

**Village of Wesley Hills  
Planning Board – April 22, 2009**

The meeting was called to order by Marshall Katz, Chairman, at 7:35 p.m.

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

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

**SKETCH PLAT APPLICATION CONTINUATION OF MARSEL AMONA FOR A PROPOSED TWO-LOT SUBDIVISION.** Affecting property located on the west side of New York State Route 306, 740 feet north of Grandview Avenue. Known as Tax Parcel ID#41.15-1-25 on the Ramapo Tax Map.

Marsel Amona represented the application and explained the changes made to the submitted revised sketch plat. Liz Mello responded with a recommendation to reposition the house based on the Zoning Board of Appeals' resolution which included the objective of saving as many existing trees as possible on the property.

Jeff Osterman commented that he has no problem with the basic components of the sketch plan at this time. Marshall Katz explained that this meeting is for the approval of the sketch plat and at the preliminary/final public hearing the public will have the opportunity to speak.

Marvin Finker motioned to adopt the following resolution. Vera Brown seconded.

**Resolution #09-11**

WHEREAS, a formal application from Tamar Amona for approval of a sketch plat entitled "Sketch Plat Minor Subdivision for Tamar Amona, Village of Wesley Hills, Town of Ramapo, Rockland County, NY", dated October 12, 2007 and last revised March 8, 2009, prepared by Robert E. Sorace, PLS, affecting property on the westerly side of Route 306 designated on the Town of Ramapo Tax Map as Section 41.15, Block 1, Lot 25, in an R-35 District, was considered by the Planning Board at its regular meeting on April 22, 2009, and

WHEREAS, on October 29, 2008, the Zoning Board of Appeals of the Village of Wesley Hills granted variances for such subdivision subject to conditions set forth therein,

NOW, THEREFORE, BE IT RESOLVED, that said sketch plat is hereby approved subject to the following conditions:

1. Compliance with all conditions imposed by the Zoning Board of Appeals in connection with the granting of such variances.

2. Revision of the house location on proposed Lot 2 to conform to the mark-up prepared by the Village's engineering consultant dated April 20, 2009.

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

**Motion Approved**

**PUBLIC HEARING ON THE SPECIAL PERMIT AND SITE PLAN  
APPLICATION OF AHAVAT YISRAEL TO CONSTRUCT A SYNAGOGUE.**

Affecting property located on the north side of East Willow Tree Road, opposite Rainbow Court. Known as Tax Parcel ID#41.8-1-47 on the Ramapo Tax Map.

Todd Rosenblum, architect for Ahavat Yisrael, and Bill Johnson of Sparaco Engineering gave overviews of the application to the public. Mr. Rosenblum explained that with the January 2009 passing of the updated Neighborhood Gathering Law in the Village, this project was designed with the new law in mind. Mr. Rosenblum stated that congregants will not drive to services at the synagogue except on Fridays and high holy days when members drive their vehicles before sundown and leave them until the following evening when the Sabbath is over. Mr. Rosenblum stated that currently there are approximately 10-12 vehicles at most parked on the front yard in the driveway with the overflow onto Rainbow Court. Todd Rosenblum commented that in comparison to other existing synagogues in the Village, the Ahavat Yisrael synagogue is smaller and has more parking. Mr. Rosenblum also reviewed the 9 points addressed in his March 10, 2009 application narrative summary.

Mr. Rosenblum explained it is a one-story building, a basement with a walkout, a lobby area, front porch, office, sanctuary (218 seats maximum), a library, a social hall in the basement, one classroom, elevator, and a warming kitchen which will not be equipped for cooking food, another office and a back entrance off the parking lot. The outside will have vinyl siding, architectural asphalt shingles, stucco, and residential windows.

Bill Johnson of Sparaco Engineering explained that there is an existing house and the new synagogue site will be behind this house which is set back far from the road. The existing house will be demolished upon completion of the construction. Marshall Katz confirmed it is 109.7 feet from the road. Mr. Johnson stated that the new driveway along the west side of the building will be 24 feet wide with a circular pattern around the parking lot which consists of 29 parking spaces. The rear of the basement and the front first floor are at grade level. Drainage will be mitigated with a detention system to comply with zero net runoff. Lighting illumination is strictly on the property and the planting plan saves approximately 30 or so trees in addition to proposed plantings.

Jeff Osterman and Liz Mello wanted to get input from the public, especially on pedestrian access, landscaping and lighting, before making any recommendations.

Marshall Katz confirmed with Janice Golda that the public hearing was published, mailed and posted.

Mr. David Kanegis, 132 E. Willow Tree Road, a neighbor to the west, distributed a letter with questions to the Board and copies were available to the public. Mr. Kanegis asked if the Village will be requiring a bond or money in escrow to ensure project completes considering the economic times. Frank Brown responded that there is no provision for such in the law. Mr. David Turner, president of the congregation, responded that they are currently fundraising and will not start the project unless they are financially able to finish.

Mr. Kanegis requested adequate screening along the property line that would block out the driveway. Mr. Kanegis asked the Board to visit the property to visualize the view from his backyard. Marshall Katz responded that he would schedule a site visit. Frank Brown asked the Kanegis' (David and his mother Ruth) if the Board could come onto their property and deck to actually see the view and they agreed. Mr. Kanegis questioned why the driveway is going to be located on the west side of the property as opposed to the east side. Mr. Johnson of Sparaco Engineering responded that the site distance is better in the proposed location. Mr. Johnson explained that the existing east side driveway site distance is 250 feet and the site distance on the proposed driveway on the west side is 360 feet. Penny Wissner, 109 E. Willow Tree Road, commented that she can't see the traffic coming up the hill when she comes out of Rainbow Court. Mr. Kanegis explained that he has a blind driveway and said that the proposed driveway is more in the blind spot than the existing driveway. Mr. Johnson re-iterated the measured site distances for both the easterly and westerly sides and also explained to the public how a site distance is measured. Mr. Kanegis asked the Board to visually check it out when they visit the site.

Todd Rosenblum commented that the new driveway will be more elevated than the old one which will also offer a better site distance. Mr. Kanegis commented that he expects the reason the parking lot is in the back is for aesthetic purposes because it is in a residential area but he believes it does detract from the value of his mother's property. Marshall Katz responded that if it is done right, it will be a non-issue and for people who want to live near a synagogue, neighboring property values will increase. Mr. Kanegis stated that may be true if the congregation were ultra orthodox. Mr. Kanegis asked if the Village could have a small section of East Willow Tree Road between Mrs. Partridge (110 E. Willow Tree Road), the synagogue (126 E. Willow Tree Road), and his mother's property (132 E. Willow Tree Road) regraded for greater safety? Marshall Katz responded that presently there is a Village plan to install sidewalks on the north side of East Willow Tree Road and who will be responsible for maintenance of the sidewalk is under discussion by the Village Board.

Mr. Kanegis asked why considering the size of the property the synagogue is not set further back? Mr. Johnson explained that setting the structure further back would create land disturbance over an acre which would then involve greater economic cost due to

stormwater laws and the need for a sewage pumping system. Mr. Kanegis asked what the difference was between a past project on this property for an Indian temple and this project? Frank Brown replied that based on his recollection the Indian temple was not rejected but rather the congregation walked away from the project because of the drainage improvement costs.

Mr. Kanegis expressed disappointment that after being considerate and accommodating neighbors to the congregation for many years why someone did not knock on their door to let them know about the plan to build the synagogue. David Turner apologized to Mr. Kanegis for this oversight and committed to making an effort to share information as this project moves forward.

Susan Loiterman, 123 E. Willow Tree Road, stated that the congregants are responsible neighbors when parking in front of her home. She asked about the synagogue's driveway and the resurfacing of East Willow Tree Road and whether there will be any regrading of the road. Marshall Katz responded that the driveway will have to meet the road and suggested speaking to the Village Board. Mr. Kanegis commented that it would be an optimum time to not only to build a nice house of worship in the community but also to integrate making the road safer. Ms. Loiterman asked what was the timeline for implementing the sidewalk and Liz Mello responded she did not know.

Sonia Levin, 19 Charlotte Drive, suggested to Mr. Kanegis that installing a "hidden driveway" sign could help. Ms. Levin also commented that there are people who would welcome living next to a shul.

Penny Wissner, 109 E. Willow Tree Road, asked David Turner to continue asking his congregants to wear the yellow reflector bands and also requested putting a street light in front of 110 East Willow Tree Road (Partridge) for more visibility for walkers. Marshall Katz recommended bringing these issues to the Village Board. Ms. Wissner also commented that architecturally the structure blends in but proportionately the roof size to the building is too big and should be smaller. Marshall Katz responded that there will be an architectural review down the road.

Lenny Perles, 12 Marissa Drive, thanked everyone who came to express their concerns and Marshall Katz commented this was a very pleasant public hearing.

Marvin Finker recommended for safer turns there be a no parking area 10-20 ft. from the northeast corner of Rainbow Court facing north by the stop sign so cars would not have to enter the intersection from the center line of Rainbow Court. David Turner replied that he would make an announcement to the congregation.

Rachel Guggino, 115 E. Willow Tree Road, asked that the congregation park their cars further away from her driveway and mailbox. Mr. Turner replied he will send out a letter to the congregation with the neighbors' requests. Mr. Kanegis also asked the Board to visualize site distance while driving west on E. Willow Tree Road when visiting the site.

Marshall Katz set up the site visit for May 17 at 10 a.m. He also stated there will be a TAC meeting coordinated with the applicant's consultants and the Village consultants including the Fire Inspector.

Frank Brown explained to the Board that this application is the first under the new law and stressed the unusual requirement in regard to parking. The law requires at least 20 spaces and the Planning Board has the discretion to require more spaces as appropriate in the interest of public safety and neighborhood character. When visiting the site, the Board should consider what parking is needed and what can be accommodated.

Marshall Katz explained that the public hearing continuation will not be re-published but the public can contact the Village office for information and that the Planning Board agendas are also on the Village website [www.wesleyhills.org](http://www.wesleyhills.org)

The public hearing adjourned until the May 27, 2009 Planning Board meeting.

A resident asked how long will it be before breaking ground. Marshall Katz explained that once the approval process is complete, they could break ground the next day. Frank Brown read Section 10.8 of the Zoning Code which states "Approval of any final site plan shall expire unless a Building Permit or Certificate of Occupancy is applied for within a period of 18 months from the date of the signing of the final site plan by the Planning Board. . . . . The Planning Board may extend the site plan approval for not more than two six-month periods."

**APPROVE 3/25/09 PLANNING BOARD MINUTES.**

Marshall Katz motioned to approve the March 25, 2009 Planning Board minutes. Don Isenberg seconded.

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

**Motion Approved**

Meeting adjourned 9:17 p.m.

