

**Village of Wesley Hills  
Planning Board-December 22, 2010**

The meeting was called to order by Marshall Katz, Chairman at 7:40 p.m.

Present: Marshall Katz-Chairman, Vera Brown-Deputy Chairman, Uri Kirschner, Marvin Finker, Rachel Taub-First Alternate, Ruth Ivey-Second Alternate

Others Present: Frank Brown-Deputy Village Attorney, Liz Mello-Village Engineer, Jeff Osterman-Village Planner, Camille Guido-Downey, Recording Clerk

Absent: Don Isenberg

Chairman Katz read into the record the public hearing notice.

**1. PUBLIC HEARING ON THE ARCHITECTURAL REVIEW APPLICATIONS FOR KWILECKI DEVELOPMENT FOR TWO SINGLE FAMILY DWELLINGS. Affecting properties located on the east side of Willows Road approximately 270 feet and 150 feet from the intersection of East Willow Tree Road. Known as Tax Parcel ID #41.11-2-6.18 and Tax Parcel ID #41.11-2-6.19.**

Applicant was present and described to the public and the Board the proposed colors and materials planned to be used for Lot #18.

Liz Mello stated that the Building Inspector has reviewed the plan and is fine with the selections.

Chairman Katz requested landscaping be shown on the subdivision plan.

Frank Brown, Deputy Village Attorney, questioned if note #37 on the subdivision plat has been satisfied?

Liz Mello answered yes.

Board Members requested the list of materials to be attached to the resolution.

Chairman Katz noted that any changes to the approved architectural plans will need Planning Board approval.

Applicant stated that the Board should consider designating a person to make changes as it seems to be a waste of everyone's time to come back if a purchaser wants to change a color.

Chairman Katz stated that the Applicant is more than welcome to speak with the Board of Trustees as they have the power to make changes to the Zoning Law. The Zoning Law currently requires that construction be in complete conformance with the plans approved by the Planning Board.

Applicant stated that there are hopper vinyl windows proposed for the basement, there are not egress windows.

The following colors and materials were proposed:

Roof:	Shingle asphalt estate gray
Siding:	Vinyl buckskin
Window Trim:	White vinyl
Window:	Anderson white clad
Shutters:	Green heavy plastic
Front Door:	Fiberglass white
Garage Doors:	White steel

It was noted that the deck in the rear will be treated wood.

Chairman Katz opened the public hearing, seconded by Mr. Kirschner.

No one wished to speak.

Chairman Katz made a motion to close the public hearing, seconded by Ms. Brown. Upon vote, this motion carried unanimously.

Chairman Katz made a motion to approve the architectural plans for Lot #18, seconded by Mr. Kirschner.

### **Resolution No. 10-38**

**WHEREAS**, Kwilecki Development has applied to the Planning Board pursuant to Section 8.1.5.5 of the Zoning Law of the Village of Wesley Hills for approval of architectural plans for a new dwelling on Lot 18 of the Willows Subdivision, which lot is located on the easterly side of Willows Road and designated on the Town of Ramapo Tax Map as Section 42.11, Block 2, Lot 6.18; and

**WHEREAS**, a duly advertised public hearing was held on said application at the Village Hall, 432 Route 306, Wesley Hills, New York on December 22, 2010, at which time all interested parties present were given an opportunity to be heard; and

**WHEREAS**, the proposed action is defined as a Type II Action requiring no further review under the State Environmental Quality Review Act (SEQRA);

**NOW, THEREFORE, BE IT RESOLVED**, that the architectural plans and renderings for the dwelling on said lot dated November 2, 2010, prepared by Westchester Modular Homes, Inc. (for Plan Code 2310, titled, "The Haifa I" model, incorporating the materials noted on the rendering dated 12/22/10 and attached to this resolution), are hereby approved, subject to the requirement that the siding on all parts of the house shall be brought to within 18 inches of the finished grade.

Vote: Marshall Katz-Yes, Vera Brown-Yes, Uri Kirschner-Yes, Marvin Finker-Yes, Rachel Taub-Yes.

Motion Approved.

Applicant stated that for Lot #19 the colors have changed along with the proposed architectural.

The following colors and materials were proposed:

Roof:	Shingle asphalt onyx black
Siding:	Vinyl tan
Window Trim:	White vinyl
Window:	Anderson white clad
Shutters:	Black heavy plastic
Front Door:	Fiberglass white
Front Door Trim:	Hard foam composite white
Garage Doors:	White steel

It was noted that the deck in the rear will be treated wood.

Chairman Katz opened the public hearing.

No one wished to speak.

Chairman Katz made a motion to close the public hearing, seconded by Ms. Brown. Upon vote, this motion was carried unanimously.

Chairman Katz made a motion to approve the architectural plans for Lot #19, seconded by Ms. Taub.

**Resolution No. 10-39**

**WHEREAS**, Kwilecki Development has applied to the Planning Board pursuant to Section 8.1.5.5 of the Zoning Law of the Village of Wesley Hills for approval of architectural plans for a new dwelling on Lot 19 of the Willows Subdivision, which lot is located on the easterly side of Willows Road and designated on the Town of Ramapo Tax Map as Section 42.11, Block 2, Lot 6.19; and

**WHEREAS**, a duly advertised public hearing was held on said application at the Village Hall, 432 Route 306, Wesley Hills, New York on December 22, 2010, at which time all interested parties present were given an opportunity to be heard; and

**WHEREAS**, the proposed action is defined as a Type II Action requiring no further review under the State Environmental Quality Review Act (SEQRA);

**NOW, THEREFORE, BE IT RESOLVED**, that the architectural plans and renderings for the dwelling on said lot dated November 2, 2010, prepared by Westchester Modular Homes, Inc. (for Plan Code 2320, titled, "The Aviv" model, incorporating the

materials noted on the rendering dated 12/22/10 and attached to this resolution), are hereby approved, subject to the requirement that the siding on all parts of the house shall be brought to within 18 inches of the finished grade.

Vote: Marshall Katz-Yes, Vera Brown-Yes, Uri Kirschner-Yes, Marvin Finker-Yes, Rachel Taub-Yes.

Motion Approved.

**2. APPLICATION FOR CONGREGATION KEHILAS YESHORIM OF WESLEY HILLS FOR A SPECIAL PERMIT FOR A NEIGHBORHOOD GATHERING AND SITE PLAN APPROVAL FOR A SYNAGOGUE ADDITION TO A SINGLE FAMILY RESIDENCE. Affecting property located on the southwest corner of Tammy Road and Harriet Lane approximately 550 feet from the intersection of McNamara Road. Known as Tax Parcel ID# 41.16-1-45.**

Mr. Todd Rosenblum, Architect, and Anthony Celantano, Engineer were present.

Chairman Katz stated that Mr. Kirschner has recused himself from this application as he is a member of the congregation.

Mr. Rosenblum stated that the home is a raised ranch that had an addition built onto it a number of years ago. The congregation is using the Rabbi's home for prayer and they have outgrown the space. Applicant is requesting an addition to the home to accommodate his congregation. The Applicant is proposing two additions to the home. Mr. Rosenblum stated that the driveway was moved as per the previous plan along with the walkway. Mr. Rosenblum stated that the driveways proposed are to be constructed on asphalt gravel to decrease the impervious surface area.

Chairman Katz questioned if any catch basins are proposed.

Mr. Rosenblum answered yes. Mr. Rosenblum added that the residents at #8 & #10 Harriet are not in favor of rear yard parking. Mr. Rosenblum stated that abutting neighbors have offered their driveways for additional parking. Applicant is proposing additional parking on the street.

Chairman Katz questioned if on-street parking has been reviewed by the Fire Inspector?

Mr. Kirschner questioned if parking will be on one side of the road?

Mr. Rosenblum answered that it was discussed with the Fire Inspector and will be proposed on one side of the street.

Chairman Katz stated that the Applicant is now proposing enough parking. The Board has conducted a survey of the existing and operating congregations in the Village and all properties have been operating within the parking provided.

Mr. Rosenblum stated that the Applicant is proposing 37 parking spaces plus additional on-street parking.

Mr. Finker stated that he is concerned with the ingress and egress and that vehicles that might be pulling out into a three-way intersection.

Mr. Rosenblum stated that the street is quite and he does not expect a lot of traffic.

Jeff Osterman stated that the parking should be placed on the opposite side of the street and it should be kept away from the turn in the road.

Chairman Katz requested the Applicant to obtain the Fire Inspector's comments in reference to which side of the street the parking should be located.

Jeff Osterman questioned where is the loading area?

Mr. Rosenblum answered that the Applicant added a staircase on the southeast side which goes directly into the basement which is right off the parking lot.

Liz Mello requested adequate screening on the northwest corner and a grading plan should be submitted.

Chairman Katz made a motion to schedule a public hearing at the January 26, 2011 Planning Board meeting, seconded by Marvin Finker.

#### **Resolution No. 10-40**

**RESOLVED**, that a public hearing on the application of Kehilas Yeshorim of Wesley Hills for a special permit and site plan approval for a neighborhood gathering and for a special permit for increased impervious surface ratio on premises located on the westerly side of Harriet Lane and the southerly side of Tammy Road known as 1 Harriet Lane and designated on the Town of Ramapo Tax Map as Section 41.16, Block 1, Lot 45, will be held before the Planning Board of the Village of Wesley Hills on the 26<sup>th</sup> day of January, 2011, at 7:30 p.m., at the Village Hall, located at 432 Route 306 in the Village of Wesley Hills.

Vote: Marshall Katz-Yes, Vera Brown-Yes, Uri Kirschner-Yes, Marvin Finker-Yes, Rachel Taub-Yes.

Motion Approved.

**3. PUBLIC HEARING CONTINUATION ON THE APPLICATION FOR CHAIM DAHAN AND SEPHARDIC CONGREGATION OF ROCKLAND FOR A SPECIAL PERMIT FOR A NEIGHBORHOOD GATHERING, AND A SPECIAL PERMIT TO INCREASE THE IMPERVIOUS SURFACE TO 0.40, AND SITE PLAN APPROVAL FOR A SYNAGOGUE ADDITION TO A SINGLE FAMILY RESIDENCE. Affecting property located on the south side of Lois Lane at the intersection of Route 306. Known as Tax parcel ID #41.15-2-21.**

Mr. Rosenblum stated that substantial changes have been made to the previous plan.

Changes made were:

Original plan was for a 9,300 sf, 3 level addition.

Current plan is for 6,200 sf addition.

Seating was 241 now proposed 198.

The reduced building coverage is 15%.

Previous parking spaces were 22 now providing 36 onsite.

Mr. Rosenblum stated that the Board requested more parking and a reduction in the addition size and the Applicant has made those changes.

Chairman Katz stated that since the property is on Route 306, on-site parking was a must.

Mr. Rosenblum stated that the Applicant has provided two different plans for the Boards review. Option A: one way traffic, entrance from Route 306, exit onto Lois Lane, main entrance of lower level, bedrooms located on 3<sup>rd</sup> level, 2<sup>nd</sup> level for living room and kitchen, proposed pad for garbage cans, 10 foot buffer, 6ft fence, landscaping, no stacking parking and certain spaces are asphalt gravel. Option B: two-way traffic and 20 foot emergency access road, no exit onto Lois Lane except for emergency service gate.

Chairman Katz read into the record a memo dated 11/30/10 from Chris Kear, Fire Inspector accepting either option provided with notes and would like to review any further plan submitted.

Chairman Katz questioned what the NYSDOT comments are?

Liz Mello answered that she has spoken with Mary Jo Russo and she wants a traffic report and prefers option A as there is only one lane of traffic onto Route 306. Ms. Mello stated that their comments will be in writing.

Mr. Rosenblum stated that the Applicant is also proposing an 8x10 concrete pad for the children waiting for the bus.

Liz Mello stated that in Option B she is concerned with people who enter from Route 306 into the parking lot and see that the lot is full and there is no room for them to turn around except to back out onto Route 306.

Mr. Rosenblum stated that with option A there is better traffic flow, it keeps the driveway away from the neighbor and provides more green space. Mr. Rosenblum also noted that the roof design has been changed to blend into the existing roof which also reduces the overhead height of the addition.

At 8:51 Chairman Katz opened the public hearing.

Letitia Dahan, 378 Route 306, stated that the plans should have been submitted in a larger scale as she had a hard time reading them. Ms. Dahan stated that she feels that there are major flaws in the plan such as grading and the elevation difference by the stairs.

Liz Mello, Village Engineer stated that the proposed grading on the plan can work and the Applicant's Engineer will show the details at a later time for review.

Chairman Katz stated that the grading details will be shown on the detail sheet of the site plan.

Ms. Dahan stated that she believes that the proposed slope is more than 5% and as per NYS Law a slope can not be greater than 5%.

Chairman Katz stated that the Applicant is only proposing a layout plan now and the grading details will be provided after the Applicant has direction from the Board.

Ms. Dahan is concerned with the proposed plan and is confused with the Applicant's Engineer's use of dash lines on the plan and feels that the meeting tonight was unnecessary.

Chairman Katz stated that the meeting was necessary as the Applicant needs direction from the public and the Board to move to phase II of the environmental review.

Mr. Rosenblum stated that a rendering will be produced to review when a layout plan is decided upon.

Liz Mello confirmed that the proposed slope is less than 4%.

Jeff Osterman stated that the concern should be the traffic circulation.

Ms. Dahan questioned why is the Applicant proposing a 10 buffer when the code says 25 feet? Ms. Dahan also is concerned that the fence stops at her driveway. Ms. Dahan is concerned that people are going to walk across her driveway.

Chairman Katz stated that he believes that the congregation will not use her driveway.

Mr. Rosenblum stated that those items can be discussed along with landscaping at a later date.

Michael Shucht, 388 Route 306, stated that the neighbors wanted the shul made smaller and the Applicant did reduce the size, however he is concerned that the projected number of congregants is too high, the building is being proposed to be much larger than needed, the structure will become less used after time, and the Applicant will seek to rent out the building for a school or camp. Mr. Shucht stated that recently in the Town of Orangetown the Town Code was amended to accommodate the new sewer director as he did not meet the qualifications for appointment and Mr. Shucht is concerned that in a few years the Applicant may seek a change to the code for a school or camp.

Chairman Katz stated that if the Applicant wants to change the use to a school or camp that requires Planning Board approval.

Mr. Shucht stated that the concrete pad proposed is a nice gesture however, concerned that the new pad may become a regular bus stop for larger buses such as the TOR buses. This may cause a problem in the future.

Ken Landau, 2 Lois Lane, questioned how did an emergency access road get proposed?

Chairman Katz stated that it was not asked for by the Board, the Applicant decided to propose this plan as an option.

Mr. Landau stated that emergency access road is not needed and Mr. Wepler stated that he requires a 24ft lane for emergency access. Mr. Landau stated that he believes that the proposed lane is overkill. Mr. Landau stated that all the residents on Lois Lane do not want an exit onto Lois Lane for safety reasons. Mr. Landau expressed his concern that the NYSDOT may not know about the safety concerns on Lois Lane and the proposed changes.

Liz Mello answered that the NYSDOT will review any plan presented to them.

Mr. Landau stated that he is concerned still with the height of the roof even though it was reduced, Mr. Landau feels that it was reduced by approximately 4 feet and still may require a height variance and a roof that high does not conform to the neighborhood.

Mr. Landau and Mr. Rosenblum discussed the number of congregants and the square footage per person.

Mr. Landau stated that he believes that the calculation of per person per square foot is incorrect and feels that the Applicant is trying to misguide the Board. Mr. Landau stated that the Applicant should be proposing an addition of no more than 3,000 sf, no parking on Lois Lane or the Village Hall property, Applicant agrees to not propose another addition, no basement area for any social gatherings and a ratio of 1 to 7 square feet per person. Mr. Landau stated that he feels that the Applicant has not demonstrated why the space is needed.

Mr. Rosenblum stated that the 1 to 15 square foot is required by law for tables and chairs.

Mr. Landau stated that he believes that 1 to 15 square feet is not acceptable.

Chairman Katz stated that the Applicant can ask for the size of the building that they are projecting they need. The building was reduced, parking was added and the Applicant even proposed an additional option for our consideration. Chairman Katz stated that he feels that there is nothing that the neighbors would be happy with.

Mr. Landau stated that in the Applicant's narrative it states that only 4 dates the synagogue will need overflow parking. Mr. Landau stated that he believes that it is more dates than that and he is concerned that no one will be watching.

Chairman Katz stated that regardless of how many times the Applicant will need overflow parking, the Applicant has provided an alternate means of parking.

Resident, 5 Lois Lane stated that he does not understand why this Applicant has been given special treatment for parking on Village Hall property and who is going to enforce parking on Lois Lane when they park in the street?

Chairman Katz stated that no one is receiving special treatment and the police will enforce no parking on Lois Lane and there will also be "NO PARKING" signs posted. If cars are parked on Lois Lane and there are no parking signs, you should call the police.

Mr. Light, 3 Lois Lane stated that the main issue is to try to keep Lois Lane a quiet street and ensure ingress/egress onto Route 306. Why is stack parking not being proposed?

Chairman Katz answered that based on the survey, stack parking does not work.

Chairman Katz polled the Board Members:

Mr. Finker-likes option A and feels that some parking spaces can be eliminated (#3, #19, and #20) to provide a turn around area.

Ms. Brown-prefers option #A and stated that she feels for the neighbors but the traffic circulation works better with option B.

Mr. Kirschner -likes option #A and stated that he hears and understands the neighbors' concerns and this option is a better overall plan.

Ms. Taub stated that she likes option #B.

Ms. Ivey stated that she likes option #A.

Chairman Katz stated that he believes option #B is a better plan and can also see option #2 working.

Liz Mello suggested that both plans get sent to NYSDOT along with the minutes for review.

Jeff Osterman suggested that the neighbors submit something in writing so that NYSDOT can understand their concerns.

Mr. Rosenblum stated that the traffic study is complete and will submit that to the Clerk as soon as possible.

Liz Mello stated that the traffic study needs to be submitted to the NYSDOT for their review.

Chairman Katz made a motion to continue the public hearing till January 26, 2011, seconded by Mr. Finker.

Vote: Marshall Katz-Yes, Vera Brown-Yes, Uri Kirschner-Yes, Marvin Finker-Yes, Rachel Taub-Yes.

Motion Approved.

APPROVE 10/27/10 PLANNING BOARD MINUTES.

Mr. Finker made a motion to approve the minutes of 10/27/10, seconded by Ms. Ivey.

Vote: Marshall Katz-Yes, Vera Brown-Yes, Uri Kirschner-Yes, Marvin Finker-Yes, Ruth Ivey-Yes.

Motion Approved.

APPROVE 11/17/10 PLANNING BOARD MINUTES.

Mr. Finker made a motion to approve the minutes of 11/17/10, seconded by Ms. Taub.

Vote: Marshall Katz-Yes, Vera Brown-Yes, Ruth Ivey-Yes, Marvin Finker-Yes, Rachel Taub-Yes.

Motion Approved.

At 10:08 p.m. Chairman Katz made a motion to adjourn, seconded by Ms. Brown.

Vote: Marshall Katz-Yes, Vera Brown-Yes, Uri Kirschner-Yes, Marvin Finker-Yes, Rachel Taub-Yes.

Motion Approved.