

**NYACK PLANNING BOARD--3 October 2016**

**Members Present:**

Peter Klose (Chairman)

Alan Englander

Don Wilen - Alternate (voting)

Elijah Reichlin-Melnick - Alternate (voting)

Absent: Peter Voletsky Seth Kestenbaum Daniel Jean-Gilles

**Also Present:**

Walter Sevastian

Don Yacopino, Building Inspector

Bob Galvin—Village Planner

**Other Business:** Motion to approve the September 12, 2016 Minutes-- made by Chairman Klose and seconded by Reichlin Melnick. Approved by a Vote of 4-0.

- 1. 24 First Avenue. Jeffrey Leen. Application for tree removal. Property is in TFR zoning district. Application is for removal of three trees. Arborists report included. Homeowner provides a list of 8 trees planted on property in the last year.**

**SEQRA** – *this is a Type II action under 6 NYCRR Part 617.5 ( c ) (2) “ replacement, rehabilitation or reconstruction of a structure or facility, in kind, on the same site, including upgrading buildings to meet building or fire codes, unless such action meets or exceeds any of the thresholds in section 617.4 of this Part”* **LWRP** – *As a Type II action, this is considered by Village Code to be consistent with the policies of the LWRP.*

**Applicant--Jeffrey Leen.** Application for tree removal. Property is in TFR zoning district. Application is for removal of three trees. Arborists report included. Homeowner provides a list of 8 trees planted on property in the last year.

Klose and Reichlin-Melnick agreed with the explanation and the right to remove the three trees and trim a fourth

PUBLIC-- NONE

**BOARD--** Motion by Chairman Klose to close the public hearing. Seconded by Englander. Vote 4-0 to close.

Klose moves to approve application to remove the three (3) trees by plan dated September 2016, and seconded by Don Wilen , and Vote-- 4-0- application approved.

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2. **160 North Midland Avenue. Mike Pomarico for Nyack Hospital. Site Plan application to construct a two story addition and four story stair tower. Property is in Hospital (H) zoning district.**

**Building Inspector--** *Building height is limited to 40 feet and 3 1/2 stories by Dimensional Standards Table 4-1. Footnote (o) provides a method for permitting the increase in height of a building in the H zoning district to six stories or 72 feet, which conditions have been met.*

**ARB--** *Proposal met with general approval before the ARB but application remains open Lighting plan and types are being worked out--*

**County--** *Comments received from Rockland County Department of Planning, Town of Orangetown Department of Environmental Management and Engineering and Rockland County Division of Environmental Health.*

**NYS DOT has not yet responded.**

**SEQRA -** *This is an unlisted action under SEQRA. Notice of intent to be lead agency sent out to involved and interested agencies in August. With no objection provided, the Planning Board can assume lead agency for the SEQRA environmental review.*

Rockland Planning commented

Orangetown Planning Commented

No DOT- comments yet

Environmental Health- commented

**Village Engineer--** *Village Engineer has met with applicant and reviewed plans relating to lighting, and stormwater drainage. She provided comments to applicant who will incorporate into the site plan drawings. The Village Engineer will provide final comments and review for the Board and Building Department when final set of plans are completed and provided to her office.*

*Applicant's site engineers met with Village Engineer, Village Planner and Building Inspector to review landscaping, lighting and drainage plans. Landscaping - As a result of the meeting, the Applicant will present a visual rendering showing the Midland Avenue streetscape with street trees and the proposed buildings in the background and will show photos of the street trees at full maturity. The plans have a planting schedule with plant type (common and scientific name) spacing, size at planting and full size at maturity. Additionally, the time schedule for plantings was discussed as well as plantings and terracing to modify the grade differential from the circular drive to the ground level*

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*(approximately 13' difference in elevation). Village Engineer specified concrete aprons on curbing and would like concrete run across for pedestrian safety and walkability – should be flush condition for pedestrians. Lighting - Applicant will show Board a color photo of the light poles. They are LED lights, downward neck and dark sky compliant. Poles will be 12' high – applicant will lower the concrete footing for poles in the parking areas. The photometrics show foot candles at appropriate levels (0.5 – 0.1) at street level on Midland. The Applicant will be expanding the photometrics out to the point where the foot candles are 0.0. This will be in the Midland Avenue r-o-w closer to the Hospital. It does not appear that there will be any lighting spillover to the neighboring properties. Additional comments deal with striping out the parking spaces with meters since these are closest to the curb cuts. Parking near curb cuts need to be 25' away. Traffic – Mike Galante of FP Clark and Phil Grealy of Maser have discussed and are now working on the review and recommendations. Parking is required at 1 space per bed and 1 space per 2 employees. Calculations provided demonstrate these requirements to be met. Neighbors appeared at ARB to complain about existing site lighting. Applicant has provided anecdotal information indicating these issues are being addressed.*

**Applicant--** Phillip Grealy-- recognizing the maneuvers with the vehicles. Parking consultants to discuss the parking on the public street.

**Jan Degenshein-- Michael Pamarico --** Rodney Morrison Henry Thomas--

**Applicant “To Do” List--** We went through the list of items, and the applicant seems to be working diligently,

- 1- Hospital to Establish Community Liaison with links and direct phone numbers listed on web-site to address local concerns: Applicant agrees to make this a condition of the Site plan approval.
- 2- Applicant and the Attorney to appear before the Village Board with Local Residents to explore the viability of On Site Parking structure as well as resident only parking (would need approval by NYS Legislature).

Given the Complaints of the various residents on Haven Court it is clear that the Village Board needs to consider the solution to the anecdotal evidence and understand what studies and expert ideas there might be about solutions that might work for the neighbors. Chairman Klose and the Planning Board is wondering what ideas exist in the engineering world to control the flow of parking and to alleviate the circling and driving around looking for parking. We would some hard stats to think about and to analyze for the Village Board, and would like a brief synopsis and some expert advice on the topic. What are the latest

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studies on parking circulation around municipal hospitals, etc. We would like to make a recommendation to the Village Board that we do something pro-active. Would resident parking be the solution, what about installing expensive short term meters? Or less expensive long term meters?

- 3- Lighting Plan to minimize light pollution-- THE APPLICANT HAS AGREED TO DUSK TO DAWN TIMING FOR CLEAR STORY LIGHTING AND WINDOW SHADES-- Light will be timed to the shutters
- 4- SOUND-Applicant to hire acoustic engineer and meet with neighbors about continuous 65 dB noise when temperature is above 65 degrees. Acoustic engineer will examine and report to the Planning Board about the generator and all mechanical sound attenuation at the building. Also consider other sound attenuation measures for the emergency ambulance backing up when loading and unloading patients.
- 5- Storm water -- Applicant is working with the Village Engineer
- 6- Hospital will report on number of emergency room visits, as well as information about the sirens (if possible), and number of extreme emergency situations for the past year, and will project the expected number of visits to the ER.
- 7- Hospital and the Traffic consultants will comment on the enforcement of parking regulations on-site and have instituted a three strike rule with towing and police ticketing in handicapped spaces, etc.
- 8- Applicant and Building Department have contacted the Orangetown Police Department
- 9- All sight line and traffic circulation issues must be addressed by both engineers.
- 10- Hospital will hold a general forum to explain the intent of the program-- vertical village-- cost reduction-- better and effective care-- community forum-- at Nyack Hospital-- and discuss the plans for the future parking garage and other site specific issues. APPLICANT AGREES TO QUARTERLY FORUMS TO DISCUSS LOCAL ISSUES WITH LETTERS TO NEIGHBORS OR OTHER NOTIFICATION.

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- 11- Village Planner to review and work with the parking consultant to be ensure that the parking and traffic issues are addressed.
- 12- Village Planner has reviewed landscaping and lighting plans and provided comments to the Planning Board and applicant's engineers.

**Public Comment-**

**Mary Tsotsoros**--29 Haven Court-- no parking on Haven Court-- expansion-- concerned about the staffing- applicant -- said -- they met with the synagogue for use of 75 parking spaces--

Martin Kolson-- existing parking problems exist-- the number of parking spaces-- they are meeting the Code requirements for parking but needs to be increased based on public comment.

Elyse Berg-- still complaints about the lighting and the parking—Planning Board working to address them

Kyle Ryan-- New York State Legislature must approve any residential permit parking around the streets near the hospital -- employee parking for free; construct parking deck

BOARD - discussed what can be done regarding parking and what recommendations can Planning Board make to the Village Board.

**BOARD**-- During the September Meeting we assumed Lead Agency Status.

- 3. **70 Cedarhill Avenue. Pavion.** Application for special permit for the merger of two or more adjacent lots.

**Building Inspector**-*The Applicant has already received site plan and subdivision approval from the Planning Board. The request for a special permit is a pro-forma decision based on the Board's prior subdivision approval for Pavion. The SEQRA and LWRP determinations remain the same from the previous site plan and subdivision approval. The Planning Board can approve by motion the special permit for the application so that the Applicant can move forward to building permit application from the Building Department.*

**Applicant**-- did not appear due to the religious holiday.

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4. **273 Main Street. Gateway Lofts. Site Plan application to construct a four story multi-family dwelling, subdivision for the merger of two lots and request for recommendation to the Zoning Board of Appeals. Property is in the DMU zoning district.**

**Application was returned to PB by ZBA for SEQRA determination and completion of subdivision approval.**

**CONTINUATION OF SITE PLAN APPLICATION. MOTION TO REOPEN PUBLIC HEARING FOR ADJOURNMENT PURPOSES ONLY**

*OTHER BUSINESS-- Motion to adjourn by Chairman Klose, seconded by member Englander-passed by a vote of 5-0. Meeting adjourned at 9:25 pm.*