

**Village of Wesley Hills
Planning Board – June 10, 2020**

Present: Chairwoman-Vera Brown, Joe Moskowitz, Rachel Taub, Albert Tew-Second Alternate

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

Absent: David Katznelson, Israel Shenker, Lon Lieberman-First Alternate

The meeting was called to order by Chairwoman, Vera Brown, at 7:32p.m.

CONTINUATION OF 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 stated that a public hearing on the application was held on 2/26/20, at which time a decision could not be made on the application as variances from the Zoning Board of Appeals were required. However, due to the Covid-19 pandemic, the hearing was adjourned until today, June 10, 2020. Chairwoman Brown stated that since the last hearing in February, the Zoning Board of Appeals granted said variances subject to several conditions, but each of these conditions either has been satisfied, is being satisfied at this meeting, or will be required to be satisfied.

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

Todd Rosenblum, the Applicant's Architect, appeared before the Board and stated that the required variances were granted by the ZBA on May 20, 2020. Todd Rosenblum stated that the Congregation is not expanding, however, the proposed Mikvah addition will allow more comfort for the existing male Congregants. Todd Rosenblum stated that the Phase 1 plan, which was regarding the residential portion of the structure, was previously approved at the January 29, 2020 Planning Board meeting and that the Board is reviewing Phase 2 of the plan tonight.

Todd Rosenblum requested that the Board override item #5 on the Rockland County Department of Planning letter dated 2/26/20. Frank Brown, the Village Attorney, stated that the Board will not be required to override item #5 as the item states that the Village must consider the comments made in the Rockland County Highway Department letter and does not state that the Applicant must comply with the comments.

Chairwoman Brown questioned if the Village Professionals have any comments regarding the application? Matt Trainor, the Village Engineer, stated that items #1-3, and #7, listed on his letter dated 1/9/20 still apply to the application and should be made a condition of approval. Todd Rosenblum agreed. Jeff Osterman, the Village Planner, stated that he has no concerns and that he believes the proposed front elevation is an improvement to the site.

Rachel Taub stated that considering the current pandemic and health crisis, the expansion of the Mikvah to allow more room and space to change is a benefit to the members of the Congregation.

Chairwoman Brown questioned if anyone from the public wished to speak? No one wished to speak.

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

Rachel Taub made a motion to approve the following resolution, seconded by Albert Tew:

Resolution #20-17

CONGREGATION BAIS YAKOV YOSEF OSTROW REVISED SPECIAL PERMIT

WHEREAS, on June 27, 2012, by Resolution #12-23, the Planning Board approved a revised special permit 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

WHEREAS, Congregation Bais Yakov Yosef Ostrow has applied to the Planning Board for approval of a further revised special permit for the said neighborhood gathering; and

WHEREAS, a duly advertised public hearing was held on said application at the Village Hall, 432 Route 306, Wesley Hills, New York, on February 26, 2020, and was continued via a Zoom meeting noticed to the public and available to the public on June 10, 2020, at which times all interested parties present were given an opportunity to be heard; and

WHEREAS, said special permit application and the related site plan were 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 special permit and related site plan subject to recommended modifications set forth therein; and

WHEREAS, heretofore on February 26, 2020, by Resolution #20-15, 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); and

WHEREAS, on May 20, 2020, the Zoning Board of Appeals of the Village of Wesley Hills adopted a resolution granting variances for the proposed project subject to certain conditions set forth therein, all of which are required to be satisfied by the conditions of this Resolution;

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

1. There shall be compliance with all conditions imposed by the Zoning Board of Appeals in connection with the granting of such variances.
2. The neighborhood gathering shall be operated at all times in accordance with the conditions set forth in the aforementioned Resolution #12-23, as supplemented by the additional representations set forth in the letter submitted to the Planning Board by Todd Rosenblum, RA dated December 31, 2019.
3. There shall be compliance with all recommended modifications 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.

4. There shall be compliance with all conditions set forth in the letter of Rockland County Sewer District No. 1 dated February 10, 2020, a copy of which letter is attached to this Resolution and made a part hereof.
5. There shall be compliance with all conditions set forth in the letter of Rockland County Department of Health dated February 13, 2020, a copy of which letter is attached to this Resolution and made a part hereof.

And BE IT FURTHER RESOLVED, that with specific reference to comment 5 set forth in said letter report of the Rockland County Department of Planning, which merely requires this Board to review and consider the comments set forth in a review letter from the Rockland County Highway Department dated February 11, 2020, this Board reaffirms that it has considered such comments and continues to find such comments to be both factually and legally incorrect for the reasons set forth in Resolution #20-16 adopted on February 26, 2020, and therefore this Board declines to follow comments #1,2, and 4 set forth in the said review letter from the Rockland County Highway Department.

Upon vote, this motion carried unanimously.

Chairwoman Brown made a motion to approve the following resolution, seconded by Albert Tew:

Resolution #20-18

CONGREGATION BAIS YAKOV YOSEF OSTROW SPECIAL PERMIT

WHEREAS, Congregation Bais Yakov Yosef Ostrow has applied to the Planning Board for a special permit for increased impervious surface 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

WHEREAS, a duly advertised public hearing was held on said application at the Village Hall, 432 Route 306, Wesley Hills, New York, on February 26, 2020, and was continued via a Zoom meeting noticed to the public and available to the public on June 10, 2020, at which times all interested parties present were given an opportunity to be heard; and

WHEREAS, heretofore on February 26, 2020, by Resolution #20-15, this Board determined that the increased impervious 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 "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 R. Celentano P.L.S., is hereby granted.

Upon vote, this motion carried unanimously.

Chairwoman Brown made a motion to approve the following resolution seconded by Albert Tew:

Resolution #20-19

CONGREGATION BAIS YAKOV YOSEF OSTROW REVISED SITE PLAN

WHEREAS, on June 27, 2012, by Resolution #12-24, the Planning Board approved 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 site plan for the said neighborhood gathering; and

WHEREAS, a duly advertised public hearing was held on said application at the Village Hall, 432 Route 306, Wesley Hills, New York, on February 26, 2020, and was continued via a Zoom meeting noticed to the public and available to the public on June 10, 2020, at which times all interested parties present were given an opportunity to be heard; 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 26, 2020, the Rockland County Department of Planning notified this Planning Board that it had approved the site plan subject to recommended modifications set forth therein; and

WHEREAS, heretofore on February 26, 2020, by Resolution #20-15, 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); and

WHEREAS, on May 20, 2020, the Zoning Board of Appeals of the Village of Wesley Hills adopted a resolution granting variances for the proposed project subject to certain conditions set forth therein, all of which are required to be satisfied by the conditions of this Resolution;

NOW, THEREFORE, BE IT RESOLVED, that said application for approval of a revised site plan is hereby granted for the site plan titled "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 R. Celentano P.L.S., subject to the following conditions:

1. There shall be compliance with all conditions imposed by the Zoning Board of Appeals in connection with the granting of such variances.
2. The neighborhood gathering shall be operated at all times in accordance with the conditions set forth in Resolution #12-23 which granted approval for a revised special permit, as supplemented by the additional representations set forth in the letter submitted to the Planning Board by Todd Rosenblum, RA dated December 31, 2019.
3. There shall be compliance with all recommended modifications 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.

4. There shall be compliance with all conditions set forth in the letter of Rockland County Sewer District No.1 dated February 10, 2020, a copy of which letter is attached to this Resolution and made a part hereof.
5. There shall be compliance with all conditions set forth in the letter of Rockland County Department of Health dated February 13, 2020, a copy of which letter is attached to this Resolution and made a part hereof.
6. There shall be compliance with conditions 1 through 3 and 7 set forth in the letter of Brooker Engineering, PLLC dated January 9, 2020, a copy of which letter is attached to this Resolution and made a part hereof.

And BE IT FURTHER RESOLVED, that with specific reference to comment 5 set forth in said letter report of the Rockland County Department of Planning, which merely requires this Board to review and consider the comments set forth in a review letter from the Rockland County Highway Department dated February 11, 2020, this Board reaffirms that it has considered such comments and continues to find such comments to be both factually and legally incorrect for the reason set forth in Resolution #20-16 adopted on February 26, 2020, and therefore this Board declines to follow comments #1, 2, and 4 set forth in the said review letter from the Rockland County Highway Department.

And BE IT FURTHER RESOLVED, that the architectural plans entitled “CBYYO Mikvah, 5 Ridgeway Terrace, Wesley Hills, NY”, dated November 12, 2019, prepared by Adaptive Architecture, are hereby approved.

Upon vote, this motion carried unanimously.

APPROVE 2/26/20 PLANNING BOARD MINUTES.

Rachel Taub motioned to approve the 2/26/20 Planning Board minutes, seconded by Joe Moskowitz. Upon vote, this motion carried unanimously.

Albert Tew made a motion to adjourn the meeting to June 24, 2020, seconded by Rachel Taub. Upon vote, this motion carried unanimously.

Respectfully Submitted,
Sydney Aliseo