

**Village of Upper Nyack
Planning Board Meeting
Wednesday, November 28, 2018, 7:30pm**

Minutes

A meeting of the Planning Board of the Village of Upper Nyack was held on the above date and called to order at **7:31pm** by the Chairman, William Pfaff.

Other Board members present: Ellen Simpson, Bruce Biavati, Karen Olson and Danielle Watson.

Also present: Dennis Letson, Village Engineer; Robert P. Lewis, Village Attorney; and Jillana Sinnott, Secretary.

Others in attendance: Jason Jacobson, Patrick Hatcher, Anthony Celentano, Walter Lee, Dixie Kellar, Linda Bean and Meeka Vanderwal.

7:31pm The Chairman opened the meeting and read the Notice of Public Hearing, which was published in The Journal News on November 21, 2018.

7:32pm: **Approval of Minutes:** Member Danielle Watson moved to approve the minutes from October 17, 2018 as submitted; SECOND: Ellen Simpson; unanimously APPROVED.

7:33pm: **Jason and Elizabeth Jacobson as Contract Purchaser of John Badi, 113 Larchdale Avenue, County Map No. 60.05-02-05.02.** *Continuation of public hearing held on October 17, 2018.*

Said property is located in Residential Zoning District R-1.

The APPLICANT was represented by Jason Jacobson, Contract Purchaser; Anthony Celentano, Land Surveyor; Meeka Vanderwal, Landscape Architect; and Patrick Hatcher, Westchester Modular.

The APPLICANT discussed the submitted plans. The Site, Landscape and Architectural plans have all been coordinated.

The BOARD read and reviewed the report from Dennis Letson, Village Engineer, whose comments were entered into the record as follows:

State Environmental Quality Review (SEQR)

Under the provisions of 6NYCRR Part 617.5(c)(9), the project is a Type 2 action. No further review under SEQR is required.

Site Plan

1. Zoning
 - a. Building height should be 30.04 feet based on Village height definition, architectural plans used average grade. This does not alter conformity to zoning.
 - b. Plan is compliant with zoning.
2. Stormwater management design is acceptable.
3. Infiltration testing will be required at time of construction to verify infiltration and groundwater levels at the site.

The BOARD discussed the plans and reports. The cedar lattice fence height should be shown. A discussion followed concerning the problem of deer in the area.

The BOARD listened to comments from the public.

Walter Lee, 103-105 Larchdale Avenue, showed the Board a video of the water running down his property when it rains. The Engineer discussed the origin of the water problem and what could be done to remedy the problem. The suggestion was made that the applicant could install a swale or berm. Curbing on North Midland was discussed.

Dixie Keller, 107 Larchdale Avenue, has concerns about the water the runs through her yard.

Linda Bean, 111 Larchdale Avenue, wants to know how the water is changing since last time the Applicant was here. The Engineer discussed that they have added two raingardens, a stone layer and a berm.

The BOARD had no further comments.

MOTION: Member Karen Olson moved to close the public hearing. **SECOND:** Bruce Biavati:
Unanimously APPROVED

MOTION: The Board moved to approve the Jacobson as Contract Purchaser of John Badi site plan for a new single family house last revised date November 17, 2018 by Anthony R. Celentano P.E. subject to the Village Engineer's notes specifically #1a and #3, enlarge the details on the plan, correct the zone to R-1 and the sewer to Orangetown district on the note section, submit a Stormwater maintenance agreement, install a berm on the west side and show the height of the cedar lattice fence.

MOTION BY: Ellen Simpson

SECOND: Karen Olson

VOTE: Unanimously APPROVED

Other Business:

Ramah Day Camp Residence Hall, County Map No. 59.16-01-02. Review of GML submitted for the modification of the special permit use condition previously granted to allow the operation of a day camp located in the R-160 district.

The BOARD had a discussion about whether the Long Path would be affected. The Village Engineer did not think it would be.

The BOARD reviewed the GML correspondence from the Rockland County Department of Planning to the Clarkstown Zoning Board of Appeals. The Board received minimal information regarding this Application. The traffic is a concern to the Village. There is insufficient information for the Board to give a detailed response. The Board would like to receive more information so that they can make a more informed response. The Board Secretary will send a letter stating this.

Tong, 245 North Midland Avenue, County Map No. 60.77-02-61. Review of GML submitted for a special permit change of use from one nonconforming use to another nonconforming use located in zoning district Two Family Residential, TFR.

The BOARD deemed this application for local determination. The Board Secretary will send a letter stating this.

The meeting was adjourned at 8:10pm.

Respectfully submitted,
Jillana Sinnott, Secretary