

**Village of South Nyack
Planning Board Minutes
February 18, 2015**

Present:

Jerry Ilowite, Chairman
Myra Starr, Member
Tim Kenna, Member
Allyson Pifko, Member
William Whitehurst, Member

Also present:

David Majewski, Building Inspector
Steve Collazuol, Village Engineer
Rob Knoebel, Board Attorney
Sara Seiler, Village Clerk

Chairman Ilowite called the meeting to order at 7:30 pm. This Public Hearing and was noticed in the Journal News on February 10th. There is 1 item on the agenda.

- 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 – Mishebow & Schwarz, Subdvision

Appearing: Raymond Schwarz, owner 3B Shadyside; John Atzl, Surveyor, Atzl, Nasher & Zigler, PC

Mr. Atzl describes the application which is a subdivision and land conveyance of 1990 square feet from Mishebow to Schwarz. The conveyance of land will bring the Schwarz property more into conformity. They have appeared before the Zoning Board and received the area variances required, also requested waiver for some of the other subdivision requirements because they deal with construction and do not apply to this transaction.

Mr. Ilowite states that the Rockland County Department of Planning Letter, dated 11/25/14 received on 12/2/14 requires the applicant to obtain approval from the Rockland County Drainage Agency and that RCDoP have the opportunity to review any variances. This will be a condition of the approval.

Mr. Atzl refers to his narrative summary, dated January 8, 2014 in which the applicant seeks waivers on certain subdivision requirements.

Mr. Collazuol reviews his report, dated January 21, 2015 noting that the Zoning requirements have been satisfied. He had the following comments on Mr. Atzl's report of January 8, 2015, **Item #8** regarding monuments – Corners should be set prior to the Chairman signing, at a minimum, the subdivision line should be marked with iron pins.

Item 17 & 18 regarding sanitary sewers – Mr. Atzl should declare that the sewers are functioning, they are adequate, no violations, no cross easements needed.

Mr. Knoebel notes that the applicant met the requirements of the public hearing and that the applicant has 180 days to submit.

There were no objections from the public.

Mr. Ilowite closed the public hearing.

Mr. Ilowite states that this is an unlisted action under SEQRA.

The board reviews part 1 and completes part 2 of the SEQRA form. In completing part 2 of the SEQRA form, this board has determined that no moderate to large impacts will occur as a result of this action.

Mr. Ilowite makes a motion to approve the Mishebow/Schwarz subdivision as shown on the plat dated January 6, 2015 by Atzl, Nasher & Zigler subject to the following conditions:

- 1) Satisfy any conditions as set forth in the Department of Planning letter November 25, 2014
- 2) Satisfy any conditions as set forth by the ZBA decision of January 6, 2015
- 3) Applicant to provide the metes and bounds of the conveyance to be reviewed by the Village Engineer
- 4) The board is waiving the requirements for a subdivision as per Section 110-17.4, outlined in Mr. Atzl letter of January 8, 2015 except for:
 - a. Section B, paragraph 8, reference monuments will be waived and in substitution the 4 corners of both lots will be marked with iron pins or spikes
 - b. Section B, paragraph 7 final plat will show the location and sizes of existing sewer and water supplies
 - c. Section E, paragraph 19 note shall be added to final plat
 - d. Section E, paragraph 20 add a note as to proper sewer connection
- 5) Per Section 17.4 H – Parklands: since this is a conveyance, the board determines that money in lieu of parkland is not required

This is an unlisted action under SEQRA, with the Village of South Nyack as the lead agency. The board has completed the environmental assessment in part 2 and find that based on the information and analysis the proposed action will not result in any significant environmental impacts.

Mr. Kenna seconds

Board Vote:

Mr. Ilowite	Aye
Mr. Kenna	Aye
Mr. Whitehurst	Aye
Ms. Starr	Aye
Ms. Pifko	Aye
Motion approved	5-0

Mr. Ilowite states for the record that at the applicant's request, the request by Joe Devoe and Mary Parker for site plan approval to enlarge and replace a one car garage on a single family dwelling has been postponed until the March Planning Board meeting.

Mr. Ilowite asks for a postponement of the approval of minutes from the January 17 until the March meeting.

Mr. Kenna makes a motion to adjourn the meeting.

Mr. Whitehurst seconds the motion

Board Vote:

Mr. Ilowite	Aye
Mr. Kenna	Aye
Mr. Whitehurst	Aye
Ms. Starr	Aye
Ms. Pifko	Aye
Motion approved	5-0

Meeting adjourned 8:15 p.m.

Next meeting March 19, 2014.

Respectfully submitted:

Sara Seiler
Village Clerk

Date Approved: _____