

**FINAL MEETING MINUTES**  
**VILLAGE OF SLOATSBURG**  
**ZONING BOARD OF APPEALS**

November 16, 2023

The Village of Sloatsburg Zoning Board of Appeals Board Meeting was called to order on November 16, 2023 at 7:30 pm by Chairman Gus Stritmater.

ATTENDEES:       Gus Stritmater  
                      Stephen Hoefler  
                      Bill Samora  
                      John Wissner  
                      Kevin Camilleri, Alternate

                      Richard Ellsworth, Attorney  
                      Eve Mancuso, Engineer

Chairman Stritmater opened the meeting with the Pledge of Allegiance.

The Board began a Client/Attorney adjournment at 7:33 pm and ended at 7:45 pm.

**100 Sterling Mine Road LLC**

***A motion was made by Kevi Camilleri and seconded by John Wissner to reopen the Public Hearing. All in favor. None opposed. The Public Hearing is open.***

The application was presented by David Getz of Getz Engineering in Warwick, New York and Brian Sinsabaugh Esq. of Zarin & Steinmetz, 81 Main Street, White Plains, New York, with a request for modification. A new floor plan was submitted differentiating the areas and uses as well as updated square footage on the site plan. The parking spaces changed from 47 spaces to 58 spaces with an additional land banked space; now providing for 59 off-street parking spaces. The 58 spaces have been reduced to 35 actual spaces. The reduction of off-street parking with land banked parking will be presented to the Planning Board. The land banked parking is a safeguard to support future parking if needed. The original 28 spaces requested, which increased to 35 actual spaces, will not increase the impervious area. The storage area has increased to 4020 square feet from 3470 square feet for more efficient spacing to accommodate cutting table reconfiguration and storage will be inside instead of overflowing to outside. The storage area of 6450 square feet would require 13 parking spaces; however, this area is for storage only with no employees, so this equation is not included in final square footage. The front 2 handicapped parking spaces will remain by the front door. The presenters asked for an override for sections 1-5, 8 and 10-12 of Rockland County Plannings response to application. The easement location was identified on the plan.

There were no questions from the public.

There were no questions from the Board.

The Village Engineer presented comments on a review letter submitted November 12, 2023, with the following comments—

1. The Parking and Loading Space Calculations chart is shown on the plan, The office space located on the upper floor has a parking requirement of 1 space per 250 SF thus,  $2,620 \text{ SF} / 250 = 10.5$  spaces. The manufacturing component has a requirement of 1 space per 500 SF thus,  $23,750 \text{ SF} / 500 = 47.50$ . The applicant has deducted the storage areas from the parking requirements, noting 0 required spaces. As the code does not specifically note storage as a use, the Board should determine if the storage square footage should be categorized as warehousing with a requirement of 3 spaces/ 1000 SF, thus  $6,450 \text{ SF} / 1000 \text{ SF} \times 3 = 21$  spaces, or should the storage area have a 0 parking requirement. The number of spaces for which the variance is being sought should be clearly defined and noted.
2. To offset the shortfall in the number of parking stalls provided, the applicant has demonstrated there is sufficient land area to accommodate 24 additional “land banked” parking stalls. 35 parking stalls are proposed, 24 parking stalls are shown as “land banked.”
3. The “land banked” spaces would be built sometime in the future if determined to be necessary. The specific triggers that would compel the owner to construct these spaces should be noted. Full design of the parking area and access road including stormwater management, retaining walls, lighting and landscaping would be required for the construction of these land banked parking spaces.
4. The wheel turning radius has been provided for a fire truck. The wheel turning radius for the largest anticipated tractor trailer should be shown.
5. The fence line should be clarified. Some parking is shown over the existing fence. How will the new parking layout be defined? Will a new fence and gate be constructed along the common property line with the Village DPW facility?
6. The access easement to the Village is proposed to be relocated. Village Board approval will be required.
7. Outside agency review letters were received for a number of Site Plan issues, most notably RCDA. These comments should be addressed during the Planning Board review.

The Village Engineer questioned the size of trucks entering property. The presenting attorney conveyed the materials are delivered in box trucks and vans; however, one or two times a year a larger truck will deliver bulk materials.

The Village Attorney stated the variance overrides with the ZBA authority will go to the Planning Board.

***A motion was made by Kevin Camilleri and seconded by John Wissner to close the Public Hearing. All in favor. None opposed. Motion carried.***

The following enumerated comments are from Rockland County Planning’s September 13, 2023, letter of recommendations which the applicant’s attorney requested an override.

Comment #1

***“Motion to override Rockland County Planning Department’s Comment #1 ‘Permitting development that does not comply with the applicable bulk standards can set an undesirable land use precedent and result in the overutilization of individual sites’ to the extent of the Sloatsburg ZBA’s authority based upon the referral of the Sloatsburg Planning Board and to the extent the comment relates to the variances sought.”***

<i>Camilleri</i>	<i>Yes</i>
<i>Hofer</i>	<i>Yes</i>
<i>Wissner</i>	<i>Yes</i>

*Samora*                      *Yes*  
*Stritmater*                 *Yes*

*Override Motion carried*

Comment #2

*“Motion to override Rockland County Planning Department’s comment #2 ‘...Spaces 1 and 2 are located within 15 feet of the County highway right-of-way. Therefore, a variance will be required from Section 54-70B in addition to Sections 54-70D’ to the extent of the Sloatsburg ZBA’s authority based upon the referral of the Sloatsburg Planning Board and to the extent the comment relates to the variances sought.”*

*Camilleri*                    *Yes*  
*Hoefer*                        *Yes*  
*Wissner*                     *Yes*  
*Samora*                      *Yes*  
*Stritmater*                 *Yes*

*Override Motion carried*

Comment #3

*“Motion to override Rockland County Planning Department’s comment #3 ‘Vehicle drivers parked in spaces 1 and 2 will have to reverse off the property to access the driveway. These spaces must be relocated or reconfigured so that all parking maneuvers can be accommodated on the site’ to the extent of the Sloatsburg ZBA’s authority based upon the referral of the Sloatsburg Planning Board and to the extent the comment relates to the variances sought.”*

*Camilleri*                    *Yes*  
*Hoefer*                        *Yes*  
*Wissner*                     *Yes*  
*Samora*                      *Yes*  
*Stritmater*                 *Yes*

*Override Motion carried*

Comment #4

*“Motion to override Rockland County Planning Department’s comment #4 ‘Access to the dumpsters and northeastern row spaces will be difficult given the proximity of the truck space. A truck maneuvering into or out of this space will prevent access to the rest of the site. The dumpsters, and spaces 10 through 13, must be relocated to a more accessible area on the site.’ to the extent of the Sloatsburg ZBA’s authority based upon the referral of the Sloatsburg Planning Board and to the extent the comment relates to the variances sought.”*

*Camilleri*                    *Yes*  
*Hoefer*                        *Yes*  
*Wissner*                     *Yes*  
*Samora*                      *Yes*  
*Stritmater*                 *Yes*

*Override Motion carried*

Comment #5

*“Motion to override Rockland County Planning Department’s comment #5 ‘A truck maneuvering plan must be provided for the entire site...’ to the extent of the Sloatsburg ZBA’s authority based upon the referral of the Sloatsburg Planning Board and to the extent the comment relates to the variances sought.”*

<i>Camilleri</i>	<i>Yes</i>
<i>Hoefler</i>	<i>Yes</i>
<i>Wissner</i>	<i>Yes</i>
<i>Samora</i>	<i>Yes</i>
<i>Stritmater</i>	<i>Yes</i>

*Override Motion carried*

Comment #8

*“Motion to override Rockland County Planning Department’s comment #8 ‘The applicant must comply with the comments made by the Rockland County Health Department in their letter dated November 16, 2022.’ to the extent of the Sloatsburg ZBA’s authority based upon the referral of the Sloatsburg Planning Board and to the extent the comment relates to the variances sought.”*

<i>Camilleri</i>	<i>Yes</i>
<i>Hoefler</i>	<i>Yes</i>
<i>Wissner</i>	<i>Yes</i>
<i>Samora</i>	<i>Yes</i>
<i>Stritmater</i>	<i>Yes</i>

*Override Motion carried*

Comment #10

*“Motion to override Rockland County Planning Department’s comment #10 ‘...The Town of Ramapo must be given the opportunity to review the proposal and its impact on community character, traffic, water quantity and quality, drainage, stormwater runoff and sanitary sewer services ...’ to the extent of the Sloatsburg ZBA’s authority based upon the referral of the Sloatsburg Planning Board and to the extent the comment relates to the variances sought.”*

<i>Camilleri</i>	<i>Yes</i>
<i>Hoefler</i>	<i>Yes</i>
<i>Wissner</i>	<i>Yes</i>
<i>Samora</i>	<i>Yes</i>
<i>Stritmater</i>	<i>Yes</i>

*Override Motion carried*

Comment #11

*“Motion to override Rockland County Planning Department’s comment #11 ‘The engineer of record shall certify to the Floodplain Administrator for the Village of Sloatsburg that the proposed construction is in compliance with the floodplain regulations of the Village and the Federal Emergency Management Agency’ to the extent of the Sloatsburg ZBA’s authority based upon the*

*referral of the Sloatsburg Planning Board and to the extent the comment relates to the variances sought.”*

<i>Camilleri</i>	<i>Yes</i>
<i>Hoefer</i>	<i>Yes</i>
<i>Wissner</i>	<i>Yes</i>
<i>Samora</i>	<i>Yes</i>
<i>Stritmater</i>	<i>Yes</i>

*Override Motion carried*

Comment #12

*“Motion to override Rockland County Planning Department’s comment #12 ‘The proposed addition and the existing industrial building must comply with all requirements of the New York State Uniform Fire Prevention and Building Code’ to the extent of the Sloatsburg ZBA’s authority based upon the referral of the Sloatsburg Panning Board and to the extent the comment relates to the variances sought.”*

<i>Camilleri</i>	<i>Yes</i>
<i>Hoefer</i>	<i>Yes</i>
<i>Wissner</i>	<i>Yes</i>
<i>Samora</i>	<i>Yes</i>
<i>Stritmater</i>	<i>Yes</i>

*Override Motion carried*

**Variances**

*#1 – A motion was made by John Wissner and seconded by Stephen Hoefer where 35 off street parking spaces are provided and 58 parking spaces are required.*

<i>Camilleri</i>	<i>Yes</i>
<i>Hoefer</i>	<i>Yes</i>
<i>Wissner</i>	<i>Yes</i>
<i>Samora</i>	<i>Yes</i>
<i>Stritmater</i>	<i>Yes</i>

*Motion carried*

*#2 – A motion was made by Kevin Camilleri and seconded by John Wissner to approve parking in the required front yard.*

<i>Camilleri</i>	<i>Yes</i>
<i>Hoefer</i>	<i>Yes</i>
<i>Wissner</i>	<i>Yes</i>
<i>Samora</i>	<i>Yes</i>
<i>Stritmater</i>	<i>Yes</i>

*Motion carried*

**Steve Germano – 179 Orange Turnpike**

***A motion was made by John Wissner and seconded by Kevin Camilleri to open the public hearing. All in favor. None opposed. Public Hearing is open.***

The applicant presented his application seeking relief from the setbacks for construction of a storage garage on his property where a living structure currently exists. The structure will not impact any large service vehicles on Ledge or Bush Roads. Structure will have electricity but no water service.

The Village Attorney stated lot coverage and floor area ratio variances are necessary. The one-story building with a peak of 29.7 feet is also beyond the accessory structure height limit of 15 feet and the structure is located on one of three front setbacks on this property.

The Village Engineer presented comments –

SEQR- the project should be classified as a Type 2 Action, as there is no significant adverse environmental impacts and no further environmental review is needed.

1. The size of the proposed garage shall be confirmed; the dimensions note 22 feet by 30 feet but the plan shows a garage scaling approximately 12 feet by 30 feet.

2. The height of the garage shall be noted. The plan notes there is a 228 SF loft.

3. Stormwater management measures have been shown to accommodate run-off from the carport.

Percolation tests shall be performed to verify the viability of a seepage pit system being effective due to the known rock in the area.

4. All erosion control measures shall be implemented prior to any construction commencing, shall be maintained throughout construction and removed upon final stabilization of all disturbed area.

The applicant was asked to amend the application and drawings. The application will be submitted for a GML review and new mailings. The application is withdrawn without prejudice.

***A motion was made by Stephen Hoefler and seconded by John Wissner to approve the September 21, 2023 meeting minutes. All in favor. Non opposed. Motion carried***

***A motion was made by Stephen Hoefler and seconded by John Wissner to adjourn the meeting. All in favor. None opposed. Motion carried.***

***Jane Thompson***

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Jane Thompson, Clerk