. (U)
□ Fence > 6’ high
□ Retaining Wall
□ Shed
□ Tanks
□ Educational (E)
□ Grades 1 - 12
□ Day Care Facility
□ > 5 children & > 2 ½ yrs

4. CONTRACTORS INFORMATION

<table>
<thead>
<tr>
<th>NAME</th>
<th>PHONE #</th>
<th>LICENSE #</th>
</tr>
</thead>
<tbody>
<tr>
<td>Applicant</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Architect</td>
<td></td>
<td></td>
</tr>
<tr>
<td>General Contractor</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Surveyor</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Fire Sprinkler</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Fire Alarm</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

5. SCOPE OF WORK
Description of Work:
__________________________________________


1
1. ZONING PLAN EVALUATION

<table>
<thead>
<tr>
<th>SETBACKS</th>
<th>REQUIRED</th>
<th>PROVIDED</th>
<th>CLEAR</th>
<th>GRANTED</th>
<th>NUMBER/SQUARE FEET</th>
<th>PROVIDED</th>
</tr>
</thead>
<tbody>
<tr>
<td>Street Frontage</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>Existing Residential Units</td>
<td></td>
</tr>
<tr>
<td>Front Yard</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>New Residential Units</td>
<td></td>
</tr>
<tr>
<td>Rear Yard</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>Floor Area (exclude stairs)</td>
<td></td>
</tr>
<tr>
<td>Side Yard</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>Perimeter Area/Floor</td>
<td></td>
</tr>
<tr>
<td>Total Side Yard</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>Basement Ceiling Height</td>
<td></td>
</tr>
<tr>
<td>Lot Width</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>Basement % Below Grade</td>
<td></td>
</tr>
<tr>
<td>Lot Area</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>Fire Sprinkler System</td>
<td></td>
</tr>
<tr>
<td>Floor Area Ratio</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>Fire Alarm System</td>
<td></td>
</tr>
<tr>
<td>Stories (#)</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>Truss ☐ TJI ☐ floor ☐ roof</td>
<td></td>
</tr>
<tr>
<td>Height Above Grade</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>PLANNING BOARD</td>
<td></td>
</tr>
<tr>
<td>Parking in Front Yard</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>ZONING BOARD</td>
<td></td>
</tr>
<tr>
<td>Parking (Enclosed/Outside)</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>VILLAGE BOARD</td>
<td></td>
</tr>
</tbody>
</table>

2. PROJECT DOCUMENTS

<table>
<thead>
<tr>
<th>TYPE OF DOCUMENT</th>
<th>SUBMITTED</th>
<th>ORIGINAL DATE</th>
<th>REVISION DATE</th>
</tr>
</thead>
<tbody>
<tr>
<td>Survey / Site Plan</td>
<td>☑ YES ☐ NO ☐ N/A</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Architectural Drawings</td>
<td>☐ YES ☑ NO ☐ N/A</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Fire Sprinkler Plan</td>
<td>☐ YES ☒ NO ☐ N/A</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Fire Alarm System Connection</td>
<td>☐ YES ☒ NO ☐ N/A</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Insurance: Liability</td>
<td>☐ YES ☒ NO ☐ N/A</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Disability Worker’s Comp. or Exempt Certi</td>
<td>☐ YES ☒ NO ☐ N/A</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Home Improvement License</td>
<td>☐ YES ☒ NO ☐ N/A</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Planning Zoning</td>
<td>☐ YES ☒ NO ☐ N/A</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Village Board</td>
<td>☐ YES ☒ NO ☐ N/A</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Sewer District</td>
<td>☐ YES ☒ NO ☐ N/A</td>
<td></td>
<td></td>
</tr>
<tr>
<td>RC Dept. of Health</td>
<td>☐ YES ☒ NO ☐ N/A</td>
<td></td>
<td></td>
</tr>
<tr>
<td>911 Data Enhancement</td>
<td>☐ YES ☒ NO ☐ N/A</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Orange &amp; Rockland Utilities</td>
<td>☐ YES ☒ NO ☐ N/A</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Suez Water NY</td>
<td>☐ YES ☒ NO ☐ N/A</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Fire Inspector</td>
<td>☐ YES ☒ NO ☐ N/A</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Special Inspections Statement</td>
<td>☐ YES ☒ NO ☐ N/A</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Job Specifications</td>
<td>☐ YES ☒ NO ☐ N/A</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

3. VALIDATION (Completed By Bldg. Dept.)

Permit Granted for: ____________________________

Permit #: __________________ Date Issued: __________ Date Expires: __________

Permit Denied: ________________________________

Permit Fee: __________ C of O Fee: __________ Plumbing Fee: __________ Plumbing fixtures Fee: __________

Renewal Fee: __________ Plan Review Fee (after 2nd review): __________ Total Fees: __________

I have examined plans, specs, plot plans and other approvals that are part of this application and find that they are substantially in compliance with applicable codes and approve the same for issuance of a building permit.

______________________________
Building Code Official

______________________________
Date
IMPORTANT NOTICES: READ BEFORE SIGNING

New York State Law requires contractors to maintain Worker’s Compensation and Disability Insurance for their employees. No permit will be issued unless valid Insurance certificates with the project address and the Village of Spring Valley as the certificate holder are attached with this application. If the contractor believes he/she is exempt from the requirements to provide Worker’s Compensation and/or Disability Benefits, the contractor shall complete NYS form CE-200 online @ https://www.wcb.ny.gov/icexempt/index.jsp

Work conducted pursuant to a building permit shall be visually inspected by the Building Official and shall conform to the 2017 NYS Supplement; 2015 International Code Family, 2016 NYS Supplement to 2015 IECC, the Code of Ordinances of the Village of Spring Valley, and all other applicable codes, rules and regulations.

It is the owner’s or contractor’s responsibility to contact the Building Department at 845-517-1129 (Mon – Fri 9:00 a.m. to 4 p.m.) to schedule inspections at least 24 hours before you are ready to have an inspection conducted.

DO NOT PROCEED TO THE NEXT STEP OF CONSTRUCTION NOR ORDER CONCRETE WITHOUT APPROVAL FROM THE BUILDING OFFICIAL. ANY FIELD CHANGE SHALL BE APPROVED IN WRITING BY THE BUILDING OFFICIAL PRIOR TO MAKING THE CHANGE.

THE STRUCTURE SHALL NOT BE OCCUPIED OR USED UNTIL A CERTIFICATE OF OCCUPANCY OR COMPLIANCE HAS BEEN ISSUED BY THE BUILDING OFFICIAL.

Work undertaken pursuant to this permit is conditioned upon and subject to any state and federal regulations relating to asbestos material.

The Building Permit Certificate shall be displayed so as to be visible from the street.

CERTIFICATION
I hereby certify that I have read and examined this document and know the same to be true and correct. All provisions of laws and ordinances governing this type of work will be complied with whether specified or not. I further certify that I am the owner or the owner’s authorized agent and that the proposed work is authorized by the owner. I understand that work shall not begin until the permit is issued by this department, that I am responsible for calling for all required inspections, that work shall be accessible for inspection, that a final inspection, approval and Certificate of Occupancy are required prior to occupying this building. Fees are non-refundable, except when the permit and construction are cancelled before work begins, in which case the applicant may apply for a partial refund in accordance with the refund policy. This permit application is only for work described above. Every permit issued shall become invalid unless the work authorized by such permit is commenced within 180 days after its issuance, or if the time of work is commenced.

Mudikchot Bixenspan
PRINT OWNER/AGENT NAME

OWNER/AGENT SIGNATURE

AFFIRMED to before me this
2 day of Feb 2020

Notary Public

JAMES D. LICATA, No. 4346023
NOTARY PUBLIC, State of New York
Qualified in Rockland County
Commission Expires July 31, 2024
REQUIRED INSPECTIONS OF CONSTRUCTION
(You shall call for applicable inspections)

☐ **Footing Forms** – (before ordering concrete) When excavation is completed, forms and re-bars are in place, shall have surveyor’s mark-out for front, rear and side yard.

☐ **Foundation Wall** – (before ordering concrete) When forms and re-bars are in place, shall mark-out finished first floor elevation.

☐ **Plumbing Under Slab** – (before connecting to R.C.S.D. #1) When sand, pipes and straps are in place, shall pressurize pipes with water or air.

☐ **Gravel Under Slab** – (before ordering concrete) When gravel, vapor barrier, wire mesh and perimeter insulation (if applicable) are in place.

☐ **Foundation Backfill** – When footing drains, waterproofing, wall bracing and insulation (as may be applicable) are in place.

☐ **Sewer Connection** – Call R.C.S.D. #1 (845-365-6111) for inspection.

☐ **Framing, Rough Plumbing, Fire Sprinkler Roughing, Fireblocking, Electrical Roughing, Fire Alarm Roughing and Penetrations Sealing** – All shall be completed, plumbing pipes (water & gas) shall be pressurized, all nail plates and metal straps shall be installed, electrical roughing under writer certificate shall be provided.

☐ **Insulation** – When all insulation and sound transmission are installed.

☐ **Final** – When you have completed the application for final inspection & certificate of occupancy (provided by the Building Department).

☐ **Operating Permit Obtained** – (Multiple Dwellings and Commercial Buildings) For safeguards during construction and demolition.

---

**Owner/Agent Signature**

---

**Date**

---

[Effective 6/1/2018]
EROSION & SEDIMENT CONTROL

ALL CONSTRUCTION SITES WITHIN THE VILLAGE OF SPRING VALLEY SHALL BE IN FULL CONTINUOUS COMPLIANCE WITH THE SPRING VALLEY STORMWATER MANAGEMENT AND EROSION & SEDIMENT CONTROL LAW.

ANY CONSTRUCTION SITE NOT IN COMPLIANCE WITH THESE MINIMUM REQUIREMENTS WILL BE ISSUED A STOP WORK ORDER AND NO INSPECTION WILL BE CONDUCTED UNTIL PROPERTY IS IN COMPLIANCE.

Site Preparation and Management:

The contractor shall plan and schedule activities to install, inspect, maintain and remove erosion and sediment control practices as the project landscape changes during construction. Management activities shall include, but shall not limited to:

- Developing a solid waste disposal plan.
- Creating a safety program that incorporates spill prevention and response.
- Coordinating maintenance activities to reduce dust and offsite tracking of sediment.

Maintenance:

- The site entrance shall be maintained in a manner that will prevent tracking of sediment into public rights-of-way or streets.
- Inspect all entrances after a rainfall event.
- Periodically top dressing with additional aggregate may be required. If some stones becomes too dirty to keep the road clean, the stone shall be removed and replaced.
- All sediment and aggregate spilled, dropped or washed into public rights-of-ways or streets shall be removed immediately.
- All sediment shall be prevented from entering storm drains, ditches or water courses.
- A properly designated area shall be establish and properly maintain for concrete truck washout.
- Dust shall be control to prevent off-site damage, health hazards and traffic safety problems.
- Silt Fence shall be installed as indicated on the survey and maintained properly installed at all times.

WASTE DISPOSAL

Garbage dumpster shall not be placed on the right-of-way or street and shall be removed from the site as soon as the dumpster is full. The location of the dumpster shall be indicated on the survey.

[effective 6/1/2018]
Spring Valley ZBA
Village of Spring Valley
200 North Main Street
Spring Valley, New York 10977

Re: Final ZBA Application for
Premises: 9-11-13 Lafayette Street
Spring Valley, New York 10977

Dear Chairman Hopstein & ZBA Board Members,

Kindly let this letter serve to confirm that this office represents the applicant for property located at 9-11-13 Lafayette Street in the Village of Spring Valley. As part of the ZBA review the Rockland County Department of Planning has supplied a letter dated March 30, 2020 pursuant to section 239 of the General municipal Law. The purpose of this review is the property’s proximity to the Town of Clarkstown. The Planning Department review issued a modification along with 15 comments.

The applicant is requesting an override for the general disapproval and comments #1, 2, 3, & 4. The balance of the comments are acceptable to the applicant and will be addressed.

As to the general disapproval and #1 of the GML letter dated October 3, 2019

1. Applicant has applied to the Spring Valley Zoning Board of Appeals for variances from the Zoning regulations. This is a use permitted as of right by the Code. The applicant will comply with all zero net runoff regulations. There is adequate public water and sewer capacity. The applicant will pay the sewer impact fee. This is a desired re-development of an existing neighborhood with smaller lot sizes. Sufficient onsite parking is provided. The housing will comply with all current regulations including fire suppression and 2020 Building Code

OVERRIDE REQUESTED

2. As to comment #2, 3, & 4 applicant is within his right to request variances for the existing standards which are explained in comment #1. Cumulative effect is something that must be considered County wide and not on an individual applicant. The construction of six units of affordable size (813 sf) is beneficial to the Village as
small units are not available within the Village. (See attached chart)

OVERRIDE REQUESTED

Very Truly Yours,

JAMES D. LICATA
<table>
<thead>
<tr>
<th>9-11-13 LAFAYETTE AVENUE</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>NUMBER OF HOMES</strong></td>
</tr>
<tr>
<td><strong>TOTAL SQ. FEET</strong></td>
</tr>
<tr>
<td><strong>NUMBER OF UNITS</strong></td>
</tr>
<tr>
<td><strong>TOTAL BEDROOMS</strong></td>
</tr>
</tbody>
</table>

The construction of 3 two family homes will result in the same number of square feet and number of bedrooms as 1 two family home. The six-unit plan will allow six 812.50 sq. feet units. These units can be sold for a much lower price than the larger units. It will also prevent any overcrowding that could occur with larger units.