

**Village of South Nyack
Planning Board Minutes
July 20, 2016**

Present:

Jerry Ilowite, Chairman
Allyson Pifko, Member
Bill Whitehurst, Member
Myra Starr, Member
Timothy Kenna, Member
Scott Fine, Alternate

Also present:

David Majewski, Building Inspector
Steve Collazuol, Village Engineer
Sokuna Mam, Board Secretary

Mr. Ilowite called the meeting to order at 7:32pm. This meeting was noticed to the public on July 8, 2016. There were two items on the agenda.

1. **An application by Smith, Walter for site plan approval to construct a shed.** The premises is a one family dwelling, is located 267 S Broadway, South Nyack, NY 10960 and identified on the Tax Map as Section Block and Lot 66.70-1-1, located in an R-O Zoning District.
2. Review of proposed Zoning Map revisions.

Case #1 – 267 S Broadway

Appearing: Walter Smith, owner

Mr. Ilowite explained that he had several communications with Mr. Smith about the application. These were technical in nature about the process the Planning Board uses to review the application and technical corrections to the site plan.

Mr. Smith described the project to construct a 10x14' shed to store his photography equipment.

Mr. Ilowite noted a response dated 7/13/2016 from the Rockland County Dept. of Planning GML:

- The proposed project will have no adverse impacts on any county-wide interest; this matter is remanded for local determination.
- The following additional comments are offered strictly as observations and are not part of Rockland County Dept. of Planning GML review. The board may have already addressed these points or may disregard them without any formal vote under GML process.
- The referral form lists the map date as September 2005, yet the map submitted with the application has a date of November 12, 1992. Was a newer map to be used for the application? This must be clarified, and or/corrected.

Mr. Collazuol, Village Engineer reviewed his letter dated July 14, 2016.

Principal Building:

No proposed changes.

Accessory Building – proposed shed:

Front yard, sideyard and total sideyard setback comply with required setbacks. No variances will be needed. The rear yard is proposed as 10', but the drawing shows 8'. However, the drawing tonight shows 10'. This should be clarified. It complies either way.

Mr. Ilowite noted that this is a corner lot, so there are two front yards, and only one sideyard.

Mr. Collazuol said the plan would still conform.

Mr. Collazuol said building height and minimum distance to the principal building comply.

Mr. Collazuol commented that a barn was on the property and was removed. The proposed shed will be placed where the barn used to stand. The homeowner must show where the roof runoff is going to go so it doesn't impact the neighbors.

Mr. Smith explained to the board that there is a gutter plan that shows that the water spills out towards the main building.

Mr. Collazuol said no stormwater retention is necessary.

There was a discussion about a comment from Rockland County Dept. of Planning GML clarification date on the survey. The board determined to disregard the comment and continue to proceed with the meeting.

There were no members of the public present.

Ms. Starr questioned if the tree in the back is to be removed and will that impact the construction and /or neighbor?

Mr. Smith commented that he will not remove the tree and it will not impact the building.

Mr. Whitehurst asked if the owner will put in an air conditioner or electricity.

Mr. Smith commented he may want to install electricity or an air conditioning in the future. He said he wanted to get approval first to build the shed.

Mr. Ilowite commented that the site plan is not drawn by an architect but drawn to scale by the owner. **Mr. Ilowite** stated is that his main concern is that the Building Inspector needs to be able to verify that the shed is placed in the proper location.

The definition of a shed was discussed. This application is for an accessory building.

Mr. Kenna questioned are there required dates on map that the Planning Board requires signed and dated by a professional architect, engineer.

Mr. Collazuol commented that the homeowner used the 1992 survey showing existing conditions. Without a title block, the homeowner can list himself as the preparer of the site plan.

Mr. Ilowite commented that the board is aware that the homeowner prepared and dated the drawing; it is drawn to scale. He described the application process. The Planning Board requires that applicant provide a signed sealed site plan/survey and certified by a licensed architect or engineer. He also mentioned that the Planning Board grants waivers on site plans. His first concern was is there enough information for the Planning Board to make a reasonable judgement? His second concern was does the plan accurately show on the plan for the Building Inspector to verify that the shed is located in the correct place?

Mr. Majewski has no objection to the drawing.

Protection of trees was discussed.

The board reviewed the SEQRA environmental assessment form. Discrepancies were discussed and property owner was instructed to correct where needed.

Ms. Starr made a motion to conditionally approve the site plan for 267 S Broadway, as shown on drawings, dated July 12, 2016 prepared by Walter Smith; subject to the following conditions:

- Property owner was instructed to make corrections on Short Environment Assessment form and return to Building Department.
- Roof runoffs go towards the house to be noted on site plan.

The premises is a one family dwelling, is located 267 S Broadway, South Nyack, NY 10960 and identified on the Tax Map as Section Block and Lot 66.70-1-1, located in an R-O Zoning District. This is a Type 2 SEQRA action with no potential for negative environmental impact.

Mr. Kenna seconded.

Board Vote:

Mr. Ilowite	Aye
Mr. Whitehurst	Aye
Mr. Kenna	Aye
Ms. Starr	Aye
Ms. Pifko	Aye

Motion approved 5-0 (supermajority)

Case #2 – Review of proposed Zoning Map revisions.

Mr. Ilowite discussed corrections needed on the Village's zoning map. Roger Seiler, Zoning Board of Appeals Chairman, Steve Collazuol, Village Engineer and Jerry Ilowite, Planning Board Chairman reviewed the Village's official Zoning Map. They compared the official map with the Rockland County GIS map. They identified several issues that should be addressed.

With the approval of the Board of Trustees, Mr. Ilowite worked with Rockland GIS Department to produce a corrected draft map.

As required by Article XV Section 110-15 (A) (2) of the Zoning Code of the Village of South Nyack, any proposed revisions to the Zoning Map must be reviewed by the Planning Board. The Planning Board must submit a report to the Board of Trustees.

Mr. Ilowite said he sent the draft revised map and a draft report to the Planning Board members.

The proposed changes were discussed.

The proposed map corrects where a zone boundary bisects a lot.

The revised map moves the boundary of the HRA zone such that one lot, 2 Salisbury Place is moved from the HRA zone to the R-12 zone. This is because the HRA zone was intended to apply specifically to only the Salisbury apartments. It is obvious that the single family house at 2 Salisbury should have been in the single-family zone.

The revised map clarifies zoning boundaries at the border with the Village to our south is Grand View-on-Hudson.

The revised map makes the zoning boundary along the Hudson River coincident with the municipal boundary.

There was a discussion about dock applications to be continued to be reviewed by the Planning Board.

There was a discussion about retired non-conforming uses.

Mr. Ilowite noted that the Rockland County Department of Planning sent a letter about tax map discrepancies having to do with the names of streets.

The Planning Board members reviewed Mr. Ilowite's draft report.

Ms. Starr made a motion to approve the report to the Board of Trustees on proposed changes to the Zoning Map based on the draft dated July 6, 2016, with date changed to July 20, 2016, and authorizes the Planning Board Chairman to submit the report to the Board of Trustees.

Mr. Whitehurst seconded.

Board Vote:

Mr. Ilowite **Aye**
Mr. Whitehurst **Aye**
Mr. Kenna **Aye**
Ms. Starr **Aye**
Ms. Pifko **Aye**

Motion approved **5-0 (supermajority)**

OLD BUSINESS:

Upon motion made by Mr. Whitehurst seconded by Mr. Kenna, the minutes of the regular meeting of March 23, 2016 were adopted as amended.

Board Vote:

Mr. Ilowite **Aye**
Mr. Whitehurst **Aye**
Mr. Kenna **Aye**
Ms. Starr **Aye**
Ms. Pifko **Aye**

Motion approved **5-0 (supermajority)**

NEW BUSINESS:

The Board postponed approval of minutes of the June 15, 2016 until the September 21, 2016 meeting.

Mr. Kenna made a motion to adjourn the meeting at 8:54pm, seconded by Mr. Whitehurst, and unanimously approved.

The next meeting is on September 21, 2016.

Respectfully submitted:

Sokuna Mam
Deputy Village Clerk

Date Approved: _____