

The minutes of the Village of Haverstraw Planning Board Meeting on Thursday, January 5th, 2017, beginning at 7:00 PM.

PLEDGE OF ALLEGIANCE

ROLL CALL	Tom Watson, Chairman	- Present
	Diogenes Dominguez	- Present
	Joseph Natale	- Excused
	Gil Carlevaro	- Present
	Ruben Berrios, Bldg. Insp.	- Present
	Dennis Michaels, Vil. Atty.	- Present
	Liz Mello, Engineer	- Present

Tom Watson: Chairman Watson opened the meeting with the first item on the agenda, the final site approval for Hornick Industrial Park located at 152 Broadway.

Ryan Nasher, of Atzel, Nasher & Zigler Engineering Firm: Mr. Nasher pointed out they are the engineers and surveyors for this project. He reminded the Board that they appeared before them the previous month and nothing has changed on the application. The proposed use is for the combination of industrial and (inaudible) use. The site improvement is a garbage contractor which will be located outside of the building. He mentioned that several years back the site received a violation requiring that any water coming from the compactor area has to be inside the building and not a part of the parking lot. Therefore, they developed a plan whereas all the water that will go into the parking lot will be located inside the building and has been reviewed by the engineer, who made comments which are pointed out on the plan. They went to the Rockland County Drainage Agency and no permit is required by them because there is no loading dock. They received the GML that day. They were here to request final site approval.

Liz Mello, Engineer: Ms. Mello mentioned that at the last meeting for the Board to entertain final site approval for GML, which has been completed. The only letter received back from those sent out was from the Rockland County Planning Board who approved the project with the following modifications:

- 1) No permit is required from the Rockland County Drainage Agency, but any future projects will require a determination from them.
- 2) The Flood Plan Administrator of the Village of Haverstraw shall certify the proposed construction is in complete compliance with flood plan regulations, which she has discussed with the Building Inspector and they are both in agreement that it is.
- 3) That the Town of Haverstraw and the Village of West Haverstraw should receive a referral opportunity, which they have and the Board has not received any negative comments from any of these districts.

To reiterate what was spoken about at the previous meeting, Ms. Mello stated that by granting site plan approval for the applicant to get a Certificate of Occupancy (C.O.), they would have to install all the improvements that are shown on the site plan, which would allow for a C.O. to be issued for the property. However, once an individual use wanted to come into the property they would have to come before the Board for a Change of Use and know that currently there is no industrial discharge permit with the Joint Regional Sewerage Board (JRSB), so that if an

industrial use were to come in there and wanted to continue to discharge, that they would need to go obtain that permit.

Tom Watson: Chairman Watson inquired if all the provisions have been completed to which the applicant responded "yes".

Liz Mello: Ms. Mello is satisfied that all the provisions have been met by the applicant.

Dennis Michaels, Esq.: Counselor Michaels would like the motion to include the verbiage that once an actual user comes in who intends to operate in the building or any part of the building, they must return to the Planning Board for site plan approve.

Liz Mellow: Ms. Mello stated that currently all the provisions are a part of the plan and when a new user does come in several items will have to be adhered to, including a mandatory dye test to insure that any discharge will go into the sewer and not into the drainage system, impact on the Village, parking, etc. Currently, it is a generic warehouse requiring only a site plan permit. She stated again that there is no industrial drainage permit for this property.

Ruben Berrios: The Building Inspector had a question about how the C.O. should be written.

Liz Mello: Ms. Mello informed the Building Inspector that it should be written for warehousing.

Tom Watson: Chairman Watson did not think the Board would be able to vote on this application that night as there would not be a majority vote with Gil Carlevaro a newcomer on the Board. He also inquired if there is a potential tenant for the building at the current time, to which the response was no.

Gil Carlevaro: Mr. Carlevaro, being new to this Board, asked to be brought up-to-date on the pertinent facts of this application in order to have a better understanding of the whole project before he felt comfortable voting on it. He did mention that he is familiar with this property, so as long as he has the vital facts should be able to make a determination on this application.

Dennis Michaels, Esq.: Counselor Michaels informed the Board that if Mr. Carlevaro is fully apprized of the relevant facts of the application and feels comfortable enough to vote, he can vote on the application, being aware that if someone challenges the approval because Mr. Carlevaro was new to the Board that night that his vote could be construed as tainted and he could be held liable.

Liz Mellow: Ms. Mello then reviewed all the site plans with Mr. Carlevaro, summarizing all the relevant facts and important elements of the application. She also explained that the building is now empty and a new tenant cannot occupy the building without a new C.O stating that at the current time it is a generic warehouse.

Gil Carlevaro: Mr. Carlevaro felt that since he is familiar with the property, and was given sufficient information regarding the application he was comfortable voting on it at this meeting.

Ruben Berrios: The Building Inspector then inquired of Mr. Nasher and Mr. Palpito whether or not they will be keeping the trailers that are currently parked on the site.

Simon Palpito: Mr. Palpito responded that the trailers are temporary and are all locked.

Dennis Michaels, Esq.: Counselor Michaels then gave Chairman Watson the wording to be used in this motion as follows:

“Motion to approve a generic site plan for the Hornicks Industrial Park building only and generic warehousing only and if and when a potential occupant/user or tenant of the building or any portion of the building should wish to operate in the building that the potential tenant must come before the Planning Board for a Change of Use review and approval by the Planning Board.”

Chairman Watson entertained a motion to approve the generic site plan for the Hornicks Industrial Park as stated above.

RESOLUTION #1-2017

Motion by: Diogenes Dominguez
 Seconded by: Gil Carlevaro
 Motion Carries: All

ROLL CALL VOTE

Tom Watson, Chairman	- Yes
Diogenes Dominguez	- Yes
Gil Carlevaro	- Yes

Motion passes with a majority vote.

Chairman Watson announced the next item on the agenda to be Slattery Moving & Storage.

Ryan Nasher, of Atzel, Nasher & Zigler Engineering Firm: Mr. Nasher pointed out that his firm is also the engineers and surveyors for this project. Utilizing the site plan, Mr. Nasher pointed out details to the Board, including landscaping details.

Tom Watson: Chairman Watson questioned how much landscaping can be put into such a small area.

Liz Mello: Looking at the plans, Ms. Mello believes only 1 tree and a couple of shrubs would fit in that area.

Tom Watson: Chairman Watson inquired if Mr. Carlevaro was familiar with the site referred to in this application, to which he responded he was not. Chairman Watson then informed Mr. Carlevaro that the site is the former Head Start location, which he was familiar with.

Ryan Nasher: Mr. Nasher explained that there is a retaining wall which they are planning to remove and installing a new wall with concrete blocks, which design was previously submitted and was approved. They were here that night to show the details of the landscaping and for site plan approval. He

mentioned that the engineer requested the plan, which was submitted as 2 separate plans to be put together and submitted as 1 plan.

Ruben Berrios: The Building Inspector inquired how high the wall would be.

Ryan Nasher: Mr. Nasher responded 6 feet.

Liz Mello: Ms. Mello mentioned notes 8, 9 and 10 need to be omitted from the plan because they are not applicable to this project and replaced with notes specifying that any retaining walls over 4 feet in height are to be inspected and certified, upon completion, by a licensed professional engineer. She then explained the significant elements of the plan to Mr. Carlevaro in order for him to be able to vote on this application. Ms. Mello then stated that she is satisfied with the amended site plan. As far as painting the building and signage they will appear before the ARB for that approval.

Chairman Watson entertained a motion to approve the site plan for this application.

RESOLUTION #2-2017

Motion by: Diogenese Dominguez
 Seconded by: Gil Carlevaro
 Motion Carries: All

ROLL CALL VOTE

Tom Watson, Chairman	- Yes
Diogenes Dominguez	- Yes
Gil Carlevaro	- Yes

INFORMAL HEARING

Chairman Watson announced the next item to be Come, Sit & Stay LLC inviting Kevin Lynch to come forward for his presentation.

Kevin Lynch: Mr. Lynch explained that they are converting the building from a bar type establishment into a dog care facility, mentioning that there are already several of these facilities in New York City. This facility will not be one where a dog is kept caged for a period of time, but will be one that acts as a second home to the dog. Each room is air conditioned or heated, has a window, a TV and piped in music. There is also a camera that monitors them at all times, mentioning that the owners could even watch their dogs on their phone through this monitoring system. He pointed out that a dog nowadays is a part of the family and treated as such. The idea is a transition from a kennel to an actual hotel for dogs. They will also be offering grooming, training, daycare facilities and retail, selling some dog products. He stated 50% of the building would be used for boarding. There was some thought given to putting in another restaurant, but there would not be sufficient parking for restaurant customers and there are enough restaurants in the area. He explained that with the doggie hotel most of the parking would be drop-offs unlike a restaurant where the customer would be there for a couple of hours. He mentioned that it is a totally different concept for dog care and there is nothing like it in this area. He has also met with neighbors in the area who are in favor of the idea, especially since it has been an eyesore for so long. He explained that it is actually like the

dogs are taken care of in their own homes, so there would not be barking dogs outside at all hours.

Tom Watson: Chairman Watson reiterated that this would basically be an extended care facility for the dogs.

Kevin Lynch: Mr. Lynch stated that it will be both; a day care in the former bar and dining rooms (1 for small dogs and 1 for large dogs) and the rooms upstairs for boarding purposes and grooming. They did not change the footprint of the upstairs rooms, so the larger room could be used for multiple family dogs, so they will still be together. He has met with marketing people and Rivertown Magazine wants to do an article about the concept, which will virtually be a hotel for dogs. It is also a leash free and cage free environment.

Ruben Berrios: The Building Inspector informed everyone that the 2nd floor of this building was a rooming house with many boarders.

Tom Watson: Chairman Watson inquired if there is an elevator or staircase to the 2nd floor, to which Mr. Lynch responded a staircase.

Liz Mello: Ms. Mello inquired where the Village Board is with the zoning amendment and was informed it passed. She inquired if this will be a Special Permit Use, adding that there are a few items needed to meet the conditions of this use. For this permit there is a requirement for a fence for all on-site, outdoor recreation areas. A survey from Anthony Celentano shows an existing fence, but does not state the type of fence or give the fencing details, height, etc. She recommended that Mr. Lynch bring in pictures of the existing fencing, which is needed to meet all the requirements for the permit. She also mentioned that one of the conditions for a pet care facility the Board will need to see a vicinity map that shows the zoning for the area, which Mr. Lynch agreed to bring in. Also, according to the Village law, she believes any fencing would have to be buried in the ground and 6 feet high, which should be noted on the plan. She then continued to read the requirements of the Village Law. Also according to Village Law, Mr. Lynch has to be sure the overnight accommodations do not exceed 50% of the building. Also to be noted on the site plan are the location of the waste accommodations. Where and how signage will be located also needs to be a part of the plan. Parking would only be allowed in front of the building and not bordering a residential district. The site plan must also show the dumpster area.

Tom Watson: Chairman Watson inquired how many employees there would be for the facility.

Kevin Lynch: Mr. Lynch responded 8 full-time employees and 6 part-time employees.

Dennis Michaels, Esq.: Counselor Michaels reading from the Village Law is not sure if the dogs will all be allowed in the same outdoor area together, except for multiple family dogs.

Liz Mello: Ms. Mello believes Counselor Michaels was reading the original draft of the law and not the one that was officially adopted. This is a Special Permit in the Highway Business Zone, so the Board would need Mr. Lynch to demonstrate that he meets all the needs of a Special Permit, of which most are done on a site plan. She recommended that Mr. Lynch take the

new local law and give it to the professionals handling this application and prepare a formal application and make sure that all the conditions are met and demonstrated clearly on the site plan, with pictures which should be labeled to show the type and height of the fencing, detailed amendment of the fencing to meet the code, pictures of signage to be displayed with measurements. If needed she would be willing to sit with Mr. Lynch and his consultant at a TAC meeting to review plans to be sure everything is complete before going before the Zoning Board, who will require an advisory opinion from the Planning Board.

Kevin Lynch: Mr. Lynch inquired what the timing would be before he would be issued the Special Use Permit.

Liz Mello: Ms. Mello informed Mr. Lynch he could appear before the ZBA February 9th, the Planning Board March 2nd and then back to the ZBA March 9th for final approval. Ms. Mello recommended that Mr. Lynch fill out the application for a Special Use Permit to present to the ZBA at their meeting the following Thursday to ask them to schedule a Public Hearing for February. The Planning Board can then do their review and if they are satisfied with the site plan they can issue a recommendation at which time a Public Hearing can be held.

Tom Watson: Chairman Watson was doubtful that the Board could approve minutes from the previous meeting because Mr. Carlevaro was not on the Board at that time and would not be able to vote, therefore approval of the minutes would be tabled until the next meeting.

Chairman Watson: With no further business to be conducted by the Planning Board, Chairman Watson entertained a motion to adjourn the meeting.

RESOLUTION #3-2017

Motion by: Gil Carlevaro

Seconded by: Diogenese Dominguez

Motion Carries: All

Respectfully submitted by,

Beverly A. Swift, Senior Steno Clerk
February 2, 2017

Date filed with the Village Building Department:

Date filed with the Village Clerk: