

**Village of Wesley Hills
Planning Board – December 22, 2021
ZOOM MEETING**

Present: Chairwoman-Vera Brown, 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, Tara Roberts-Deputy Village Clerk

Absent: Israel Shenker

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

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 this is a continuation of the public hearing on the application for preliminary plat approval. Chairwoman Brown also noted that a determination on SEQRA is the next step, a TAC meeting has been held, and that the applicant, through its attorney, has requested an adjournment to the January 26, 2022 meeting.

Vera Brown made a motion to adjourn the public hearing to the January 26, 2022 meeting, seconded by Lon Lieberman.

Resolution # 21-28

AMS ACQUISITIONS SUBDIVISION

RESOLVED, that the public hearing on the application of 15 Terrace Road, LLC for approval of a preliminary plat for premises located at the easterly end of Jeremy Court, the westerly end of Rockwood Lane and Terrace Road, and the southerly end of Beatrice Road and designated on the Town of Ramapo Tax Map as Section 32.19, Block 2, Lot 4 is hereby adjourned until January 26, 2022 upon the request of the applicant.

Upon vote, this motion was passed unanimously.

CONTINUED PUBLIC HEARING ON THE APPLICATION OF JOSEPH KARASH FOR WETLANDS PERMIT AND A CLEARING/FILLING/EXCAVATION PERMIT. Affecting the property located at the northerly side of Glenbrook Road and the southerly side of Forshay Road known as 39 Glenbrook Road. Designated on the Town of Ramapo Tax Map as Parcel ID #41.10-2-21.

Chairwoman Brown opened the public hearing. Chairwoman Brown stated that this application and process began in August and that the process has been slowed due to the applicant not appearing at the initial meeting, requesting adjournments at subsequent meetings, and submitting plans to the Board only 2 days before this meeting. Due to the lateness of a submission, another adjournment has been requested. In addition, Chairwoman Brown stated that it is unacceptable that the silt fencing has not been repaired and consistently maintained, nor were the delays in presenting adequate plans for this application acceptable. Chairwoman Brown encouraged the applicant to do all he could to keep the process moving in the future.

Vera Brown made a motion to adjourn the public hearing to the January 26, 2022 meeting, seconded by Albert Tew. Upon vote, this motion was passed unanimously.

PUBLIC HEARING ON THE APPLICATION OF CHANA GOLD FOR A SPECIAL PERMIT FOR AN ACCESSORY STRUCTURE (SPORTS COURT) IN EXCESS OF 2500 SQUARE FEET. Affecting property situated on the north side of Willow Tree Road approximately 250 feet east of Wilder Road, known as 146 Willow Tree Road, designated on the Tax Map as Section 41.10 Block 2 Lot 47, in an R-35 Zoning District.

Chairwoman Brown opened the public hearing and confirmed with the Deputy Clerk that the notice of public hearing had been properly published and posted. Tara Roberts stated that it had.

Paul Baum, attorney for the applicant, was present. Mr. Baum stated that the Zoning Board of Appeals has granted variances for the applicant, and updated plot plans were submitted on December 8, 2021, updated landscaping plans were submitted December 14, 2021, and Mr. Baum and his client are in receipt of the Brooker Engineering review letter dated December 16, 2021. Mr. Baum stated that he does not have any objections to the review letter.

Matt Trainor stated that he is satisfied with the drainage design. He stated that the drywell pipe is conflicting with the landscaping pipe so this will need to be worked out. Mr. Trainor went on to say that we are awaiting the review from the DEC regarding snakes.

Jeff Osterman stated that the landscaping plan was done well and he believes that it will work well.

Mr. Baum stated that Paul Gdanski was revising the plan so that the lighting was in compliance with the Rockland County Department of Planning review letter dated December 20, 2021.

Vera Brown asked if anyone from the public would like to speak. No one wished to be heard.

Chairwoman Brown asked if the applicant would work with the neighbors if noise or lighting became an issue. Mr. Baum stated that the applicant would be open to working with the neighbors.

Chairwoman Brown made a motion to close the public hearing, seconded by David Katznelson.

David Katznelson made a motion to approve the following resolution, seconded by Vanessa Caren.

Resolution #21-29

GOLD SPECIAL PERMIT

WHEREAS, Chana Gold has applied to the Planning Board of the Village of Wesley Hills for a special permit for an accessory structure in excess of 2,500 square feet (a sports court) for property located on the northerly side of Willow Tree Road, known as 146 Willow Tree Road and designated on the Town of Ramapo Tax Maps as Section 41.10, Block 2, Block 47, as required by Section 230-14O (4) (b) of the Code of the Village of Wesley Hills; and

WHEREAS, a public hearing on said application was held by the Planning Board on December 22, 2021 via a Zoom meeting noticed to the public and available to the public, at which time all members of the public wishing to speak had 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-l and 239-m; and

WHEREAS, the Rockland County Department of Planning has not yet submitted its General Municipal Law review letter, but the substantially identical proposal had been referred to the Rockland County Department of Planning for review pursuant to General Municipal Law sections 239-l and 239-m in connection with the applicant's application to the Zoning Board of Appeals for variances, and by letter report dated September 8, 2021, the Rockland County Department of Planning notified the Zoning Board of Appeals that it had approved the application subject to conditions set forth therein, and the Planning Board reasonably believes that the review letter that it will receive from the Rockland County Department of Planning will approve this application subject to the identical conditions; and

WHEREAS, on November 17, 2021, 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 it is hereby determined that the proposed project is an Unlisted Action which will not have a significant impact on the environment as defined in the State Environmental Quality Review Act (SEQRA) for the reasons that the Village Engineer has determined that stormwater runoff from the proposed sports court can be accommodated without damaging neighboring or downstream properties and the proposed landscaping and lighting plans will result in sufficient dissipation of light at the property lines in order to screen adjacent properties from adverse effects of the proposed lighting; and

BE IT FURTHER RESOLVED, that said application for a special permit for an accessory structure in excess of 2, 500 square feet (a sports court), as depicted on the plot plan entitled "Plot Plan for 146 Willow Tree Road, 41.10-2-47, located in the Village of Wesley Hills,

Rockland County, New York” prepared by Paul Gdanski P.E., PLLC, dated March 19, 2021 and last revised December 8, 2021, is hereby granted, subject to the following conditions:

1. There shall be compliance with all recommended modifications set forth in the letter report of the Rockland County Department of Planning submitted to the Zoning Board of Appeals dated September 8, 2021, a copy of which letter report is attached to this Resolution and made a part hereof, as well as all additional recommendations that may be contained in the letter report of the Rockland County Department of Planning that will be submitted to the Planning Board.
2. There shall be compliance with all conditions imposed by the Zoning Board of Appeals in connection with the granting of such variances.
3. The Lighting Plan submitted as part of the aforementioned plot plan shall be revised to comply with modification 4 set forth in the letter report of the Rockland County Department of Planning submitted to the Zoning Board of Appeals dated September 8, 2021.
4. There shall be compliance with all conditions set forth in the letter of Brooker Engineering, PLLC dated December 16, 2021, a copy of which letter is attached to this Resolution and made a part hereof.
5. There shall be compliance with the accompanying landscaping plans entitled “Tennis Court Planting Plan, Gold Residence, 146 Willow Tree Road, Wesley Hills, NY” prepared by Chester Design, LLC Landscape Architecture, dated November 11, 2021 and last revised December 14, 2021.
6. There shall be compliance with the condition set forth in the letter of Rockland County Center for Environmental Health dated December 22, 2021, a copy of which letter is attached to this Resolution and made a part hereof.
7. There shall be compliance with all standards and requirements set forth in the Zoning Law that pertain to exterior lighting on the subject lot, except that this shall not excuse compliance with the stricter requirement in effect pursuant to condition 3 hereinabove.
8. There shall be compliance with all conditions that may be set forth by the New York State Department of Environmental Conservation in its review letter to be submitted to the Planning Board.

Upon vote, this motion was passed unanimously.

APPROVE 12/1/21 PLANNING BOARD MINUTES.

Lon Lieberman made a motion to approve the 12/1/21 Planning Board minutes, seconded by Vanessa Caren. Upon vote, this motion carried unanimously.

Vera Brown made a motion to adjourn the meeting, seconded by Albert Tew. Upon vote, this motion carried unanimously.

Respectfully Submitted,
Tara Roberts