

**Village of Wesley Hills  
Planning Board – April 25, 2018**

The meeting was called to order by Vera Brown, Chairman, at 7:37 p.m.

Present: Vera Brown-Chairperson, Rachel Taub, Israel Shenker, Uri Kirschner, Alexandra Wren  
Joe Moskowitz-First Alternate

Also Present: Frank Brown-Deputy Village Attorney, Brian Brooker and Matt Trainor-Village  
Engineers, Jeff Osterman-Village Planner, Camille Guido-Downey-Village Clerk

Absent: Marilyn Blocker-Second Alternate

**Item #1**

**PUBLIC HEARING ON THE WETLANDS PERMIT APPLICATION OF BASHIE  
WAINHAUS TO CONSTRUCT A POOL WITHIN THE 100-foot BUFFER.** Affecting  
property located on the west side of Skylark Drive approximately 945 feet from the intersection  
of Ridgeway Terrace. Designated on the Town of Ramapo Tax Map as Parcel ID#41.16-1-87.

Vera Brown, Chairperson confirmed that the public hearing was properly advertised.

Village Clerk confirmed.

Robert Ball, President Westrock Pools was present on behalf of the Applicant. Mr. Ball stated that this meeting is a continuation of the meeting from last month and the site visit. The Applicant would like to install a pool in the 100 foot wetlands buffer. The Applicant will have a pool, patio and grass area. At the site visit members discussed landscaping plantings and expressed the need to ensure that the species of plants are appropriate due to the wetlands. Robert Torgerson, Landscape Architect has proposed two species of plants for the Board's consideration. Mr. Ball provided to the Board and the Village Professionals the following items for consideration:

1. Information sheet on Northern high bush blueberry bushes.
2. Information sheet on Pin oak tree
3. Partial Survey with the locations of the plants shown for consideration

Jeff Osterman, Village Planner stated that he is in favor of the selected plantings and is happy to see that the Applicant took his advice and is proposing the plantings in the location he suggested to better define the wetlands area. Mr. Osterman stated that it is up to the Applicant if she wants to install the pin oak, he is happy with the bushes proposed. The Applicant is proposing (12) 3-gallon blueberry bushes.

Board Members are agreed to the bushes as recommended by the Village Planner.

Vera Brown asked if anyone from the public wished to speak.

No one from the public wished to speak.

Uri Kirschner made a motion to close the public hearing, seconded by Rachel Taub. Upon vote, this motion carried unanimously.

Uri Kirschner made a motion to move the following resolution, seconded by Rachel Taub:

### **Resolution #18-16**

**WHEREAS**, Bashie Wainhaus has applied for a Wetlands Permit for authorization to construct a swimming pool, patio and pool fence within the 100 feet of the boundary of a freshwater wetland on premises located on the northerly side of Skylark Drive, known as 42 Skylark Drive and designated on the Town of Ramapo Tax Maps as Section 41.16, Block 1, Lot 87; and

**WHEREAS**, a duly advertised public hearing was held on said application at the Village Hall, 432 Route 306, Wesley Hills, New York on April 25, 2018, at 7:30 PM, at which time all interested parties present were given an opportunity to be heard; and

**WHEREAS**, the Planning Board has determined that the proposed action will not have a significant effect on the environment as defined in the New York State Environmental Quality Review Act (SEQRA), for the reasons that the proposed plan allows for the reasonable use of the applicant's property while limiting the amount of disturbance within the 100-foot buffer area to that necessary to allow the proposed construction, there will be no additional net runoff resulting from the proposed construction, and the proposed construction will not have any adverse impact on any wetland;

**NOW, THEREFORE, BE IT RESOLVED**, that Wetlands Permit is hereby granted for such construction, of a swimming pool, patio, and pool fence within 100 feet of such wetlands, as shown on the plot plan for such lot entitled, "Proposed Pool for Wainhaus, Town of Ramapo, Rockland County, Wesley Hills, New York" prepared by Anthony R. Celentano P.L.S., dated December 23, 2017 and last revised February 15, 2018, subject to the following conditions:

1. Implementation of the planting depicted on the Wetlands Plant List marked received on 4/25/18.
2. Revision of the plot plan to add the aforementioned plantings.

Upon vote, this motion carried (Shenker abstained).

### **Item #2**

**PUBLIC HEARING ON THE APPLICATION OF CONGREGATION DERECH EMES TO REVISE A PREVIOUSLY APPROVED SPECIAL USE PERMIT FOR A NEIGHBORHOOD GATHERING AND A PREVIOUSLY APPROVED SITE PLAN FOR A SYNAGOGUE.** Affecting property located on the east side of Wilder Road approximately

228 feet north of Carter Lane. Designated on the Town of Ramapo Tax Map as Parcel ID#41.10-2-3.

Vera Brown, Chairperson confirmed that the public hearing was properly advertised.

Village Clerk confirmed.

Stanley Mayerfeld was present on behalf of the Applicant and stated that this property received a special permit approval in 2012. The existing high ranch utilizes space in the bottom lower level for congregants. Since 2012, the congregation has grown and they are seeking to build an addition to the existing structure with a basement. The proposed height will match the existing home. The Applicant is proposing 43 parking spaces onsite and they also have the previous approval for offsite parking if the Board wants to still consider that.

Chairperson Brown questioned if the residents who gave permission for the off street parking in 2012 are still willing to entertain that service for the congregation?

Stanley Mayerfeld answered yes.

Chairperson Brown stated that the proposed architectural plan that were submitted are not properly labeled and the proposed space is not identified on the plan.

Stanley Mayerfeld stated that he will have the plans revised and resubmit.

Chairperson Brown reviewed the County GML letter dated 3/28/18.

Stanley Mayerfeld stated that the County GML letter is based on the previous site plan and many of the comments have been addressed.

Brian Brooker stated that the perc test was performed on 4/23/18, and it did not pass, and the Applicant needs to re-design the drainage system. Therefore, the Planning Board cannot move forward at this time with the SEQRA determination.

Board Members and the Applicant decided that it would be best to send the County Planning Department the revised plan once it is submitted for another review.

Village Clerk noted for the record that the following memos were received:

1. Monsey Fire Department memo dated 4/24/18.
2. Brooker Engineer review memo dated 4/24/18.

Stanley Mayerfeld stated that the Applicant is aware of the comments from the County GML and will comply with them along with the memo from the Village Engineer dated April 24, 2018.

Board Members discussed the County GML, comment #14, which states, "A lighting plan shall be provided that shows fields of illumination, this plan must demonstrate that the intensity of the

candle lumens is less than 0.1 at the property line”. Board Members stated that the Village Code is 0.6, and therefore this item may need to be overridden.

Board Members discussed the County GML, comment #15, which states, “The applicant must comply with all landscaping and buffering requirements found in section 230-53 of the village zoning regulations. At a minimum, a landscaping plan must be submitted that includes low evergreen landscaping or a berm that shields neighboring residential properties and the county road from the headlights of vehicles in the parking lot”. Members stated that they would be satisfied with the installation of a combination of landscaping and fence in places where there is insufficient space for landscaping. Board Members stated that the Village Code is .6 and this item may need to be overridden.

Stanley Mayerfeld and Board Members requested that the Village Fire Inspector to get an interpretation of the letter from the Monsey Fire Department.

Vera Brown asked if anyone from the public wished to speak.

No one from the public wished to speak.

Rachel Taub stated that it is important for the Applicant to provide accurate architectural plans to the Board and that each space be properly identified, and labeling space as storage is not acceptable.

Rachel Taub made a motion to continue the public hearing to the May 23, 2018 regular meeting of the Planning Board to allow time for the Applicant to revise their plans, seconded by Israel Shenker. Upon vote, this motion carried unanimously.

### **Item #3**

**APPLICATION FOR A SPECIAL PERMIT FOR A HOME OFFICE FROM LEVI KAPLAN.** Affecting property is located at 9 Doe Drive. Designated on the Town of Ramapo Tax Map as Parcel ID#32.18-1-56.

Mr. Kaplan was present and described to the Board that he is a therapist and would like to see clients at his home located at 9 Doe Drive. Mr. Kaplan stated that he has space on his driveway for his clients to park two cars, and he would like to utilize the existing finished space in his basement for his office.

Chairperson Brown requested that the Applicant provide the Board with more details of the size of his driveway so that they can ensure that there will be adequate parking.

Brian Brooker stated that if the Applicant is seeking a sign for his home office he also needs to provide a detailed plan with that information on it.

Jeff Osterman stated that the proposed use meets the Code requirements, and the home is very private and will have no impact on the neighborhood, especially since Mr. Kaplan will be seeing one client at a time.

Israel Shenker made a motion to move the following resolution, seconded by Vera Brown:

**Resolution #18-17**

**RESOLVED**, that a public hearing on the application of Levi Kaplan for a special permit for a home business for property located on the westerly side of Doe Drive, Known as 9 Doe Drive and designated on the Town of Ramapo Tax Maps as Section 32.18, Block 1, Lot 56, will be held before the Planning Board of the Village of Wesley Hills on the 23<sup>rd</sup> day of May, 2018 at 7:30 pm, at the Village Hall, located at 432 Route 306 in the Village of Wesley Hills.

Upon vote, this motion carried unanimously.

**Item #4**

**APPLICATION FOR WETLANDS PERMIT FROM ALLEN & EDITH GROSS.**

Affecting property is located at 219 Willow Tree Road. Designated on the Town of Ramapo Tax Map as Parcel ID# 41.14-1-7.

Stanley Mayerfeld and Steve Griggs were present on behalf of the Applicant who would like to dredge the existing pond on his property. The Applicant has permission to do work that is taking place outside the pond area. The Applicant wants to clean up the pond as no maintenance has been performed in many years. Along with the cleaning the pond they are proposing to make it deeper to allow for better water flow.

Chairperson Brown read into the record the Village Engineer's review memo dated 4/24/18 which states that a NYSDEC permit may be required.

Stanley Mayerfeld stated that they will look into that as soon as possible.

Board Members and Mr. Griggs discussed the process of dredging the pond.

Vera Brown made a motion to move the following resolution, seconded by Israel Shenker:

**Resolution #18-18**

**RESOLVED**, that a public hearing on a Wetlands Permit application be Allen Gross and Edith Gross for property located on the southerly side of Willow Tree Road, known as 219 Willow Tree Road and designated on the Town of Ramapo Tax Maps as Section 41.14, Block 1, Lot 7, for authorization to dredge a pond within 100 feet of the boundary of a freshwater wetland, will be the 23<sup>rd</sup> day of May, 2018 at 7:30 pm, at the Village Hall, located at 432 Route 306 in the Village of Wesley Hills.

Upon vote, this motion carried unanimously.

**Item #5**

**APPROVE 1/3/18 PLANNING BOARD MINUTES**

This item was tabled to the May 23, 2018 meeting.

**APPROVE 3/28/18 PLANNING BOARD MINUTES**

Vera Brown made a motion to approve the 3/28/18 Planning Board Minutes, seconded by Joe Moskowitz. Upon vote, this motion carried unanimously.

Israel Shenker made a motion to adjourn, seconded by Rachel Taub. Upon vote, this motion carried unanimously.

Respectfully Submitted,  
Camille Guido-Downey  
Village Clerk