

**Village of Wesley Hills
Planning Board – July 28, 2021
IN PERSON**

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, Camille Guido-Downey-Village Clerk, Tara Roberts-Deputy Village Clerk

Absent: none

The meeting was called to order by Chairwoman Vera Brown, at 7:33p.m.

PUBLIC HEARING ON 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.

Chairwoman Brown asked if the public hearing was properly noticed. Tara Roberts, Deputy Village Clerk, answered yes.

The Board is in receipt of a letter from the Applicant requesting an adjournment of this matter until the September 22, 2021 meeting.

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

Resolution #21-14
ROCKLAND GOSPEL HALLS, INC. SPECIAL PERMIT AND SITE PLAN

WHEREAS, by Resolution #21-11, the Planning Board rescheduled 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, to be held before the Planning Board of the Village of Wesley Hills on the 28th day of July, 2021; and

WHEREAS, a Notice of Public Hearing for such date has been published and posted, and therefore the public hearing has been opened; and

WHEREAS, the applicant has advised the Planning Board, after publication and posting of the Notice of Public Hearing, that it will not have its revised plans prepared in time for this meeting and has requested that the public hearing on its application be adjourned until September 22, 2021 instead;

NOW, THEREFORE, BE IT RESOLVED, that the public hearing on the aforementioned application shall be adjourned until the 22nd day of September, 2021 at 7:30 PM, at the Village Hall, located at 432 Route 306 in the Village of Wesley Hills, upon the request of the applicant.

Upon vote, this motion was carried unanimously.

CONTINUED 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 objective for this evening's meeting is to consider all four options/layouts submitted by the applicant, select one of them, and then request updated engineering plans.

Amy Mele, Esq., appeared for the Applicant.

Mr. Milar from Stonefield Engineering spoke to the traffic study. Chairwoman Brown stated that East Ramapo School District has a policy that school buses are not allowed to go into a cul-de-sac or to back up. She added that the safety of the children is of paramount importance. She also stated that the Village has no control over that policy.

As a result of a site visit by the Planning Board in June and a TAC meeting and a traffic study, Zach Chaplin from Stonefield Engineering & Design prepared an original plan and 3 alternative options for consideration by the Planning Board. The four plans presented were:

1. This plan is similar to the plan considered at the Public Hearing on April 28, 2021 but with a permanent connection to Rockwood Lane instead of an emergency connection only.
 - A. This plan has connections to Rockwood Lane and Jeremy Court via separate roads which are connected by an additional road.
 - B. This plan has a single road connecting Rockwood Lane and Jeremy Court in the most direct way and with two cul-de-sacs from that road.
 - C. This plan has a single road connecting Rockwood Lane and Jeremy Court with a big loop to the north and no cul-de-sacs.

Mr. Chaplin would like to proceed with the Plan 1.

Clifford Davis, Esq.-attorney for a Rockwood resident was present. He read a prepared statement, that was entered into the record opposing any connection to Rockwood Lane other than an emergency exit.

Frank Brown stated that the Planning Board would not be granting preliminary plat approval at this meeting. He further stated that engineering documents needed to be prepared and reviewed, which cannot be done until the Planning Board confirms which plan it refers.

The following residents appeared before the Board and stated their opposition to a full connection to Rockwood Lane:

- David Jungreis – 9 Cains Road
- Levi Kelman-10 Rockwood Lane
- Jonathan Gross-15 Rockwood Lane
- Elliott Kahan-2 Hunters Run
- Susan Sherman-3 Rockwood Lane

The following residents appeared before the Board in favor of the connection to Rockwood Lane:

- Steve and Vita Wolinsky – 26 Powder Horn Drive
- Robert Waitman – 19 Powder Horn Drive
- Daniel Kunstlinger – 23 Powder Horn Drive
- Irene and Marvin Kigler – 17 Powder Horn Drive

Robert Waitman, 19 Powder Horn, prepared a letter with an informal traffic study, recommending a connection between Jeremy Court and Rockwood Lane.

Surendra Bansal-1 Rockwood lane-asked what an emergency exit means. Would there be a sign? He further stated that there should be no other vehicles that should be allowed to use other than for emergencies. Vera Brown clarified that the emergency exit would be used only in cases like a fire and/or an evacuation. There would be a gate there to prevent other use. However, none of the four layouts being considered at this meeting includes an emergency exit.

Vera Brown stated that the Village Code allows fourteen homes on a cul-de-sac. She stated, however, that having two exits for emergency use is critical.

Lisa Eisen-4 Hunters Run- suggested the use of 2 cul de sacs with 7 homes on each.

Levi Kelman, 10 Rockwood Lane, stated that the traffic study did not study the cut throughs so we don't really know what the impacts would be. He is open to development but wants it to be a win/win not a detriment.

Andrew Villari, Traffic Engineer at Stonefield Engineering, submitted a traffic study on June 7, 2021. He conducted the study on Wednesday, May 12th from 7am-9am and 2pm-7pm to capture the busiest times of day and the traffic counts at these times. In addition, Sunday May 16th was studied from 11am-2pm. Route 306 and Hidden Valley, Lime Kiln, Powder Horn, and Rockwood, Route 306. Mr. Villari's study found:

- Route 306 is a busy roadway with four times the amount of traffic as Lime Kiln Road.

- The study looked at accident history. Route 306 and Rockwood Lane had 3 accidents in 4 years, Lime Kiln and Powder Horn had one accident in the same timeframe.
- All of the plans have multiple access points. The roadways can absolutely handle 28 additional traffic/vehicles.
- There are approximately 60 homes on Powder Horn and Hidden Valley. The study showed that the traffic impact of 14 additional homes would be negligible.
- Regarding school buses, Mr. Villari was in touch with the transportation department at East Ramapo School District. They prohibit buses from u-turns, k-turns, and going into cul-de-sacs. As part of the study, a drone was flown that showed no buses going into cul-de-sacs but instead doing loops.
- Mr. Villari stated that e-commerce is designed to be smart and efficient. In the future, those trucks, not additional ones, will deliver to the new homes. The new development would not add delivery trucks.

Amy Mele requested direction from the Board. She stated that there is every intention to satisfy SEQRA and that the original sketch plan was approved a year ago.

Jeff Osterman stated that there were two threshold questions:

1. How would buses navigate the development? This answer is what changed the plan.
2. Should there be a cut-through?

Matt Trainor stated that fire access is a factor.

Vera Brown asked the Village professionals which of the plans they favor and why:

Mr. Osterman: Plan 1 because of the bus issue and the speed concerns that arise due to the cut-through. Mr. Osterman cited many options to remediate speed including speed bumps, stop signs and speed limits.

Mr. Trainor: Plan 1 because of the lack of concrete information on the connecting road in Sketch A or the cut-through in Sketch B. He believes that Plan 1 is the best plan to address bus stops and routes, and the grading at intersections, and it does not require a waiver under the Subdivision Regulations. The other plans have less desirable grades. He reiterated that three-way stops, radar signs and speed bumps can be used to assist with the foreseen speeding concerns.

Additional concerns raised by audience:

- Cut-through was originally temporary, now to be permanent
- There is a new grocery store being built which will increase traffic from Powder Horn toward Pomona.
- This area will be used as a cut-through to Route 306
- Speed limit on Route 306 is 45 mph, Powder Horn is 30 mph

Chairwoman Brown polled the Board members as to which of the four (4) proposed layouts they would prefer. Plan 1 was unanimously chosen. Vera Brown reiterated that the safety of children and others is paramount.

Frank Brown summarized the status of this application:

- The Applicant has not been granted approval tonight.
- The Board is not committed to approve sketch 1 but will consider it further when additional engineering documents are submitted.
- The Board has instructed the applicant to work up plans based on sketch 1.
- After those plans are submitted, a more detailed SEQRA review will be done.

Israel Shenker made a motion to adjourn the Public Hearing to the August 25th meeting, seconded by David Katznelson. Upon vote, this motion carried unanimously.

CONSIDERATION ON THE APPLICATION OF SUEZ WATER NEW YORK FOR A REVISED SPECIAL PERMIT AND A REVISED SITE PLAN APPROVAL FOR A PROPOSED WATER TREATMENT BUILDING. Affecting property located on a 3.01 acre parcel in the R-50 and R-35 zoning districts having frontage on Willow Tree and Forshay Road (County Route No. 81)

Sean Peters, civil engineer at H2M and Jim Roberts Senior Vice President were present. Also present was Lino Sciarretta, esq., the Applicant's Attorney.

Vera Brown inquired about whether the water treatment plant would cause smells or noise. Both representatives from H2M responded no and stated that the plant utilizes granular activated carbon. Chairwoman Brown asked about emissions, Suez representatives answered no.

Mr. Peters stated the following:

- The site cannot be seen from Willow Tree Road because of setback, existing vegetation, and topography.
- The proposed building will be 960 square feet, which was determined by the filters.
- There is an existing well house and the new building would be behind it.
- Proposed building will not change water distribution.
- Applicant will respond to the comments from Brooker Engineering.
- The closest residences are 185 feet, 135 feet, and 255 feet from this site.

David Katznelson asked if the new structure would be seen from Forshay Road. Sean Peters stated no. David Katznelson asked if it was going to be seen from the houses. Mr. Peters responded that it would be minimal, because they would be leaving as many trees as possible to remediate. Only 6 trees are to be removed per the current plan. There is a variance that may be needed for the height of the structure.

Vera Brown inquired about the proposed color of the structure. Mr. Peters responded neutral/earth tone.

Neal Wasserman inquired about noise impact. Sean Peters stated no. Mr. Wasserman then inquired about how often the filters are to be changed. Sean Peters stated that the filters work in pairs and would be changed every 6 months. Mr. Wasserman asked if H2M could dig lower to avoid height variances. Sean Peters stated that this was impractical.

H2M agreed to contact the DEC regarding rattle snakes.

Board members agreed to conduct a site inspection of the property on August 8th at 10:30 AM.

Jeff Osterman asked if a Wetlands Permit would be required. Frank Brown stated that the Wetlands Permit is not needed because the Special Permit and the site plan approvals will cover that issue, as specified in Section #221-10A of the Village Code.

David Katznelson made the following motion to schedule the Public Hearing to August 25th, seconded by Vera Brown.

Resolution #21-15

SUEZ WATER NEW YORK, INC. REVISED SPECIAL PERMIT AND SITE PLAN

WHEREAS, pursuant to Section 230-13 (2) of the Code of the Village of Wesley Hills, SUEZ Water New York, Inc. (the successor in interest to United Water New York) is deemed to have a special permit for a public utility well pump station on premises located on the westerly side of Forshay Road and the southerly side of Willow Tree Road and designated on the Town of Ramapo Tax Map as Section 41.10, Block 2, Lot 44; and

WHEREAS, on August 27, 2008, by Resolutions # 08-18 and 08-19, the Planning Board approved a revised special permit and a revised site plan for United Water New York for the aforesaid premises; and

WHEREAS, SUEZ Water New York, Inc. has now applied to the Planning Board for revisions to that special permit and site plan to allow the addition of a water treatment facility on the said premises;

NOW, THEREFORE, BE IT RESOLVED, that a public hearing on the application of SUEZ Water New York, Inc. for a revised special permit and a revised site plan to allow the addition of a water treatment facility on the said premises will be held before the Planning Board of the Village of Wesley Hills on the 25th day of August, 2021 at 7:30 P.M., at the Village Hall, located at 432 Route 306 in the Village of Wesley Hills.

Upon vote, this motion carried unanimously.

APPLICATION OF CONGREGATION KHAL CHASIDIM FOR REVISION OF SITE PLAN APPROVAL TO APPROVE REVISED ARCHITECTURAL PLANS. 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.

Todd Rosenblum, the applicant's architect, presented two pictures of the proposed renovation including stone façade for the front and the side. Mr. Rosenblum stated that the goal is to have the building continue to look old. Samples of the stone were shown. Frank Brown questioned

whether the windows would have an arch or not, as both have been shown in plans. Mr. Rosenblum was not certain, but agreed that they would be consistent.

Frank Brown advised the Planning Board that it had the option to schedule a public hearing on the proposed revision or to determine that a public hearing was unnecessary because the revision was not substantial.

David Katznelson made a motion to approve the following resolution, seconded by Vera Brown .

Resolution # 21-16
CONGREGATION KHAL CHASIDIM SITE PLAN

WHEREAS, on June 24, 2020, by Resolution # 20-20, the Planning Board approved a site plan for a neighborhood gathering on premises located on the westerly side of Martha Road know as 15 Martha Road and designated on the Town of Ramapo Tax Map as Section 41.14, Block 1, Lot 66; and

WHEREAS, a portion of the aforesaid Resolution # 20-20 approved architectural plans for the proposed new building on the premises; and

WHEREAS, Congregation Khal Chasidim has applied to the Planning Board for approval of revised architectural plans for the said building which change its exterior appearance; and

WHEREAS, the proposed revised architectural plans do not change the size or location of the proposed building, and therefore no alteration of the previously approved site plan is required or requested;

NOW, THEREFORE, BE IT RESOLVED, that the Planning Board hereby exercises its discretion pursuant to Section 230-46F of the Code of the Village of Wesley Hills to determine that because the proposed revision to the exterior of the building is minor and is aesthetically pleasing, a public hearing on the proposed revision to the architectural plans is unnecessary; and

BE IT FURTHER RESOLVED, that the architectural plans entitled “Cong. Khal Chassidim, 15 Martha Road, Wesley Hills, NY”, dated October 25, 2019 and last revised July 20, 2021, prepared by Adaptive Architecture, are hereby approved, subject to incorporation of the materials presented to the Planning Board on July 28, 2021 and described in the Minutes of that meeting; and

BE IT FURTHER RESOLVED, that the architectural plans approved hereby may be altered in the following respect: the tops of all of the eight windows in the front elevation may be uniformly changed to the arches shown in the architectural plans and originally approved by Resolution # 20-20.

Upon vote, this motion carried unanimously

PB
7/28/2021

Approved

APPROVE 6/30/21 PLANNING BOARD MINUTES.

Lon Lieberman made a motion to approve the 6/30/21 Planning Board minutes, seconded by Neal Wasserman . Upon vote, this motion carried unanimously.

Israel Shenker made a motion to adjourn the meeting, seconded by Lon Lieberman. Upon vote, this motion carried unanimously.

Respectfully Submitted,
Tara Roberts