

**Village of Wesley Hills
Planning Board – February 25, 2009**

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

Present: Marshall Katz-Chairman, Vera Brown-Deputy Chairman, Don Isenberg, Marvin Finker, Uri Kirschner, Ester Ben-Dov-Shucht - First Alternate

Also Present: Frank Brown-Deputy Village Attorney, Liz Mello-Village Engineer, Jeff Osterman-Village Planner, Janice Golda-Deputy Village Clerk

Absent: William Fried – Second Alternate

APPLICATION CONTINUATION OF AVERY & TOBY EISENREICH FOR A SPECIAL PERMIT FOR TWO LARGE ACCESSORY STRUCTURES. Affecting property located on the east side of Wesley Chapel Road, 775' north from the intersection of Grandview Avenue. Known as Tax Parcel ID#41.13-1-32.1 on the Ramapo Tax Map.

Mark Kurzmann, Esq., represented the applicant and gave an overview of the application. Mr. Kurzmann commented that all items raised by Brooker Engineering for satisfaction of the plot plan have been addressed. Mr. Kurzmann also reported that the outstanding erosion control issues from the ongoing construction activity are expected to be remedied by Monday, March 2. Marshall Katz responded that the erosion control issues are handled by the Village Building Dept.

Vera Brown motioned to adopt the following resolution. Uri Kirschner seconded.

Resolution #09-5

RESOLVED, that a public hearing on the application of Avery Eisenreich and Toby Eisenreich for a special permit for two accessory structures in excess of 2,500 square feet for property located on the easterly side of Wesley Chapel Road, known as 52 Wesley Chapel Road and designated on the Town of Ramapo Tax Map as Section 41.13, Block 1, Lot 32.1, will be held before the Planning Board of the Village of Wesley Hills on the 25th day of March, 2009 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, Don Isenberg-Yes, Marvin Finker-Yes, Uri Kirschner-Yes

Motion Approved

APPLICATION TO REVISE A PREVIOUSLY APPROVED SITE PLAN AND SPECIAL USE PERMIT FOR YESHIVAS OHR REUVEN (Bollard Lights). Affecting

property located on the northwesterly side of Grandview Avenue, at the intersection of Spook Rock Road. Known as Tax Parcel ID#'s 40.16-1-17 & 18 on the Ramapo Tax Map.

Mark Kurzmann, Esq., represented the applicant. Mr. Kurzmann submitted to the Board the 1994 lighting plan identifying the bollard lights being requested for elimination. Marshall Katz, Vera Brown, Don Isenberg and Uri Kirschner visited the site to assess the existing lighting. Jeff Osterman, Village Planner, and Liz Mello, Village Engineer, stated that there are some locations on site that require additional lighting. Jeff Osterman proposed spotlights on the building to illuminate dark areas. Liz Mello recommended approval of the proposed lighting plan contingent upon installation of lighting in four locations and to include capping of existing structures proposed for elimination.

Uri Kirschner motioned to adopt the following resolution. Vera Brown seconded.

Resolution #09-6

WHEREAS, on September 8, 1994, by Resolution #94-23, the Planning Board approved a site plan for a school on premises located on the northwesterly side of Grandview Avenue, designated on the Town of Ramapo Tax Map as Section 40.16, Block 1, Lots 17 and 18, which site plan was subsequently revised on June 28, 2000 by Resolution #00-18; and

WHEREAS, Yeshivas Ohr Reuven has applied to the Planning Board for a further revision to that site plan to allow the elimination of twenty-two bollard lights shown on that site plan;

NOW, THEREFORE, BE IT RESOLVED, that it is hereby determined that the proposed elimination of those bollard lights will not have a significant impact on the environment as defined by the State Environmental Quality Review Act (SEQRA) because the existing lighting is sufficient for on-site safety and the proposed change to the site plan will affect neighboring properties favorably by reducing the amount of ambient light from the subject premises; and

BE IT FURTHER RESOLVED, that said revised site plan application is hereby approved, and the applicant is authorized to delete from the site plan entitled "Revised Final Site Plan, Yeshivas Ohr Reuven (formerly Beth Medrash Hagadol D'Forshay), Village of Wesley Hills, Town of Ramapo, Rockland County, New York", dated December 10, 1996 and last revised July 11, 2000, prepared by A.R. Sparaco, Jr., twenty-one of the bollard lights which are highlighted in color on the copy of the Planting and Lighting Plan for the said premises which is stamped "Received Feb. 19, 2009", but not the bollard light located opposite the intersection of the main driveway and the driveway leading to the dormitory, subject to the following conditions:

1. Addition of new lighting fixtures in four areas, as follows, to the satisfaction of the Village's planning consultant: (a) at the entrance to the main building at the bus turnaround; (b) at the northerly entrance to the main building; (c) at the southerly side of the main building to illuminate the path leading to the dormitory; and (d) at the dormitory to illuminate the same path.

2. Capping or removal of wiring for the twenty-one bollard lights to be eliminated.

Vote: Marshall Katz-Yes, Vera Brown-Yes, Don Isenberg-Yes, Uri Kirschner-Yes, Ester Ben-Dov-Shucht-Yes. Marvin Finker-Abstain

Motion Approved

APPLICATION FOR ROEI GAMIL FOR A WETLANDS PERMIT. Affecting property located on the north side of Willow Tree Road approximately 1000 feet west from the intersection of Route 306. Known as Tax Parcel ID#41.7-2-35 on the Ramapo Tax Map.

Mr. Roei Gamil represented the application. Liz Mello explained to the Board the history of the parcel which goes back to 1940 and thereafter as an outparcel to the Baker Estates subdivision which created conservation easements. Ms. Mello explained that during the addition phase to Mr. Gamil's house and the removal of the existing barn, he cleared the parcel and also the conservation easement up to the stream. Ms. Mello explained there are three items Mr. Gamil needs to address: 1) construction, clearing and grading in the wetlands buffer, 2) building a circular driveway without a permit and required variance, 3) clearing the conservation easement.

Liz Mello reviewed with the Board the location of the wetlands and the conservation easement on the plot plan. Mr. Gamil explained that when he purchased the house the easement was already graded with grass and the only section he cleaned was in the back behind the fence and no trees were removed. Marshall Katz asked Mr. Gamil about the circular driveway and Mr. Gamil responded that he is not sure if he will pursue the variance with the ZBA but his primary concern is about the number of accidents that have occurred on his property because of the curve in the road in front of his house.

Marshall Katz explained the reason for a wetlands permit and how any encroachment into the 100' buffer has to come before the Planning Board for approval. Frank Brown explained that since the conservation easement is within or adjacent to the wetlands buffer, it can also be under the jurisdiction of the Planning Board for review and remediation. Marshall Katz commented that the first objective is to ascertain what was disturbed and the extent of the disturbance. Jeff Osterman asked Mr. Gamil if he had any photos of the area before clearing and he responded he would check. Liz Mello replied she might have pictures in her files from the Baker Estates subdivision and from the neighbors.

Liz Mello stated that she will work with Mr. Gamil's engineer, Paul Gdanski, to have the plan revised with more details. Ms. Mello informed the Board that during a site inspection back on May 30, 2008, there was some evidence of trees being cleared out. Frank Brown asked if there was regrading done within the buffer area and Liz Mello responded yes. Frank Brown recommended a group site inspection by the Board and Marshall Katz agreed. Liz Mello stated during the process of review for the wetlands permit, a recommendation can be submitted to the Village Board regarding the conservation easement. As Frank Brown

previously explained, the Planning Board can also order remediation since the easement is within the wetlands buffer.

Marshall Katz motioned to adopt the following resolution. Marvin Finker seconded.

Resolution #09-7

RESOLVED, that a public hearing on a Wetlands Permit application by Roei Gamil for property located on the northerly side of Willow Tree Road known as 42 Willow Tree Road, designated on the Town of Ramapo Tax Map as Section 41.7, Block 2, Lot 35, for authorization to construct a new extension of a residence and regrade the side and rear yard within 100 feet of the boundary of a freshwater wetland, will be held before the Planning Board of the Village of Wesley Hills on the 25th day of March, 2009 at 7:30 P.M., at the Village Hall, located at 432 Route 306 in the Village of Wesley Hills.

REQUEST FOR ADJOURNMENT ON THE PUBLIC HEARING CONTINUATION ON THE FINAL PLAT APPLICATION FOR SOL MOSKOWITZ FOR A PROPOSED TWO-LOT SUBDIVISION. Affecting property located on the north side of East Willow Tree Road, 330 feet west of Deerwood Road. Known as Tax Parcel ID#41.08-1-44 on the Ramapo Tax Map.

Pursuant to Mr. Moskowitz's February 18, 2009 written request for an adjournment, Marshall Katz motioned to adjourn the public hearing continuation on this application to the March 25, 2009 Planning Board meeting. Vera Brown seconded.

Vote: Marshall Katz-Yes, Vera Brown-Yes, Don Isenberg-Yes, Marvin Finker-Yes, Uri Kirschner-Yes

Motion Approved

APPROVE 2/4/09 PLANNING BOARD MINUTES.

Vera Brown motioned to approve the February 4, 2009 Planning Board minutes. Don Isenberg seconded.

Vote: Marshall Katz-Yes, Vera Brown-Yes, Don Isenberg-Yes, Uri Kirschner-Yes

Motion Approved.

Meeting adjourned 8:50 p.m.

