

Village of Wesley Hills
Planning Board-August 29, 2007

The meeting was called to order by Marshall Katz, Chairman, at 7:45 P.M.

Present: Marshall Katz-Chairman, Don Isenberg, Uri Kirschner, Ester Shucht-First Alternate.

Also Present: Ben Selig-Deputy Village Attorney, Jeff Osterman-Village Planner, Liz Winzinger Mello-Village Engineer, Barbara Cartaya-Deputy Village Clerk.

Absent: Vera Brown-Deputy Chairman, Marvin Finker.

CONTINUATION OF THE PUBLIC HEARING ON THE FINAL PLAT APPLICATION OF KWILECKI ENTERPRISES & MACCABEE CONSTRUCTION INC., FOR A 20 LOT SUBDIVISION. Affecting property located on the east side of Route 306, -0- feet from the intersection of Village Green. Known as Tax Parcel ID#'s 41.11-2-6-9-11-12 on the Ramapo Tax Map. Steve Sparaco, engineer, David and Dan Kwilecki, applicants, appeared.

At this time Mr. Katz and the Board members discussed the September meeting date. Mr. Katz and the Board members decided to change the September meeting (due to religious holidays) to October 2, 2007. Mr. Katz then said that if sufficient members cannot attend the October 2, 2007 meeting the next scheduled meeting will be October 24, 2007.

A lengthy discussion began between Mr. Katz the Board members, Liz Mello, Jeff Osterman, Ben Selig, Mr. Sparaco and Dan Kwilecki regarding the following issues: a letter from the DOT dated August 16, 2007, (Mr. Sparaco said that they have implemented the required changes into the plans). Mr. Sparaco then said that the proposed five-foot sidewalk along Route 306 is not a problem with the exception of the Babayov property (460 Route 306). Ms. Mello said that the proposed sidewalk is in the New York State right of way not on the homeowner's property and that there should not be a problem constructing the sidewalk. Mr. Sparaco then discussed the number of street signs, the cost estimate (Ms. Mello said that she has not received the cost estimate form) Mr. Sparaco said that he would be sure to send the form to Ms. Mello, the trees that the applicant is proposing to save, (Mr. Kwilecki said that there are four large trees that he will try to save), the following approval letters that were received: the Health Department mosquito letter, water approval from the Health Department, (at this time Mr. Sparaco said that they are still waiting for approval from Paul Gadanski, Town of Ramapo DPW,) Mr. Kwilecki said that he was promised that the form would be filled out by Friday, September 21, 2007, the proposed HOA, Mr. Selig said that he still does not have any formal proposal for review, and the placement of the no parking signs.

After further discussion, it was decided by Mr. Katz and the Board members to continue the application to the October 2, 2007 meeting because there are still too many outstanding issues.

CONTINUATION OF THE PUBLIC HEARING ON THE SPECIAL PERMIT AND SITE PLAN APPLICATION OF ROCKLAND TREE EXPERTS CO. INC., D/B/A IRA WICKES FOR AN EXISTING ARBORIST SERVICE. Affecting property located on the south side of McNamara Road, -0- feet west from the intersection of Union Road. Known as Tax Parcel ID# 42.13-1-22 on the Ramapo Tax Map. Ira Emanuel, attorney, Ivan Sipilief, engineer and Jim and John Wickes, applicants, appeared.

Mr. Emanuel said that the applicant is working on Part III of the Environmental Assessment Form. Mr. Emanuel then said that since the last Planning Board meeting there was a TAC meeting and as a result of that meeting Mr. Emanuel wants to present the new site plan for feedback from the Planning Board before they complete Part III of the EAF.

Mr. Sipilief said that they are planning on moving the four storage bins to the west side to comply with the zoning code. Mr. Sipilief then said that each bin holds approximately 100 cubic feet of material. There will be 16 daytime parking spaces for the employees and 9 overnight parking spaces. Mr. Sipilief said that the overnight spaces were moved away from the southerly property owner by approximately 25 feet and that they are proposing to park the large trucks in the most easterly corner of the property. Mr. Sipilief then said that they are proposing a 6-foot high fence with landscaping to screen the parking area. Additionally, as per the TAC meeting they are proposing a rain garden area and a grassy swale pre filter to capture any type of debris before it leaves the sight. Ivan Sipilief then said that they are proposing to increase the existing wall to 8 feet high and plant additional bamboo to screen the residential side of the property. Mr. Sipilief said that the landscaping shows additional screening and grass and they have planted grass closer to the stream to protect the stream. Mr. Sipilief said that there are raised beds to mitigate water from entering the stream. Ivan Sipilief then said that they are proposing 25' high light poles with motion sensor lighting.

A lengthy discussion began between Marshall Katz, Ben Selig, Liz Mello, Jeff Osterman, Ira Emanuel and Mr. Sipilief regarding the proposed lighting, (the Board feels that the proposed lights would create quite an impact on the area) (Mr. Emanuel said that the lights are proposed for security purposes and they will be directed away from the neighboring property) the overnight parking (Ms. Mello said that it the overnight parking appears to encroach into the two family parking area), how much activity will be generated by the bins, (Mr. Wickes said that the bins will be used all day long), the existing and proposed lighting, the possibility of widening the driveway so that the trucks don't go into the oncoming traffic lane on McNamara Road. At this time Mr. Katz read the local law regarding the height of the lights into the record, Mr. Emanuel said that they would review the height of the lights, and what is being done to capture any oil before it enters the stream,

At this time Mr. Katz said that he feels the most bothersome issue is the noise, vibrations, fumes and dust that is caused mostly by the larger trucks that are idling on the site. Mr. Katz then said that the proposed bins would add additional noise, dust etc. to the site. Mr. Katz then said that when he visited the site and was on the Mair property, there was a low

rumble caused by the trucks and if you touched the Mair garage door, you could indeed feel vibrations from the trucks. Mr. Katz then said that the rest of the operation is being conducted properly, but the large trucks are a definite disturbance to the neighbors and he would prefer that the large trucks be parked off-site.

Mr. Emanuel said that he understood and they would look into a different way of mitigating the problem.

At this time Mr. Katz asked if anyone from the public wished to speak. Mr. Katz asked that the public refrain from repeating their comments from the previous month.

The following members of the public spoke: Neil Marcus, McNamara Road.

The following issues of the public were addressed in great detail; if part II of the EAF was approved, the site has poor drainage, Mr. Marcus then said that Mrs. Mair asked him to comment for her, Mr. Marcus said that Mrs. Mair is concerned with the proposed location of the bins and the possibility of relocating the bins to the rear of the Wickes house, the proposal of painting the block wall green, (Mr. Marcus then continued with his comments), concern that the bamboo will take over the property, who will maintain the property, and inspect the wetlands.

After further discussion, a motion was made by Marshall Katz and seconded by Don Isenberg to adjourn the public hearing on the application.

The following vote was taken: Marshall Katz-yes, Don Isenberg-yes, Uri Kirschner, Ester Shucht-yes.

SKETCH PLAT APPLICATION OF 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# 41.8-1-44 on the Ramapo Tax Map. Ryan Karben, attorney, John Atzl, engineer and Sol Moskowitz, applicant, appeared.

Mr. Karben said that this is a 3.9-acre parcel of property, located in an R-35 zone and that the applicant is seeking Sketch Plat approval. Mr. Karben then said that they are aware that they will have to appear before the Zoning Board of appeals for the required variances.

A lengthy discussion began between Marshall Katz, the Board members, Ben Selig, Jeff Osterman, Liz Mello and Mr. Karben regarding the placement of the proposed dwelling, the possibility that the applicant could come back for an additional subdivision in the future and that the utility access should be considered at this time. Ms. Mello said that there was a note concerning a deed restriction on the plat but the applicant has no intention of creating a deed restriction. In addition Mr. Karben indicated that the applicant was going to remove the aforesaid note but that the applicant has no intention of further subdividing the lot at this time. Mr. Katz said that the Board must plan for the

possibility of an additional subdivision on the property and allow for the driveway, the utilities etc. at this time. Mr. Karben said that the existing home has a Certificate of Occupancy for a single-family dwelling and that said house is actually a two family house. He also acknowledged that he is aware that the applicant must go the ZBA for a determination as to the status of the existing home as a legal two family. The discussion continued with regard to the garage that straddles the property line. (Mr. Atzl said that there is an agreement dating from the fifties that both properties have use of the garage), the fact that there is no room for any improvements on lot one, as proposed, and the different variances that are required for this application.

At this time Mr. Selig said that it appears that the applicant has a “self created” situation that requires application to the Zoning Board of Appeals. Mr. Selig then said that the applicant is intensifying a pre-existing non-conforming use and that a variance is required.

After further discussion a motion was made by Marshall Katz and seconded by Uri Kirschner to adjourn the meeting.

The following vote was taken: Marshall Katz-yes, Don Isenberg-yes, Uri Kirschner-yes, Ester Shucht-yes.

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