

**Village of Wesley Hills
Planning Board – February 26, 2020**

Present: Chairwoman-Vera Brown, Joe Moskowitz, Rachel Taub, David Katznelson, Lon Lieberman-First Alternate, Albert Tew-Second Alternate

Also Present: Frank Brown-Deputy Village Attorney, Matt Trainor-Village Engineer, Sydney Aliseo-Deputy Village Clerk

Absent: Israel Shenker, Jeff Osterman-Village Planner

The meeting was called to order by Chairwoman, Vera Brown, at 7:35p.m.

WETLANDS PERMIT APPLICATION OF AKIVA SCHONFELD. Affecting property located on the west side of Roble Road approximately 750 feet from the intersection of Lime Kiln Road. Designated on the Town of Ramapo Tax Maps as Parcel ID#32.18-2-32. Subject property is located at 9 Roble Road.

Akiva Schonfeld, the Applicant, appeared before the Board and presented a site plan dated 5/30/19, last revised 2/22/20, showing an addition requiring a wetlands permit.

Chairwoman Brown questioned Matt Trainor, the Village Engineer, if the application is ready to be scheduled for a public hearing? Matt Trainor answered yes.

Matt Trainor questioned if the Applicant received a letter from the DEC? Akiva Schonfeld answered yes.

Akiva Schonfeld stated that as per the architectural plans submitted on 2/24/20, a height variance is not required.

Rachel Taub made a motion to approve the following resolution, seconded by Lon Lieberman:

**Resolution #20-10
SCHONFELD WETLANDS PERMIT**

RESOLVED, that a public hearing on a Wetlands Permit application by Akiva Schonfeld for property located on the westerly side of Roble Road, known as 9 Roble Road and designated on the Town of Ramapo Tax Maps as Section 32.18, Block 2, Lot 32, for authorization to construct an addition to a house and a swimming pool and patio 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, 2020 at 7:30P.M., at the Village Hall, located at 432 Route 306 in the Village of Wesley Hills.

Upon vote, this motion carried unanimously.

DISCUSSION ON THE APPLICATION SUBMITTED BY WESLEY HILLS CENTER LLC FOR A REVISED SITE PLAN. Affecting property located on the west side of Route 306, at the corner of East Willow Tree Road. Designated on the Town of Ramapo Tax Map as Parcel ID#41.11-1-19. Subject property located at 455 Route 306.

John Atzl, the Applicant's Engineer, appeared before the Board along with Aaron Worch, the Contractor, and stated that a letter was received from the Rockland County Planning Department dated 2/5/20. Mr. Atzl requested that the Board override item #4 on the Rockland County Planning Department memo, as

the Applicant was not required to include a Bulk Table of Dimensional Requirements during previous site plan approvals. John Atzl stated that the Applicant is only proposing a generator.

Matt Trainor, the Village Engineer, stated that a bulk table is not necessary since the applicant is only proposing a generator that is within the required setbacks, however, the Board members must explain why the item is being overridden and the reason the Applicant is providing the Board is not strong enough.

John Atzl stated that the Applicant will comply with all comments made on the Rockland County Department of Planning memo, including item #4.

Vera Brown stated that an email had been received from the New York State Department of Transportation stating that there was no objection to this application.

Joe Moskowitz made a motion to approve the following resolution, seconded by Rachel Taub:

Resolution #20-11
WESLEY HILLS CENTER LLC REVISED SITE PLAN

WHEREAS, Wesley Hills Center LLC has applied to the Planning Board for approval of a revised site plan for a shopping center on premises located on the westerly side of Route 306, known as 455 Route 306 and designated on the Town of Ramapo Tax Map as Section 41.11, Block 1, Lot 19; and

WHEREAS, on January 8, 2020 the Planning Board determined that a public hearing on the subject application was unnecessary in light of the minor changes being proposed to the previously approved site plan; and

WHEREAS, said site plan application was referred to the Rockland County Department of Planning for review pursuant to General municipal Law sections 239-1 and 239-m, and by letter report dated February 5, 2020, the Rockland County Department of Planning notified this Planning Board that it had approved the revised site plan subject to recommended modifications set forth therein; and

WHEREAS, said site plan application was referred to the New York State Department of Transportation for review, and by an email dated February 26, 2020, The New York State Department of Transportation notified this Planning Board that it had no object to the revised site plan;

NOW, THEREFORE, BE IT RESOLVED, that it is hereby determined that the revision to the site plan as proposed herein will not have a significant impact on the environment as defined in the State Environmental Quality Review Act (SEQRA), for the reason that the proposed revision involves only the installation of an emergency generator, and a condition of approval will be that the necessary periodic testing of the generator will be required to take place during standard business hours so as to minimize any noise impacts on neighboring properties; and

BE IT FURTHER RESOLVED, that said application for approval of a revised site plan is hereby granted for the site plan titled "Site Plan of Property for Wesley Hills Center L.L.C., Village of Wesley Hills, Rockland County, New York", prepared by Atzl, Nasher & Zigler, P.C., dated November 19, 2019 and last revised January 8, 2020, subject to the following conditions:

1. There shall be compliance with all conditions set forth in the letter report of the Rockland County Department of Planning dated February 5, 2020, a copy of which letter report is attached to this Resolution and made a part hereof.

2. There shall be compliance with all conditions set forth in the letter of Rockland County Sewer District No.1 dated January 21, 2020, a copy of which letter is attached to this Resolution and made a part hereof.

Upon vote, this motion carried unanimously.

WETLANDS PERMIT APPLICATION OF ISSAC YITZCHOK WEIDER. Affecting property located on the west side of Tranquility Road, approximately 400 feet from the intersection of Joy Road. Designated on the Town of Ramapo Tax Map as Parcel ID #41.09-1-28. Subject property located 49 Tranquility Road.

Chairwoman Brown questioned if the Notice of Public Hearing was posted, published and mailed. Sydney Aliseo, the Deputy Village Clerk, answered yes.

Issac Wieder, the Applicant, appeared before the Board and requested an adjournment as they are currently waiting for a response from the DEC.

Chairwoman Brown questioned if anyone from the public wished to speak.

Carrie Dweck, 53 Tranquility Road, appeared before the Board and requested to view a copy of the plans. Issac Wieder stated that the plans have not been finalized since feedback has not been received from the DEC. Mr. Wieder encouraged Ms. Dweck to visit his family's property to review the drafted plans.

Chairwoman Brown made a motion to adjourn the public hearing to March 25, 2020, seconded by Lon Lieberman. Upon vote, this motion carried unanimously.

CONTINUATION OF PUBLIC HEARING ON THE APPLICATION OF CONGREGATION KHAL CHASIDIM OF WESLEY HILLS FOR A SPECIAL PERMIT AND SITE PLAN APPROVAL FOR A NEIGHBORHOOD GATHERING. Affecting property located on the west side of Martha Road approximately 220 feet from the intersection of Grandview Avenue. Designated on the Town of Ramapo Tax Map as Parcel ID#41.14-1-66. Subject property is located at 15 Martha Road.

Steve Sparaco, the Applicant's Engineer, appeared before the Board and stated that the following agency memos were received:

1. Rockland County Highway Department memo dated 2/14/20
2. Town of Ramapo Department of Public Works memo dated 2/11/20
3. Rockland County Health Department memo dated 2/24/20
4. Rockland County Planning Department memo dated 2/26/20
5. Rockland County Sewer District No.1 memo dated 2/24/20

Steve Sparaco stated that the Applicant will comply with all of the comments on the Rockland County Health Department memo. Mr. Sparaco stated that the Applicant will comply with all of the comments on the Town of Ramapo Department of Public Works memo, as the Applicant is using the existing sewer line. Mr. Sparaco stated that the Applicant will comply with all of the comments on the Rockland County Sewer District No.1.

Frank Brown, the Village Attorney, stated that the Rockland County Planning Department's letter did not state that the Applicant must comply with all of the comments on the Rockland County Highway

Department's memo. However, Frank Brown stated that the Board must consider the items that were mentioned. Mr. Brown stated that the Rockland County Highway Department does not have the authority to require all parking spaces to be located on site. That requirement would contradict the relevant provisions of the Village's Zoning Law. Mr. Brown stated that the parking requirement is determined by the Planning Board.

Steve Sparaco stated that the offsite parking spaces are located within 300 feet of the property and are capable of parking more than two cars.

Mendel Silberberg, 206 Grandview Avenue, appeared before the Board and agreed with Steve Sparaco. He confirmed that many parking spaces are available on his driveway.

Steve Sparaco stated that percolation tests were completed on the property and that pervious pavers cannot be used due to the highwater table.

Chairwoman Brown questioned if the Village Engineer agreed with the Applicant's Engineer? Matt Trainor answered yes and confirmed that he was onsite when the test.

Matt Trainor stated that his review letter dated 11/22/19 should be a condition of approval.

Frank Brown stated that the Board can make a decision on the Application without a response from the neighboring municipalities, because they have had the application for several weeks. Mr. Brown stated that the 30-day requirement only pertains to the Rockland County Planning Department.

Chairwoman Brown asked if anyone from the public wished to speak?

Janice Golda, 16 Martha Road, appeared before the Board and submitted a letter dated 2/26/20 to the Chairwoman and Planning Board with questions and comments regarding the application.

Frank Brown stated that the comment from the Rockland County Department of Planning regarding the seven on-street parking spaces states that the Planning Board cannot use those spaces towards parking requirement calculation. Mr. Brown stated that the Applicant is not using any of the on-street parking spaces to fulfill the requirement.

Chairwoman Brown stated that this application is different than other previously approved neighborhood gatherings because the Congregants will only be meeting on Fridays, Saturdays, Sundays and major Jewish holidays, most times in which the Congregants do not drive.

Mark Kurzmann, the Applicant's Attorney, stated that as per the narrative summary dated 1/22/20, there will be services held on Friday, Saturday, Sunday and major Jewish holidays. Mr. Kurzmann stated that the majority of the Congregants will most likely walk on Sunday as well, however, should they wish to drive, there will be enough parking spaces to accommodate the members. Mark Kurzmann confirmed that the multipurpose room will only be used by bona fide members of the Congregation.

David Katznelson stated that the Board cannot require the Applicant to fill the parking spaces on the site prior to use of the neighboring properties' driveways and the on-street parking.

Chairwoman Brown stated that should a resident wish that the Village install "no parking" signs, said resident must reach out the Village Board with his or her request.

In response to a question from a member of the public regarding the height of the proposed building, Todd Rosenblum stated that the Application does not require a variance for the proposed building height. Mr. Rosenblum stated that the maximum permitted building height is 26 feet and 16 feet is being proposed, and the maximum permitted exposed building height is 40 feet and 34 feet is being proposed. Mr. Rosenblum stated that there is not a separate height requirement for non-residential properties.

Janet Winter, 11 Martha Road, expressed her concerns regarding the proposed lighting? Joe Moskowitz stated that the lighting plan is more restrictive than previously approved applications. Mr. Moskowitz stated that the Village's lighting limit is .6 lumens, the Applicant is proposing .1 lumens.

Chairwoman Brown questioned if the owners of the neighboring properties that bordered the proposed parking area were present? They were not present.

Chairwoman Brown stated that a site visit should be completed on the property to determine if the existing landscaping provides sufficient screening or if additional landscaping needs to be proposed. The Board determined that a site visit would be best.

David Lichtenstein, the Applicant, stated that any and all landscaping will be provided should the Board or neighbors deem it necessary.

Todd Rosenblum presented to the Board samples of the exterior façade and roofing material. Mr. Rosenblum stated that the Applicant will be using an off-white stucco along with a wood roof.

Chairwoman Brown questioned if there is proposed landscaping in the rear of the structure to ensure a residential feel. Todd Rosenblum stated that a patio may be installed and therefore landscaping can not be placed, however, the building will blend with the residential neighborhood.

Chairwoman Brown made a motion to close the public hearing except for site plan approval, seconded by Rachel Taub. Upon vote, this motion carried unanimously.

David Katznelson made a motion to approve the following resolution, seconded by Rachel Taub:

Resolution #20-12
CONGREGATION KHAL CHASIDIM SPECIAL PERMIT AND SITE PLAN

WHEREAS, Congregation Khal Chasidim has applied to the Planning Board for approval of a special permit and a site plan for a neighborhood gathering on premises located on the westerly side of Martha Road known as 15 Martha Road and designated on the Town of Ramapo Tax Map as Section 41.14, Block 1 1, lot 66, and for a special permit for increased impervious surface on the said premises; and

WHEREAS, a duly advertised public hearing has been held on said application at the Village Hall, 432 Route 306, Wesley Hills, New York, on January 8, 2020, and was continued on January 29, 2020 and February 26, 2020, at which times all interested parties present were given an opportunity to be heard; and

WHEREAS, the Planning Board has considered the Environmental Assessment Form and supporting documentation submitted by the Applicant;

NOW, THEREFORE, BE IT RESOLVED, based upon such consideration, informal site inspection by Board members, and the representations of the applicant concerning the proposed use of the premises (including the specific representations as to the limited scope of the activities on the site), it is hereby determined that the proposed project will not have a significant impact on the environment as defined by the State Environmental Quality Review Quality Review Act (SEQRA), for the following reasons:

1. The applicant has demonstrated that the proposed onsite drainage system will be sufficient to ensure that there will be no net increase in the peak rate of discharge from the site, notwithstanding the increase in impervious surface on the subject lot.
2. There will be no sight distance problem resulting from the proposed project.
3. The applicant has proposed the use of driveways on four nearby lots for overflow parking (with the written approval of the owners of those lots). The Planning Board has determined that the use of such lots is practical and sufficient, so long as the proposed special permit use is operated in compliance with the applicant's representations (which compliance will be required by the Planning Board). Therefore the Planning Board has determined that no significant impact will occur on the neighboring streets due to parking.

Upon vote, this motion carried unanimously.

Lon Lieberman made a motion to approve the following resolution, seconded by David Katznelson:

Resolution #20-13
CONGREGATION KHAL CHASIDIM SPECIAL PERMIT

WHEREAS, Congregation Khal Chasidim has applied to the Planning Board for approval of a special permit for a neighborhood gathering on premises located on the westerly side of Martha Road known as 15 Martha Road and designated on the Town of Ramapo Tax Map as Section 41.14, Block 1, Lot 66; and

WHEREAS, a duly advertised public hearing has been held on said application at the Village Hall, 432 Route 306, Wesley Hills, New York, on January 8, 2020, and was continued on January 29, 2020, and February 26, 2020, at which times all interested parties present were given an opportunity to be heard; and

WHEREAS, said application was referred to the Rockland County Department of Planning for review pursuant to General Municipal Law sections 239-1 and 239-m, and by letter report dated February 26, 2020, the Rockland County Department of Planning notified this Planning Board that it had approved the application subject to conditions set forth therein; and

WHEREAS, heretofore on February 26, 2020, by Resolution #20-12, this Board determined that the proposed project will not have a significant impact on the environment as defined by the State Environmental quality Review Act (SEQRA);

NOW, THEREFORE, BE IT RESOLVED, that said application for a special permit for a neighborhood gathering is hereby granted, subject to the following conditions:

1. The neighborhood gathering shall be operated in strict conformance with the representations set forth in the narrative summary submitted to the Planning Board by Mark J. Kurzman on behalf of the applicant dated January 22, 2020, a copy of which document is attached to this Resolution and made a part hereof.
2. There shall be compliance with all conditions set forth in the letter report of the Rockland County Department of Planning dated February 26, 2020, a copy of which letter report is attached to this Resolution and made a part hereof. However, with regard to recommendation #16, the Planning Board has determined that it is not practical for pervious pavers to be used on the subject lot due to the high groundwater level on and in the vicinity of the site.
3. There shall be compliance with all conditions set forth in the letter of the Rockland County Sewer District No.1 dated February 24, 2020, a copy of which letter is attached to this Resolution and made a part hereof.
4. There shall be compliance with all conditions set forth in the letter of the Town of Ramapo Department of Public Works dated February 11, 2020, a copy of which letter is attached to this Resolution and made a part hereof.
5. Pursuant to section 230-26G(1)(f) of the Code of the Village of Wesley Hills, the Planning Board hereby determines that the provision of 30 parking spaces, including 17 of which may be located off-site, as shown on the applicant's site plan and as referred to in the applicants aforementioned narrative summary, will be sufficient for the neighborhood gathering to be able to operate in a manner that is consistent with public safety and neighborhood character. That determination is based on the applicant's representation concerning its presently intended operation of the neighborhood gathering. Therefore, pursuant to section 230-26G(1)(f) of the Code of the Village of Wesley Hills and pursuant to the discretion granted to the Planning Board by section 230-26G(1)(g) of the Code of the Village of Wesley Hills:
 - a. The Planning Board allows 4 parking spaces at 17 Martha Road, 4 parking spaces at 202 Grandview Avenue, 6 parking spaces at 206 Grandview Avenue, and 3 parking spaces at 203 Grandview Avenue to count towards satisfaction of the parking requirement, provided that at all times the Village shall have in its files written permission for such parking executed by all then current owners of the said respective lots. Each year during the month of January, the then operator of the neighborhood gathering shall file such written permission with the Village. If such filing is not made, the Village shall notify the operator and in the event of failure to file such written permission within 30 days of such notification the permission for such off-site parking shall be deemed to have been revoked. If at any time the ownership of any of the said lots shall change for any reason whatsoever, the then operator of the neighborhood gathering, within 30 days of such change in ownership, shall submit to the Village a new document in writing giving permission for such parking, executed by all of the then current owners of that lot; and, in the event of a failure to provide such new permission document, the permission for such parking to continue on that lot shall be deemed to have been revoked. If at any time any of the owners of any of the said lots shall revoke such permission for any reason whatsoever, or shall be deemed (pursuant to the provisions of either of the two previous sentences) to have revoked such permission, the parking spaces on that lot will not longer be counted towards satisfaction of the parking requirement, and the then operator of the neighborhood gathering on the subject premises, within 30 days

of such revocation or deemed revocation, shall apply to the Planning Board for a modification of this special permit, which application must show the provision of all of the parking spaces no longer counted in a replacement located deemed adequate and sufficient by the Planning Board.

- b. In the event that permission to use any of the said lots for off-site parking is revoked or deemed to be revoked in accordance with the provisions of paragraph 5a hereinabove, and if the then operator of the neighborhood gathering on the subject premises shall fail to apply to the Planning Board for a modification of this special permit to show the provision of all of the parking spaces no longer counted in a suitable replacement location in accordance with the requirements of paragraph 5a hereinabove, then the special permit shall be deemed to be revoked.
 - c. The Planning Board reserves the authority, at any time hereafter, if it shall have determined that a genuine issue has arisen concerning the sufficiency of the parking requirement to enable the neighborhood gathering to continue in a manner that is consistent with public safety and neighborhood character, and on notice to the then owner of the subject premises and the then operator of the neighborhood gathering on said premises, to adopt a resolution directing the then owner of the subject premises and the then operator of the neighborhood gathering on said premises to appear before the Planning Board at a subsequent public hearing for a consideration of whether the special permit shall be revised to require additional parking spaces.
6. If, at any time within one year of the issuance of a certificate of occupancy for the new structure on the subject lot, the Planning Board shall determine that the light emanating from the subject property is excessive, the applicant shall appear before this Board for approval of a revised landscaping plan and/or window treatments.
 7. The multipurpose room shall be used only for celebratory events for bona fide members of the applicant's congregation. As agreed to by the applicant, any person who purports to become a "member" of the congregation for a temporary period only that is restricted to the date of such event and/or a short period of time around such date shall not be deemed to be a bona fide member, for the purposes of enforcing this condition.
 8. The multi-purpose room may not be used as a commercial catering facility, which is not a permitted use in the R-50 Zoning District, and its availability for such use shall not be advertised in any manner.
 9. No truck or any vehicle designated to serve as a mobile commercial kitchen for catering purposes shall be allowed to idle on the site for a continuous period of more than 10 minutes.
 10. No generator shall be used on the site except for emergency situations when power is lost.

Upon vote, this motion carried unanimously.

Joe Moskowitz made a motion to approve the following resolution, seconded by Rachel Taub:

Resolution #20-14
CONGREGATION KHAL CHASIDIM SPECIAL PERMIT

WHEREAS, Congregation Khal Chasidim has applied for a special permit for increased impervious surface on premises located on the westerly side of Martha Road known as 15 Martha Road and designated on the Town of Ramapo Tax Map as Section 41.14, Block 1, Lot 66; and

WHEREAS, a duly advertised public hearing was held on said application at the Village Hall, 432 Route 306, Wesley Hills, new York, on January 8, 2020, and was continued on January 29, 2020 and February 26, 2020, at which times all interested parties present were given the opportunity to be heard; and

WHEREAS, heretofore on February 26, 2020, by Resolution #20-12, this Board determined that the proposed project, including the proposed increased imperious surface, will not have a significant impact on the environment as defined by the State Environmental Quality Review Act (SEQRA);

NOW, THEREFORE, BE IT RESOLVED, that said application for a special permit for increased impervious surface to allow an impervious surface ratio of 0.26, as depicted on the site plan entitled “Planimetric Plan for 15 Martha Road Located in the Village of Wesley Hills, Town of Ramapo, Rockland County, New York”, dated November 12, 2019 and last revised January 8, 2020, prepared by Sparaco & Youngblood, PLLC, is hereby granted.

Upon vote, this motion carried unanimously.

Chairwoman Brown made a motion to adjourn the public hearing for site plan approval to March 25, 2020, seconded by David Katznelson. Upon vote, this motion carried unanimously.

PUBLIC HEARING ON THE APPLICATION SUBMITTED BY CONGREGATION BAIS YAKOV YOSEF OSTROW FOR A REVISED SPECIAL PERMIT AND A REVISED SITE PLAN. Affecting property located on the southwest corner of the intersection of Skylark Drive and Ridgeway Terrace. Designated on the Town of Ramapo Tax Map as Parcel ID#41.16-1-79. Subject property is located at 5 Ridgeway Terrace.

Chairwoman Brown questioned if the Notice of Public Hearing was posted, published and mailed. Sydney Aliseo, the Deputy Village Clerk, answered yes.

Todd Rosenblum, the Applicant’s Architect, appeared before the Board and stated that the following 27 letters of support were submitted to the Village of Wesley Hills Zoning Board of Appeals:

- Eli Weiss – 17 Skylark Drive
- Yakov Miller – 3 Sherri Lane
- Alan Goldfisher – 1 Pleasant Ridge Road
- Robert Rosenberg – 3 Ridgeway Terrace
- Sam Wainhaus – 42 Skylark Drive
- David Gelman – 4 Sherri Lane
- David Wanounou – 34 Skylark Drive
- Leah Rubin – 6 Ridgeway Terrace
- Zev Grunswieg – 4 Ridgeway Terrace
- Nuchem Mehring – 123 Grandview Avenue
- Benjamin Paneth – 96 Grandview Avenue
- Yoel Jacobs – 2 Sansberry Lane

- Eliazer Eisenberger – 16 Sherri Lane
- Shia Ganz – 32 Skylark Drive
- Motty Meisers – 29 Skylark Drive
- Dan Vogel – 4 Skylark Drive
- Mordechai Rosenberg – 25 Tammy Road
- Gerald Slater – 30 Skylark Drive
- Reuven Slater – 30 Skylark Drive
- Baruch Yudasin – 27 Skylark Drive
- Yossi Goldbrenner – 31 Skylark Drive
- Ronald Holzberg – 24 Skylark Drive
- Yosef Klein – 10 Sherri Lane
- Abraham A. Miller – 4 Sansberry Lane
- Ephraim Karmel – 17 Sherri Lane
- Chaim M. Ziffer – 119 Grandview Avenue
- Joseph Rosenberg – 7 Skylark Drive

Todd Rosenblum stated that the application that was made to the ZBA is identical to the application that was made to the Planning Board. Mr. Rosenblum stated that the Zoning Board scheduled a site visit at the property on 3/15/20. Mr. Rosenblum stated that the property is one lot out of an average density subdivision, therefore the lot is undersized for an R-35 Zoning District.

Susan Conceicao, 33 Skylark Drive, stated that she is in support of the application, however, has concerns regarding existing parking. Ms. Conceicao stated that the Congregants are parking on both sides of the street, causing safety concerns. Todd Rosenblum stated that there are “no parking” signs located on the street, however, if one is missing, it will need to be replaced by the Village. The Village Attorney stated that if a car is parked in front of a “no parking” sign, the police should be called.

Todd Rosenblum stated that the Congregation is not expanding, however, the Mikvah addition will allow more comfort for the existing Congregants.

Todd Rosenblum stated that the Applicant will comply with all of the comments made on the Rockland County Health Department memo dated 2/13/20.

Todd Rosenblum stated that the Applicant will comply with all of the comments made on the Rockland County Sewer District No.1 memo dated 2/10/20.

Todd Rosenblum stated that the “no parking” signs were installed by the Village, and not by the applicant, in reference to comment #1 on the Rockland County Highway Department memo dated 2/11/20. Todd Rosenblum stated that in regards to comment #2 and #4, the Congregation was previously approved 10 years ago and that the parking requirement was determined by the Village’s Planning Board.

Chairwoman Brown stated that the Rockland County Planning Department’s memo dated 2/26/20 was received late of the day of the meeting and therefore has not been fully reviewed by the Board members.

David Katznelson made a motion to approve the following resolution, seconded by Rachel Taub:

Resolution #20-15

CONGREGATION BAIS YAKOC YOSEF OSTROW REVISED SPECIAL PERMIT AND REVISED
SITE PLAN

WHEREAS, on June 27, 2012, by Resolutions #12-23 and #12-24, the Planning Board approved a revised special permit and revised site plan for a neighborhood gathering on premises located on the westerly side of Ridgeway Terrace and the southerly side of Skylark Drive known as 5 Ridgeway Terrace and designated on the Town of Ramapo Tax Map as Section 41.16, Block 1, Lot 79, and on August 26, 2015, by Resolution #15-18, the Planning Board approved a further revision to said site plan; and

WHEREAS, Congregation Bais Yaakov Yosef Ostrow has applied to the Planning Board for approval of a further revised special permit and a further revised site plan for the said neighborhood gathering, and for a special permit for increased impervious surface on the said premises; and

WHEREAS, by Resolution #20-9, the Planning Board declared itself to be Lead Agency for the purposes of conducting a coordinated review of the proposed project pursuant to the State Environment Quality Review Act (SEQRA); and

WHEREAS, a duly advertised public hearing has been held on said application at the Village Hall, 432 Route 306, Wesley Hills, New York, on February 26, 2020, at which time all interested parties present were given an opportunity to be heard; and

WHEREAS, the Planning Board has considered the Environmental Assessment Form and supporting documentation submitted by the Applicant;

NOW, THEREFORE, BE IT RESOLVED, based upon such consideration, informal site inspection by Board members, and the representations of the applicant concerning the proposed use of the premises, it is hereby determined that the proposed project as depicted on the site plan entitled "Proposed Addition Phase 2, Cong. Bais Yakov Yosef Ostrow, Town of Ramapo, Rockland County, Wesley Hills, New York", dated December 30, 2015 and last revised December 19, 2019, prepared by Anthony Celentano P.L.S., will not have a significant impact on the environment as defined by the State Environmental Quality Review Act (SEQRA), for the following reasons:

1. The applicant has demonstrated that the proposed onsite drainage system will be sufficient to ensure that there will be no net increase in the peak rate of discharge from the site, notwithstanding the increase in impervious surface on the subject lot.
2. The neighborhood gathering has operated on the subject site for many years without causing any adverse impact on the environment.
3. The proposed expanded structure and facilities depicted on the propose revised site plan are not anticipated to cause any additional adverse impact on the environment, because the expansion is minimal, both in terms of the extent of the physical expansion and the expansion of usage of the facility, and therefore it is not anticipated that additional traffic will be generated.

Upon vote, this motion carried unanimously.

David Katznelson made a motion to approve the following resolution, seconded by Lon Lieberman:

Resolution #20-16
CONGREGATION BAIS YAKOV YOSEF OSTROW REVISED SPECIAL PERMIT AND REVISED
SITE PLAN

WHEREAS, on June 27, 2012, by Resolutions #12-23 and #12-24, the Planning Board approved a revised special permit and a revised site plan for a neighborhood gathering on premises located on the westerly side of Ridgeway Terrace and the southerly side of Skylark Drive known as 5 Ridgeway Terrace and designated on the Town of Ramapo Tax Map as Section 41.16, Block 1, Lot 79, and on August 26, 2015, by Resolution #15-18, the Planning Board approved a further revision to said site plan; and

WHEREAS, Congregation Bais Yakov Yosef Ostrow has applied to the Planning Board for approval of a further revised special permit and a further revised site plan for the said neighborhood gathering, and for a special permit for increased impervious surface on the said premises; and

WHEREAS, that application and proposed revised site plan were referred for review to the Rockland County Department of Planning and other agencies; and

WHEREAS, the Planning Board received a review letter thereon from the Rockland County Highway Department dated February 11, 2020;

NOW, THEREFORE, BE IT RESOLVED, upon consideration of that review letter, the Planning Board hereby advises the Zoning Board of Appeals of the Village of Wesley Hills that it finds comments #1, 2, and 4 set forth in the said review letter to be factually incorrect, and the Planning Board therefore intends not to act in accordance with those comments. In particular the Planning Board finds that those comments reflect (1) either an unawareness of or a misunderstanding of the provisions of the Zoning Law of the Village of Wesley Hills pertaining to neighborhood gatherings (as set forth in section 230-36G of the Code of the Village of Wesley Hills), (2) an unawareness that the neighborhood gathering has been operating at the present location (without objection from the Rockland County Highway Department) for approximately 10 years, (3) an unawareness that the traffic control signs referred to in comment #1 of the said review letter were not illegal, inasmuch as they were installed on Village streets pursuant to the direction of the Board of Trustees upon the recommendation of the Planning Board, and (4) the operation of the neighborhood gathering during the past 10 years has not had any adverse impact upon the right-of-way of Grandview Avenue (which is the appropriate jurisdiction of the Rockland County Highway Department).

Upon vote, this motion carried unanimously.

Chairwoman Brown made a motion to adjourn the public hearing, seconded by Rachel Taub. Upon vote, this motion carried unanimously.

APPROVE 1/29/20 PLANNING BOARD MINUTES.

Lon Lieberman motioned to approve the 1/29/20 Planning Board minutes, seconded by Rachel Taub. Upon vote, this motion carried unanimously.

Chairwoman Brown made a motion to adjourn the meeting to March 25, 2020, seconded by Lon Lieberman. Upon vote, this motion carried unanimously.

Respectfully Submitted,
Sydney Aliseo