

BOARD-- Klose makes a motion to extend the building permit approval for a limited one hundred and eighty (180) days, expires May 2019. Second by Jean Gilles -- 4-0.

No other action by the board-- the applicant and the architect to return with additional details and drawings for the sustainability credits.

4. **245 North Midland Avenue. Kier Levesque for Tong. Application to reinstate previously approved site plan application for conversion from one nonconforming use to another nonconforming use. Property is in TFR zoning district.**

ARB approved original project on March 16, 2016 – minutes enclosed.

ARB re-approved the project on October 17, 2018

ZBA issued Special Permit on May 23, 2016 – copy enclosed. ZBA will need to re- approve the project. PB approved the original project on June 6, 2016.

Village Planner Comments-- Although nothing has changed on this application, the Planning Board approval has expired and is, therefore, considered a new application. It has been sent out for GML review. Similar to the original application, the Planning Board should assume Lead Agency status for SEQRA at this meeting. The proposed project remains an unlisted action under current SEQRA regulations. The original Neg. Dec. can be reinstated at the Board's December meeting. The Board would also review the CAF form at that time and reinstate its previous consistency determination with the LWRP. If there are no other issues raised during their public hearing, the Planning Board can re-approve the resolution at the December meeting subject to applicant receiving the special permit from the ZBA.

SEQRA This is an unlisted action under SEQRA. The Planning Board can indicate that it will be the lead agency and wait for any comments that may be forthcoming from Rockland County Planning. The Planning Board can provide recommendations to the ZBA and then once ZBA has acted, it can make its SEQRA determination, close out SEQRA and act on the site plan application.

Village Planner Recommendation the Planning Board should make a positive recommendation to the ZBA for the proposed action which would result in upgrading the property and building and provide a more aesthetic appearance to this very visible corner on N. Midland and Sixth Avenues. It would result in a less intensive use and would provide the necessary parking on-site. It would also remove a potential blighting influence on properties along N. Midland Avenue.

SEQRA – Motion by Klose to declare Lead Agency Status and re-approve the findings from June 2016.

APPLICANT--looking for re-approval of prior application-- nothing has changed-- GML outstanding
PUBLIC-- none

BOARD-- Klose moves to close the public hearing as to the discussion of the variances requested, second by Englander- 4-0- resolution passed.

BOARD -- Chairman Klose moves to re-approve the previously submitted and approved plans and approvals from subject to all the prior language and reiterate the positive recommendation from the Planning Board in June 6, 2016 minutes with the applicant to return for further site plan approval after GML review - Seconded by Jean Gilles; Vote 4-0- positive recommendation to the ZBA.

SITE PLAN REMAINS OPEN Updated NEG DEC. DATED December 3, 2018 TO BE RE-CONSIDERED AND ADOPTED at the December meeting.

5. **66 South Broadway. Kier Levesque for Wilkinson. Request for referral to Zoning Board of Appeals for two area variances. Property is in DMU-1 zoning district.** Area Variances are required from: Article IV, VON§360-4.5C, Minimum Parking Requirements Table 4-2 for one parking space. Article IV, VON§360-4.3, Dimensional Standards Table 4-1 for a dwelling unit less than 600 sq. ft. Application has been sent out for GML review. Copies of relevant 1987 documents included.

Village Planner Comments- The application is for the legalization of an existing fourth efficiency apartment. The lot size is 2,500 sf with 20' frontage and 125' depth. Property is completely land-locked. The first floor is occupied by the Christine Corder Salon (668 sf). There are two apartments on the second floor (400 sf and 363 sf). The third floor has a penthouse loft (720 sf) and a 400 sf efficiency apartment. The existing building is 3 ½ stories with a height of 38'. The building received a variance in May 1987 for the density increase allowing three apartments in the building. Comments from the ZBA minutes indicated that the two undersized apartments on the second floor were favorably viewed by the members and generally in keeping with the Code. The ZBA approved a special permit in 1987 for the project. The rear apartment on the second floor has a 100 sf outdoor deck. When the ZBA approved the variance in 1987 for three apartments in the building, the density was 30 units per acre. The density per acre in 2014 was increased to 50 units per acre to match the 2.0 FAR in the downtown. The applicant is not increasing the building's FAR which is 1.6 where 2.0 is allowed.

SEQRA A Short Form EAF has been provided which has been reviewed. The proposed action is seeking the legalization of a fourth efficiency apartment. The proposed action does not increase the footprint, nor does it increase the FAR. The fourth apartment has been in existence for over 30 years with no adverse impacts. The action appears to be a minor action with no significant environmental impacts. The action is for a residential apartment allowed by zoning with no use variance being required. This will be compatible with a new Type II action which will be available at the end of the year, namely, the "reuse of a commercial or residential structure not requiring a change in zoning or a use variance, unless it meets or exceeds certain specified Type I thresholds".