

**Village of South Nyack
Planning Board Minutes
January 21, 2015**

Present:

Jerry Ilowite, Chairman
Tim Kenna, Member
Allyson Pifko, Member

Also present:

David Majewski, Building Inspector
Steve Collazuol, Village Engineer
Rob Knoebel, Board Attorney
Denise Mishkel, Board Secretary

Chairman Ilowite called the meeting to order at 7:30 pm. This meeting was noticed January 7, 2015.

There are 5 items on the agenda:

- An application by Susan & Michael Malin for site plan approval to install a rooftop solar electric system on a single family dwelling. The premise is located at 39 Cedar Hill Avenue, South Nyack, NY 10960 and identified on the Tax Map as Section 66.46-2-4 and located in an RG-6 Zoning District.
- Continuation of the application by River Ridge Estates for site plan approval of the Landscape Plan for Lot #9. The premises is located on Willow Court, South Nyack, NY 10960 and identified on the Tax Map as Section 66.69-1-2.10 in an R12HC Zoning District.
- Continuation of the application by River Ridge Estates for site plan approval for a new residence on Lot #3. The premises is located on Willow Court, South Nyack, NY 10960 and identified on the Tax Map as Section 66.69-1-2.4 in an R12HC Zoning District.
- Continuation of the application by River Ridge Estates for site plan approval for a new residence on Lot #4. The premises is located on Willow Court, South Nyack, NY 10960 and identified on the Tax Map as Section 66.69-1-2.5 in an R12HC Zoning District.
- Continuation of the application by M. Mishebow and R. Schwarz for site plan approval for a subdivision and land conveyance. The properties are located at 3A & 3B Shadyside Avenue, South Nyack, NY 10960 and identified on the Tax Map as Sections 66.69-1-10 & 1, located in an RG8H Zoning District.

Case #1 –Malin, 39 Cedar Hill Avenue

Appearing: Steve Conroy & Jim Sperling, Solar Maximum

Mr. Conroy explains the project which includes installing a rooftop solar system on the south and east side roof replacing an old hot water system.

Mr. Collazuol questions SEQRA Appendix B, number 2 agencies to be notified - NYSERDA and Orange & Rockland. Not necessary to this application. Reviews his letter dated 1/21/15, no objections to the plans.

Mr. Ilowite reads into record the letter from County of Rockland, Department of Planning dated 1/30/15, granting their approval.

There were no objections from the board.

There were no comments from the public.

Ms. Pifko makes a motion to approve the application of Susan & Michael Malin for site plan approval to install a rooftop solar electric system on a single family dwelling, with the correction to the SEQRA form as mentioned in these minutes. The premise is located at 39 Cedar Hill Avenue, South Nyack, NY 10960 and identified on the Tax Map as Section 66.46-2-4 and located in an RG-6 Zoning District. This is a Type 2 SEQRA declaration with no negative environmental impact.

Mr. Kenna seconds

Board Vote:

Mr. Ilowite	Aye
Mr. Kenna	Aye
Ms. Pifko	Aye
Motion approved	3-0

Cases #2, #3, and #4 – River Ridge Estates

Appearing: Joe Pfau, Engineer and Ronald Haelen, Landscape Architect

Mr. Ilowite summarized the status of the applications, recalling that the site plan for Lot #9 had been conditionally approved on 11/19/14. Conditions for technical corrections to the site plan remain outstanding and the landscaping plan is still under review.

Mr. Ilowite asked that site plan note 15 be corrected to say, "...All trees that are included..."

The outstanding conditions for the site and landscaping plans from the 11/14/2014 meeting and 12/17/2014 meeting were reviewed:

Condition 1 (11/14/14) – This is a condition for CO issuance.

Condition 2 (11/14/14) – Bulk table corrections: Not satisfied

The asterisks and its note are not applicable and should be removed.

The label "Standard Hillside Bulk Regs" should be removed and replaced with a label stating that the lot's bulk requirements are taken from Sheet 7 of the approved cluster subdivision plan.

Condition 3 (11/14/14) and Condition 1 (12/17/14) – Grading note: Not satisfied. Note still needs to be added.

It was noted that the latest landscaping plan's revision date is misidentified as 11/30/14. It should be 12/30/14.

Condition 5 (11/14/14) and Condition 3 (12/17/14) – Revise tree survey: Not satisfied

It was observed that the tree survey table now contains two new trees that weren't on the original survey. The applicant was asked to add clarification to the table that these are new trees.

Condition 6 (11/14/14) and Condition 2 (12/17/14) and Condition 6 (12/17/14) – Reconcile notes on tree protection and conservation easement protection. Not satisfied.

Condition 8 (11/14/14) – limiting height of terraced landscaping beds. It was added to the Landscaping Plan. Mr. Ilowite requested that it also appear on the Site Plan. Not satisfied.

Condition 7 (12/17/14) – Screening for A/C units. Satisfied. Mr. Ilowite stated he believed that using deer resistant plants was a suggestion and not a condition.

Condition 4 (12/17/14) – Two year plant guarantee. Satisfied.

Condition 5 (12/17/14) – Protection for tree #198. Satisfied.

Condition 7 (11/14/14) – Location and Grading Plan Note 14. Not satisfied.

Mr. Henlen asked if these conditions apply just to site #9.

Mr. Ilowite said that they should apply to lots #3 and #4. The applicant should use the final lot #9 drawings as a template for all future lots, as the same conditions will apply.

Review of Lot #3 –

Mr. Ilowite noted that the applicable notes and conditions for lot #9 should also be on the site and landscaping plans for lot #3

Clearing limit lines and construction fences need to be shown on the site plan, reconcile notes 3, 9, 13

Mr. Collazuol in response to Joe Pfau's letter dated 12/19/14 which responds to Steve's letter dated 6/26/14:

- 1) Trench drain opening width shall be increased to 8 inches since the slope of the driveway is 10%
- 3) Detail for the retaining wall shall be provided prior to issuance of Building Permit
- 6) Architect plans shall be signed or dated prior to issuance of Building Permit

The tree survey was discussed. It was requested that the tables be clarified and tree survey data on the site plan and landscaping plan match.

It was agreed to allow the removal of tree #169.

Review of Lot #4 –

Mr. Ilowite noted that the applicable notes and conditions for lot #9 should also be on the site and landscaping plans for lot #4

The tree survey was discussed. It was noted that tree #182 is to be saved. Trees #354 and #329 are to be removed.

Clearing limit lines and A/C units need to be shown.

Move trench drain out of right-of-way

Mr. Collazuol asked about plantings atop wall at the head of the driveway to prevent falls.

Mr. Henlen Said the 30' viburnums will help prevent falls.

Mr. Kenna asked that in the tree survey, change the word “replace” to “remove”, since replacements are determined by the tree “bank”. The term should be changed in the tables for lots #9 and #3, also.

Mr. Ilowite asked to grey out lot 3 from the lot 4 site plan

Mr. Ilowite and **Mr. Collazuol** discussed the status of the sewer easement. The applicant was asked to review the sequencing of the sewer work in the easement to avoid unanticipated impacts on developing lots.

Review of house plans for Lots #3 and #4 –

The board reviewed the house plans for lots #3 and #4.

Mr. Ilowite pointed out that the house plan for lot #3 shows a secondary door. The landscape plan for lot #3 shows a planting bed where there should be a walkway. The landscape plan should be revised to show a proper walkway leading to the main entrance and secondary door.

There were no comments from the public.

Lot #3 :

Mr. Kenna makes a motion to conditionally grant site plan approval to the application by River Ridge Estates for a new residence on Lot #3, based on the plans by Pieterzak & Pfau, dated 12/3/2014 and the Landscape plan by Ronald Haelen, Landscape Architect dated 1/5/2015, with the condition that the applicant submit corrected plans that include revisions as outlined in the minutes of this meeting. The premises is located on Willow Court, South Nyack, NY 10960 and identified on the Tax Map as Section 66.69-1-2.4 in an R12HC Zoning District. This is a Type 2 SEQRA declaration with no negative environmental impact.

Ms. Pifko seconds the motion

Board Vote:

Mr. Ilowite	Aye
Mr. Kenna	Aye
Ms. Pifko	Aye
Motion approved	3-0

Lot #4 :

Mr. Kenna makes a motion to conditionally grant site plan approval to the application by River Ridge Estates for a new residence on Lot #4, based on the plans by Pieterzak & Pfau, dated 12/3/2014 and the Landscape plan by Ronald Haelen, Landscape Architect dated 1/5/2015, with the condition that the applicant submit corrected plans that include revisions as outlined in the minutes of this meeting. The premises is located on Willow Court, South Nyack, NY 10960 and identified on the Tax Map as Section 66.69-1-2.5 in an R12HC Zoning District. This is a Type 2 SEQRA declaration with no negative environmental impact.

Ms. Pifko seconds the motion

Board Vote:

Mr. Ilowite	Aye
Mr. Kenna	Aye
Ms. Pifko	Aye
Motion approved	3-0

Lot #9 :

Mr. Kenna makes a motion to grant conditional approve for the Landscape plan of Lot #9 by Ronald Haelen, Landscape Architect dated 11/30/2014 (to be corrected to 12/30/2014), and with the condition that the applicant submit revised plans as per the minutes of this meeting. The premises is located on Willow Court, South Nyack, NY 10960 and identified on the Tax Map as Section 66.69-1-2.10 in an R12HC Zoning District. This is a Type 2 SEQRA declaration with no negative environmental impact.

Ms. Pifko seconds the motion

Board Vote:

Mr. Ilowite	Aye
Mr. Kenna	Aye
Ms. Pifko	Aye
Motion approved	3-0

Case #5 –Mishebow & Schwarz, Subdivision/Land Conveyance of 3A & 3B Shadyside Avenue

Mr. Ilowite makes a motion to continue the application by M. Mishebow and R. Schwarz for site plan approval for a subdivision and land conveyance and sets a date for the Public Hearing for 2/18/15.

Mr. Kenna seconds the motion

Board Vote:

Mr. Ilowite	Aye
Mr. Kenna	Aye
Ms. Pifko	Aye
Motion approved	3-0

Mr. Kenna makes a motion to approve the minutes of October 15, 2014.

Ms. Pifko seconds the motion

Board Vote:

Mr. Ilowite	Aye
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Mr. Kenna **Aye**
Ms. Pifko **Aye**
Motion approved **3-0**

Mr. Kenna makes a motion to approve the minutes of November 19, 2014.

Ms. Pifko seconds the motion

Board Vote:

Mr. Ilowite **Aye**
Mr. Kenna **Aye**
Ms. Pifko **Aye**
Motion approved **3-0**

Mr. Ilowite states that the minutes for December 17, 2014 will be tabled and reviewed at the February 18, 2015 Planning Board

NEW BUSINESS

MS. Pifko asks if we can make a resolution that does not require applications for Solar Panels to appear before the Planning Board.

Mr. Ilowite explains that this can only be done through legislation by the Village Board. Notes that the PB can make recommendations to the BOT. Suggests that board members read the code on mechanical equipment and what needs sit plan approval and submit their comments.

Mr. Knoebel suggests a small tweak to the definitions and offers to take a look at them and give recommended changes. Mechanical Equipment refers to Heat, Ventilation, AC, Generators.

Mr. Kenna makes a motion to adjourn the meeting.

Ms. Pifko seconds the motion

Board Vote:

Mr. Ilowite **Aye**
Mr. Kenna **Aye**
Ms. Pifko **Aye**
Motion approved **3-0**

Meeting adjourned 9:30 p.m.

Next meeting February 18, 2015.

Respectfully submitted:

Denise Weber-Mishkel
Deputy Village Clerk

Date Approved: _____