

The minutes of the Village of Haverstraw Planning Board Meeting on Thursday, March 2, 2017, beginning at 7:00 PM.

PLEDGE OF ALLEGIANCE

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

Joseph Natale: Mr. Natale opened the meeting with the first item on the agenda, the final site approval for Come Sit Stay LLC located at 234 Route 9W.

Dennis Michael, Esq.: Counselor Michael explained that recently in the last couple of months the Village Board did an amendment to the Zoning Code Section 245-3 which allows a special permit for Pet Day Care Service. The ZBA has the special permit approval jurisdiction and they have granted the special permit approval with the conditions. Mr. Lynch is seeking site plan approval for the Pet Day Care as per section 245-17.1, the new code in the Village of Haverstraw Zoning Law. Applicant must meet all eleven requirements under section 245-17.1.

Liz Mello, Engineer: Liz inquired about the height of the existing fence.

Kevin Lynch: Mr. Lynch stated 6 feet.

Liz Mello: Ms. Mello then explained one of the conditions was the fence needs to be high enough to prevent dogs from jumping out and it needs to be solid to the ground so dogs can't get out from underneath. She wanted to verify because there was no height on the plan.

Kevin Lynch: Mr. Lynch then explained how they put concrete piers which were part of the regulations but they also did it for strength and also because it makes sense. He states he would be out of business if a dog escapes.

Liz Mello: Ms. Mello explained to board at what point of the process Mr. Lynch was at with his approvals to the board. She explained he had previously been in front of Planning Board with site plans and an architectural layout. At that point in time the Board had the local law from the Village Board. Mr. Lynch had to go to the ZBA to get a special permit. The board then went through the 11 requirements of the special permit and told Mr. Lynch what was missing of the plan that he needed to demonstrate he could meet. The Board recommended what he would need to be included in the plan before he went in front of the ZBA for the special permit. At this point Ms. Mello explained plans have been updated and ZBA issued a special permit. Currently Mr. Lynch is back for final site plan and this would conclude the permit he needs from the boards. Mr. Lynch then would enter into a building permit with Inspector Ruben.

Joseph Natale: Mr. Natale inquired do they need to do any State Environmental Quality Review Act (SEQRA) actions.

Dennis Michaels, Esq.: Counselor Michaels inquired about the square feet on gross floor area.

Liz Melo: Ms. Melo answered 4199 square feet.

Dennis Michaels, Esq.: Counselor Michaels was hoping it would be 4000 or less because then it would be type two exempt. He then asked Liz and/or Ruben with their expertise according to what the village defines as floor area is there are any square feet that would be excluded.

Liz Melo: Ms. Melo asked Mr. Berrios if that would be the utility closets, hallways and stairways.

Ruben Berrios: Mr. Berrios stated he would think so.

Dennis Michaels, Esq.: Counselor Michaels states his legal opinion it is type two except from the SEQRA since the floor area is below 4000 square feet. Both Ms. Melo and Mr. Berrios are confident that the square foot is below 4000 square feet.

Joseph Natale: Mr. Natale would lead towards the type two except from the SEQRA but if for some reason it was not except, what would that mean to Mr. Lynch and what would he have to do?

Dennis Michaels, Esq.: Counselor Michaels states if someone was litigious they could bring in Article 78 and challenge the approval because we did not comply with SEQRA. Mr. Michaels proceeded with asking Ms. Melo if this was subject to SEQRA are you familiar with the SEQRA Assessment Forms and are you familiar with all the criteria that are in the checklist both in the long and short form?

Liz Mello: Ms. Mello stated yes she is familiar.

Dennis Michaels, Esq.: Counselor Michaels stated based upon that we customarily would ask the Village Engineer to complete the forms for the lead agency. Ms. Melo would be the indicated person to complete SEQRA forms. He proceeded by inquiring to Ms. Melo, do you feel that there is a potential adverse environmental impact that would be created by the land use in action?

Liz Mello: Ms. Mello stated no it will not be a potential adverse environmental impact.

Dennis Michaels, Esq.: Counselor Michaels stated base upon Ms. Mello statement he would be comfortable and if any board member would like to adopt the Village's Engineer statement. There will be no potential adverse environmental impact that would be caused by the land use in action. This would be a negative declaration under the state SEQRA.

Diogenes Dominguez: Mr. Dominguez entertained a motion to adapt the negative declaration under SEQRA.

RESOLUTION # 7-2017

Motion by: Diogenese Dominguez

Seconded by: Gil Carlevaro

Motion Carries: All

Edwin Molina: Mr. Molina inquired what applicant meant on page two of Narrative "We have tried to market to other businesses and organizations to no avail."

Kevin Lynch: Mr. Lynch explained that it was a residential housing upstairs with a boarding permit and downstairs it was going to for shared services. Open Arms did not get approve by the board. He lost the boarding permit because they were drag out by Open Arms. So he looked at different alternatives and the one he had for a long time and knew it would work is the Doggie Day Care. He then went into explaining the Doggie Day Care and how excited he is about this new business.

Dennis Michaels, Esq.: Counselor Michaels then gave board member Joseph Natale the wording to be used in this motion as follows:

"Compliance with the eleven requirements of section 245-17.1 of the Village Zoning Code are the conditions to the approval"

Joseph Natale: Mr. Natale entertained a motion to approve final site plan with the eleven conditions.

RESOLUTION # 8-2017

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

ROLL CALL VOTE

Diogenes Dominguez	- Yes
Joseph Natale	- Yes
Gil Carlevaro	- Yes
Edwin Molina	- Yes

Joseph Natale: Mr. Natale entertained a motion to approve the minutes from the February meeting.

RESOLUTION # 9-2017

Motion by: Gil Carlevaro
Seconded by: Diogenes Dominguez
Abstain: Edwin Molina
Motion Carries: with a majority of 3 approvals.

Joseph Natale: With no further business to be conducted by the Planning Board, Mr. Natale entertained a motion to adjourn the meeting.

RESOLUTION # 10-2017

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

Respectfully submitted by,

Erica M. Alejandro, Clerk Typist
April 6th, 2017

Date filed with the Village Building Department:

Date filed with the Village Clerk: