

**Village of Wesley Hills  
Planning Board – April 28, 2021  
ZOOM**

Present: Chairwoman-Vera Brown, Israel Shenker, David Katznelson, Lon Lieberman, Albert Tew, Vanessa Caren-First Alternate, Neal Wasserman-Second Alternate

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

Absent:

The meeting was called to order by Chairwoman, Vera Brown, at 7:30p.m.

**PUBLIC HEARING ON THE WETLANDS PERMIT APPLICATION OF ELLIOT**

**APPEL.** Affecting property located on the west side of Roble Road approximately 300 feet from the intersection of Ari Drive. Designated on the Town of Ramapo Tax Maps as Parcel ID#32.18-2-37. Subject property is located at 21 Roble Road.

Chairwoman Brown questioned if the public hearing was properly noticed? Sydney Aliseo, Deputy Village Clerk, answered yes.

Rachel Barese, the Applicant's Engineer, stated that the Applicant is proposing an addition on the existing dwelling that is within 100 feet of the buffer of a freshwater wetland. Ms. Barese stated that a revised plan dated 4/12/21 was submitted to the Village as per the Village Engineer's letter dated 3/19/21.

Chairwoman Brown questioned if the Village Professionals had any concerns in regards to the application. Matt Trainor stated that he submitted a letter dated 4/15/21 with minor comments. Mr. Trainor stated that the addition is proposed over the existing driveway and will not cause any additional drainage concerns. Mr. Trainor stated that as per his latest letter, the plan will need to be altered slightly as per the Zoning Board of Appeals approval. Jeff Osterman, the Village Planner, stated that there is little to no impact from the proposed addition in that the addition does not encroach the backyard any further than the existing dwelling.

Chairwoman Brown questioned if anyone from the public wished to be heard in regards to this application?

Henry Epstein, 6 Timber Trail, appeared before the Board and stated that the large amount of construction on Roble Road has caused an increase in water on his property and the drain nearby. Mr. Epstein stated that the drain is filled with debris and needs to be cleaned out.

Israel Shenker questioned if Mr. Epstein's concerns are in regards to this specific project or if they are due to the large amount of construction in the area? Mr. Epstein stated that his property is located downstream from Roble Road and that the new construction upstream from him and the increase in impervious surface has worsened the existing problem.

Chairwoman Brown asked Matt Trainor if this proposed construction could cause a problem for Mr. Epstein. Mr. Trainor answered no.

Sydney Aliseo, Deputy Village Clerk, requested that Mr. Epstein contact her with more details in order to determine who is responsible for the drain cleanout.

Chairwoman Brown made a motion to approve the following resolution, seconded by Israel Shenker:

Resolution #21-3

APPEL WETLANDS PERMIT

WHEREAS, Elliot Appel has applied for a Wetlands Permit for authorization to construct an addition to an existing house within 100 feet of the boundary of a freshwater wetland, on premises located on the westerly side of Roble Road, known as 21 Roble Road and designated on the Town of Ramapo Tax Maps as Section 32.18, Block 2, Lot 37; and

WHEREAS, a duly advertised public hearing was held on said application at the Village Hall, 432 Route 306, Wesley Hills, New York via a Zoom meeting noticed to the public and available to the public on April 28, 2021, 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 a Wetlands Permit is hereby granted for such construction of an addition to an existing house within 100 feet of the boundary of a freshwater wetland, as shown on the plot plan designated as "Building Permit Plan for 21 Roble Road, Village of Wesley Hills – Rockland County – New York" prepared by Civil Tec Engineering & Surveying PC dated April 2, 2021 and last revised April 12, 2021, subject to compliance with all conditions set forth in the letter of Brooker Engineering, PLLC dated April 15, 2021, a copy of which letter is attached to this Resolution and made a part hereof.

Upon vote, this motion carried unanimously.

**PUBLIC HEARING ON THE APPLICATION OF AMS ACQUISITIONS FOR PRELIMINARY PLAT APPROVAL FOR A PROPOSED FOURTEEN-LOT SUBDIVISION.** Affecting property located at the easterly end of Jeremy Court and the Westerly end of Rockwood Lane. Designated on the Town of Ramapo Tax Map as Parcel ID #32.19-2-4. Subject property is located at 15 Terrace Road.

Chairwoman Brown stated that the Board members are aware that there is a great amount of public interest in this project. Chairwoman Brown stated that everyone will have the opportunity to be heard in regards to this Application.

Amy Melee, the Applicant's Attorney, appeared before the Board and stated that the Applicant is proposing a 14-lot subdivision on the property located at 15 Terrace Lane. Ms. Melee stated that the purpose of this meeting is to hear the public's concerns and address the Board member's comments.

Zachary Chaplin, the Applicant's Engineer, appeared before the Board and presented a plan dated 3/30/21. Mr. Chaplin stated that the plan includes access from Powder Horn Drive, two cul-de-sacs, and an emergency access road onto Rockwood Lane. Mr. Chaplin stated this layout is suited best for the topography of the site and the existing Conservation Easement on adjacent properties. Mr. Chaplin stated that the Planning Board reviewed an alternative plan showing two cul-de-sacs with separate entrances from Jeremy Court and Rockwood Lane. Mr. Chaplin stated that due to the slope of the site, a single entrance from Jeremy Court would be the safer option. Zachary Chaplin stated that as per the last Planning Board meeting, the plan was revised, and additional trees are proposed to remain. Mr. Chaplin stated that trees will be proposed on the north side of the site to provide additional screening. Zachary Chaplin stated that the soil on the site is not conducive to drainage and new utilities will need to be constructed.

Jeff Osterman stated that there are four entrance points on the property that the Applicant had to review: Beatrice Road which connects to a wetland, Terrace Lane which is not wide enough for an entrance, Rockwood Lane which is feasible, and Jeremy Court which is being proposed. Jeff Osterman stated that the entrance can be from both Rockwood and/or Jeremy Court and is a matter of opinion. Jeff Osterman stated that the Application is not ready to address or review the SEQRA process tonight which addresses items such as water supply, sewer, drainage, and traffic. Mr. Osterman stated that the SEQRA process is complex, and all environmental issues will be fully reviewed and analyzed by the Board. Jeff Osterman questioned who the Applicant is, the size of the proposed homes, and the construction time frame for the project?

Chairwoman Brown questioned the Village Planner's opinion in regards to the access onto Rockwood Lane? Jeff Osterman stated that access onto Rockwood Lane is more difficult in that the road does not connect in a convenient location but it is a feasible option.

Chairwoman Brown questioned if the Village Engineer had any comments in regards to the application. Matt Trainor stated that he submitted a review letter dated 4/26/21 and that the Applicant is not ready for a Negative Declaration at the current time. Mr. Trainor reviewed his review letter for the Applicant, the Board members, and the members of the public.

Chairwoman Brown questioned if the Village Attorney had any comments in regards to the application. Frank Brown, the Village Attorney, stated that the Planning Board will require a note on the plat that identifies two model home lots by lot number and two hold-back lots by lot number before preliminary plat approval.

Amy Melee requested that the Board declare itself to be the SEQRA lead agency at tonight's meeting. Frank Brown stated that the Board had already declared lead agency in December, 2019.

Israel Shenker questioned how the Applicant should address the Timber Rattlesnake issue? Matt Trainor stated that the Applicant should have an Environmental Consultant review the site and to reach out to the DEC for more information.

The following residents appeared before the Board and stated their opposition to the proposed access point from Powder Horn Drive (via Jeremy Court) and voiced their concerns in regards to traffic, safety, privacy, drainage, and noise:

- Fred Jilleba – 21 Powder Horn Drive
- Daniel Yaniv – 27 Powder Horn Drive
- Sol Rosenberg – 31 Powder Horn Drive
- Robert Waitman – 19 Powder Horn Drive
- Shira Waitman – 19 Powder Horn Drive
- Moshe Ollech – 18 Powder Horn Drive
- Steve Vita – 26 Powder Horn Drive
- Bob Ratner – 48 Powder Horn Drive
- Daniel Kunstlinger – 23 Powder Horn Drive
- Joshua E. Chesir – 16 Powder Horn Drive
- Fran Chesir – 16 Powder Horn Drive
- Irene Kiegler – 17 Powder Horn Drive
- Jacob Cynamon - 3 Powder Horn Drive
- David Belsky – 12 Powder Horn Drive

The following residents appeared before the Board in favor of the application:

- Moshe Florence – 45 Powder Horn Drive
- Hadassah Streicher – 44 Powder Horn Drive

The following residents appeared before the Board and voiced their concerns in regards to privacy, drainage, and noise:

- David Jungris – 9 Cains Road
- Avi Orlansky – 7 Cains Road

Chairwoman Brown stated that the Board would consider whether a through road from Rockwood Lane to Powder Horn Drive would become a short-cut onto Route 306.

Zachary Chaplin stated that access onto Rockwood Lane would cause a safety issue in that the road would have a steeper slope with a curved entrance. Zachary Chaplin stated that the Applicant, the Developer, and himself, would be more than happy to meet with the adjacent property owners to discuss the project and possible screening options.

Israel Shenker questioned if access was proposed onto Rockwood Lane, could the road curve sooner to make for a safe entrance? Zachary Chaplin stated that when tying into an existing road you want to ensure the road is perpendicular. Mr. Chaplin stated that he will review the options with the Applicant.

David Katznelson stated that the curve onto Rockwood Lane would not be any worse than the existing blind curves on Powder Horn Drive.

Chairwoman Brown stated that streetlights may need to be proposed for safety.

Neal Wasserman stated that Powder Horn Drive is a winding road and that the neighbors have concerns because they fear the increased traffic will cause additional safety concerns on an already unsafe roadway.

Vanessa Newman Caren stated that she currently lives on Powder Horn Drive and that 14 lots with only one access point causes safety concerns.

Robert Waitman stated that the East Ramapo Central School District has a rule that no bus can turn into a cul-de-sac or any street in which it would need to reverse. Mr. Waitman stated that he is concerned with the safety of the children that will be waiting at the end of a dangerous street. David Katznelson confirmed the law. Mr. Waitman stated that he will submit a copy of the rule to the Board for its review. Zachary Chaplin stated that the lot is zoned for residential homes and is meant for residential families.

Zachary Chaplin stated that the Applicant will provide a traffic study.

In response to a question about noise impacts during construction, Chairwoman Brown stated that the Applicant must comply with the Village Noise Law with regards to the permissible times for construction activities.

Joshua Chesir suggested that the Applicant propose speed bumps in order to reduce speeding. Chairwoman Brown said that that would be considered.

Irene Kiegler stated her concerns in regards to numerous environmental concerns.

Amy Melee stated that construction plans will be submitted to the Board for their review.

Chairwoman Brown questioned how the Applicant will address the stormwater runoff. Zachary Chaplin stated that erosion control devices will be installed.

Zachary Chaplin stated that the Applicant will attempt to preserve as many of the existing rock walls as possible.

Frank Brown stated that the proposed walking path leads to Sikorsky Park. Should any work be proposed in the park, the Village Board would review the plan.

Matt Trainor stated that a waiver from the subdivision standards is required for the length of the proposed cul-de-sacs.

The Board members scheduled a site visit for 5/11/21 at 6pm and will meet at Rockwood Lane.

Chairwoman Brown asked if anyone else wished to speak this evening. as no one did, Chairwoman Brown made a motion to adjourn the public hearing to May 26, 2021 at 7:30pm, seconded by Israel Shenker. Upon vote, this motion carried unanimously.

**DISCUSSION ON THE WETLANDS PERMIT APPLICATION OF SHIMON**

**ROSENBERG.** Affecting property located on the west side of Marcus Drive approximately 250 feet from the intersection of Village Green. Designated on the Town of Ramapo Tax Maps as Parcel ID#41.12-1-40. Subject property is located at 12 Marcus Drive.

Shimon Rosenberg, the Applicant, appeared before the Board and stated that he had hired a landscaper to clean up brush in the rear of his property. The Landscaper accidentally cleared brush inside the conservation easement and wetland. Mr. Rosenberg stated that a mitigation plan dated 4/12/21 was submitted to the Village for the Board's review.

Matt Trainor stated that he submitted a letter dated 4/15/21 with comments. Mr. Trainor stated that he has no objection to the application at the current time. Mr. Trainor stated that should the Applicant wish to complete any additional construction on the exterior of the house, a revised plan with the proposed work must be submitted for approval.

Shimon Rosenberg stated that he is looking to expand his deck, regrade the property, and remove trees that had fallen.

Ari Manheimer, the Applicant's Engineer, questioned if silt fencing is required to be installed. Matt Trainor stated that silt fences should be installed where they are necessary as the vegetation is growing back. Matt Trainor stated that a portion of the work that was done encroached the conservation easement.

Frank Brown suggested that the Deputy Village Clerk reach out to the Village Board to inform them of the encroachment.

Chairwoman Brown questioned if the Village Planner had any comments in regards to the application? Jeff Osterman answered no.

Matt Trainor stated that no work on the deck can be completed until a Wetlands Permit is granted.

Israel Shenker made a motion to approve the following resolution, seconded by Lon Lieberman:

Resolution #21-4  
ROSENBERG WETLANDS PERMIT

RESOLVED, that the public hearing on a Wetlands Permit application by Shimon Rosenberg for property located on the westerly side of Marcus Drive, known as 12 Marcus Drive and designated on the Town of Ramapo Tax Maps as Section 41.14, Block 1, Lot 40, for authorization to implement a mitigation plan for the restoration of a disturbed area within a freshwater wetlands and to construct a replacement deck which is larger in size than the existing deck, to re-grade the yard, and to remove trees 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 26<sup>th</sup> day of May, 2021 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.

**APPLICATION OF ROCKLAND GOSPEL HALLS, INC FOR A SPECIAL PERMIT FOR A NEIGHBORHOOD GATHERING.** Affecting property located on the south side of Wesley Chapel Road approximately 90 feet east of Spook Rock Road. Designated on the Town of Ramapo Tax Map as Parcel ID#41.09-1-30. Subject property is located at 1 Wesley Chapel Road.

John Atzl, the Applicant's Engineer, appeared before the Board and stated that the Applicant is looking to convert the existing structure into a neighborhood gathering and submitted a plan dated 3/18/21. Mr. Atzl stated that there will be approximately 45 to 50 congregants that will meet. Mr. Atzl stated that the Applicant is proposing a new sanitary disposal system on the site. A lighting and landscaping plan will be submitted.

Frank Brown stated that a more detailed narrative needs to be submitted for the Planning Board to review.

Matt Trainor stated that he submitted a letter dated 4/16/21 with standard comments. Mr. Trainor stated that the Applicant is proposing 20 parking spaces which is the Village's minimum.

John Atzl requested that the curbing not be required along the proposed parking lot. Matt Trainor stated that he does not object to his request, subject, however, to submission and approval of a drainage report. Mr. Atzl stated that he will submit a revised plan addressing all of the Village Engineer's comments.

Chairwoman Brown stated that the Applicant must reach out to the DEC in regards to the Timber Rattlesnakes.

John Atzl questioned if the application was sent for GML review? Sydney Aliseo answered not yet. The application will be forwarded for review after a public hearing is scheduled.

Chairwoman Brown made a motion to approve the following resolution, seconded by Israel Shenker:

Resolution #21-6  
ROCKLAND GOSPEL HALLS, INC. SPECIAL PERMIT AND SITE PLAN



WHEREAS, Rockland Gospel Halls, Inc. has applied for a special permit and site plan approval for a neighborhood gathering on premises located on the southerly side of Wesley Chapel Road known as 1 Wesley Chapel Road and designated on the Town of Ramapo Tax Map as Section 41.09, Block 1, Lot 30,

NOW, THEREFORE, BE IT RESOLVED, that the Planning Board hereby declares its intent to be the Lead Agency pursuant to SEQRA for the purpose of conducting a coordinated review.

Upon vote, this motion carried unanimously.

Israel Shenker made a motion to approve the following resolution, seconded by David Katznelson:

Resolution #21-5  
ROCKLAND GOSPEL HALLS, INC. SPECIAL PERMIT AND SITE PLAN

RESOLVED, that a public hearing on the applications of Rockland Gospel Halls, Inc. for approval of a special permit and site plan approval for a neighborhood gathering on premises located on the southerly side of Wesley Chapel Road known as 1 Wesley Chapel Road and designated on the Town of Ramapo Tax Map as Section 41.09, Block 1, Lot 30, will be held before the Planning Board of the Village of Wesley Hills on the 30<sup>th</sup> day of June, 2021 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.

**APPROVE 1/27/21 PLANNING BOARD MINUTES.**

Chairwoman Brown motioned to approve the 1/27/21 Planning Board minutes, seconded by David Katznelson. Upon vote, this motion carried unanimously.

**APPROVE 3/24/21 PLANNING BOARD MINUTES.**

Israel Shenker motioned to approve the 3/24/21 Planning Board minutes, seconded by David Katznelson. Upon vote, this motion carried unanimously.

Chairwoman Brown made a motion to close the meeting, seconded by David Katznelson. Upon vote, this motion carried unanimously.

Respectfully Submitted,  
Sydney Aliseo