

**Village of Wesley Hills  
Planning Board – April 27, 2022  
ZOOM MEETING**

Present: Chairwoman-Vera Brown, Lon Lieberman, Albert Tew, Neal Wasserman-First Alternate, Joshua Scheinberg-Second Alternate

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

Absent: Israel Shenker, Vanessa Caren

The meeting was called to order by Chairwoman Vera Brown, at 7:30p.m. Chairwoman Brown stated that there are five (5) Wednesdays in June and requested that the June meeting be slated for the fifth, June 29<sup>th</sup>. The Board unanimously agreed.

**CONSIDERATION OF THE APPLICATION OF CONGREGATION KOL YAKOV FOR A SPECIAL PERMIT AND SITE PLAN APPROVAL FOR A NEIGHBORHOOD GATHERING.** Affecting property located on the west side of Wilder Road, approximately 170 feet north of Ardley Place. Designated on the Town of Ramapo Tax Map as Parcel ID #41.10-1-19. Subject property is located at 29 Wilder Road.

Chairwoman Brown stated that the attorney for the applicant has requested a postponement to the May meeting. Frank Brown stated that the mailing and the publication on this matter has already been completed and neighbors may be in attendance for that reason. Mr. Brown indicated that opening the public hearing and adjourning would be appropriate. Chairwoman Brown made a motion to adjourn the public hearing to the May meeting, seconded by Neal Wasserman.

Resolution #22-9  
CONGREGATION KOL YAKOV SPECIAL PERMIT AND SITE PLAN

WHEREAS, by Resolution #22-6, the Planning Board scheduled a public hearing on the applications of Congregation Kol Yakov for approval of a special permit and site plan approval for a neighborhood gathering on premises located on the westerly side of Wilder Road known as 29 Wilder Road and designated on the Town of Ramapo Tax Map as Section 41.10, Block 1, Lot 19, to be held before the Planning Board of the Village of Wesley Hills on the 27<sup>th</sup> day of April, 2022; and

WHEREAS, the applicant has advised the Planning Board that it will not have its revised plans prepared in time for that meeting and has requested that the public hearing on its application be adjourned until May 25, 2022;

NOW, THEREFORE, BE IT RESOLVED, that the public hearing on the aforementioned application shall be adjourned until the 25<sup>th</sup> day of May, 2022 at 7:30 P.M., via a Zoom meeting available to the public (or, if a Zoom meeting on that date is not authorized, 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 carried unanimously.

The applicant has been advised that a new posting of the notice of public hearing, referencing the May meeting, will be necessary.

**CONSIDERATION OF THE APPLICATION OF LY CONTRACTOR, INC. ON BEHALF OF DAVID & SHOSHANA WANOUNOU FOR A WETLANDS PERMIT FOR CONSTRUCTION OF AN ADDITION TO AN EXISTING HOUSE, A POOL, AND A PATIO, AND LANDSCAPING WITHIN 100 FEET OF THE BOUNDARY OF A FRESHWATER WETLAND.** Affecting property located on the east side of Marisa Drive, approximately 300 feet north of Soundview Drive. Designated on the Town of Ramapo Tax Map as Parcel ID#41.08-1-51. Subject property is located at 12 Marisa Drive.

Chairwoman Brown read the item into the record.

Levy Steinfeld from LY Contractors was present for the applicant.

Matt Trainor stated that he was very satisfied with the work down on the stormwater plan. Mr. Trainor stated that the hard copies of the plan are difficult to read and more legible plans have been requested prior to the next meeting.

Chairwoman Brown stated that the application only notes landscaping to be done, but far more than that is indicated on the plan. A revised plan must be submitted. Mr. Trainor agreed that the project includes a pool, landscaping, a pool house, an addition to a residence and a rain garden. Mr. Brown requested that the top of the bank and the stream be labeled, as the wetlands could extend past them. Frank Brown asked if it was intended that the 100-foot water course line is the same as the 100-foot wetlands buffer. Matt Trainor agreed that it is. Mr. Brown noted then that all of the work in question is in the wetlands buffer. Matt Trainor agreed that it is.

Levy Steinfeld stated that he was the contact only for the landscaping and footprint increase, as he is not the pool contractor.

Frank Brown asked if there has been a stop work order issued for this site. The Deputy Village Clerk responded no.

Chairwoman Brown asked how many feet there were between where the building ends and the constructions begins. Matt Trainor stated that it is close and that he had asked the applicant to review.

Frank Brown asked if there was anything that would need to be done to protect the environment and neighboring lots if a stop work order is done. Matt Trainor stated that erosion control measures would need to be maintained.

Chairwoman Brown asked if anyone on the Board had an objection to scheduling the public hearing. No one objected.

Chairwoman Brown made a motion to schedule the public hearing for May 25, seconded by Albert Tew.

Resolution # 22-10  
WANOUNOU WETLANDS PERMIT

RESOLVED, that a public hearing on a Wetlands Permit application by LY Contractor, Inc. on behalf of David Wanounou and Shashana Wanounou for property located on the easterly side of Marisa Drive, known as 12 Marisa Drive and designated on the Town of Ramapo Tax Maps as Section 41.08, Block 1, Lot 51, for authorization to construct an addition to an existing house, a swimming pool, a patio, and landscaping 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 25<sup>th</sup> day of May, 2022 at 7:30 P.M., via a Zoom meeting available to the public (or, if a Zoom meeting on that date is not authorized, at the Village Hall, located at 432 Route 306 in the Village of Wesley Hills).

Upon vote, this motion carried unanimously.

Chairwoman Brown stated that it was critical that updated plans be received that are legible and clearly delineate the wetlands. If legible revised plans are not received, this matter will be adjourned until legible plans are available.

**CONSIDERATION OF THE APPLICATION OF YESHOSHUA MONCZYK FOR A PERMIT FOR CLEARING, FILLING OR EXCAVATION OF LAND AND A WETLANDS PERMIT.** Affecting property located on the north side of Glenbrook Road, approximately 85 feet from County Highway 81/ Forshay Road. Designated on the Town of Ramapo Tax Map as Parcel ID#41.10-2-19. Subject property is located at 43 Glenbrook Road.

Yeshoshua Monczyk, applicant, and Anthony Celentano, engineer for the applicant, were present. Mr. Celentano stated that Mr. Monczyk had conducted some work without knowing that he was infringing on the wetlands. There is rip-rap in the stream and boulders have been added. There have been plans submitted showing the work that has been done. Mr. Celentano further stated that Mr. Monczyk plans to build a pool in the future. The plans submitted to the Board include this proposed work in an attempt to avoid the applicant having to return to the Board. Mr. Celentano explained to the Board where the 100-foot buffer was noted, along the perimeter of the house by a dashed line.

Matt Trainor stated that it was concerning that there is rip-rap in the stream and the amount that needs to be removed. Matt Trainor asked to have the plans updated to show stormwater runoff. Mr. Celentano stated that the applicant does not want to deal with the DEC. Mr. Monczyk would like to clean up the property and resolve the violation. Matt Trainor stated that he would like Mr. Celentano to reach out to the Army Corps of Engineers. Mr. Celentano stated that he will ask Robert Torgerson's assistance with this matter. Jeff Osterman reiterated the importance of the DEC's input on this matter, as he believes that it would be easy to make the situation worse during the removal process if not done correctly.

Matt Trainor asked if the stones were being used for the retaining wall for the pool. If they will be used, Mr. Trainor asked how many would be staying and how many would be removed. Mr. Celentano stated that he will work with the homeowner to provide an estimation.

Jeff Osterman stated that he would like a letter from the DEC, as this has the potential of being a major violation.

Mr. Monczyk stated that he was unaware that he was in violation by placing rocks in the stream. Mr. Monczyk stated that he is concerned that the longer the process takes, the worse the harm could be. Mr. Monczyk stated that as soon as he became aware of the concern, he reached out to Anthony Celentano and Robert Torgerson and applied with the Building Department. Matt Trainor stated that we need to ensure that the removal is done the right way and a sequence plan will be required. Mr. Monczyk stated that he is willing to provide silt fencing and bails of hay to remediate the issue.

Mr. Monczyk stated that he believes that this situation has been blown out of proportion. He stated that when the circle at Forshay was created, there was a machine in the stream that was leaking grease. Mr. Trainor stated that the applicant may believe that the situation is being blown out of proportion but other jurisdictions needed to be involved. Mr. Trainor believes that the DEC needs to be contacted first and their input provided.

Chairwoman Brown, Matt Trainor, Jeff Osterman, the applicant and the Board discussed if this application was ready for a public hearing. At the request of Jeff Osterman and Matt Trainor, the DEC needs to be contacted. At the request of Matt Trainor, the Army Corps. Of Engineers needs to be contacted. It was decided to schedule a public hearing, as the potential impact to the environment is time sensitive. However, no additional work or decision on this application will be completed until input from these agencies is received.

Frank Brown requested that instead of the verbiage "flood plains buffer", "wetlands buffer" be substituted. Anthony Celentano agreed to change the verbiage.

Chairwoman Brown made a motion to schedule a public hearing for the May meeting, pending contact with the DEC, seconded by Lon Lieberman.

Resolution #22-11  
MONCZYK WETLANDS PERMIT

RESOLVED, that a public hearing on a Wetlands Permit application by Yehoshua Monczyk for property located on the northerly side of Glenbrook Road, known as 43 Glenbrook Road and designated on the Town of Ramapo Tax maps as Section 41.10, Block 2, Lot 19, for authorization to construct a swimming pool, re-grade the rear yard and add boulders 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 25<sup>th</sup> day of May, 2022 at 7:30 P.M., via a Zoom meeting available to the public (or, if a Zoom meeting on that date is not authorization, at the Village Hall, located at 432 Route 306 in the Village of Wesley Hills).

Upon vote, this motion was passed unanimously.

The applicant was advised that if sufficient additional information is not submitted in time for consideration of the public hearing, the hearing will need to be adjourned.

**CONSIDERATION OF THE APPLICATION OF THE VILLAGE GREEN SHUL FOR A SPECIAL PERMIT AND SITE PLAN APPROVAL FOR A NEIGHBORHOOD**

**GATHERING.** Affecting property locates on the southerly side of Village Green approximately 250 feet East of NYS Route 306. Designated on the Town of Ramapo Tax Map as Parcel ID#41.11-2-17. Subject property is located at 4 Village Green.

Todd Rosenblum, architect for the project, Bill Johnson from Sparaco & Youngblood Engineering, and Ethan Halpert were present for the meeting. Mr. Rosenblum stated that the property is adjacent to Village Hall and that there was a TAC meeting held with the Village professionals. Mr. Rosenblum stated that the proposed plan is to knock down the current single-family home and build a two-story plus basement structure with a mikvah at the back of the property. Parking is a concern with the project. Twenty spaces are provided on-site, forty-seven residential spaces and thirty-three commercial spaces have been secured for the project (all within 100 yards of the site). In addition, Mr. Rosenblum stated that there are forty-nine overflow spaces available at Village Hall. Mr. Rosenblum stated that the applicant intends to address the Village Board of Trustees regarding the lights on the walkway connecting the site to the Village Hall property. Chairwoman Brown asked if the applicant has obtained a letter from each neighbor agreeing to a specific number of spaces. Mr. Rosenblum stated that he would obtain these letters.

Mr. Rosenblum stated that there is the need for several variances, including variances for front yard, impervious surface, maximum front yard impervious, side yard and rear yard. Mr. Rosenblum stated that he will be contacting Doris Ulman for an interpretation on whether an enclosure is considered a structure.

Chairwoman Brown asked if the Village Engineer or Planner had any concerns with the proposed variances. Mr. Osterman stated that the dumpster concern had been addressed and asked if there were updated plans illustrating this. Mr. Johnson stated that there would not be updated plans until after this meeting, but that the dumpster would be moved closer to Village Hall and rotated. Mr. Johnson noted that this new positioning would allow for shrubbery/trees to shield Village Hall.

Chairwoman Brown stated that she is concerned about a garbage truck backing up to provide service. Jeff Osterman stated that it will depend on when they come, i.e., day of week and timing. Todd Rosenblum stated that they use a private carting service so they can schedule the pickup(s) for a time when the parking lot is not being used. Chairwoman Brown requested that the applicant add that the garbage truck would not be coming during times of significant use of the parking lot.

Mr. Rosenblum asked for an explanation on the restriction for the social hall portion of a neighborhood gathering place. Frank Brown stated that it has been a condition of every neighborhood gathering that the Planning Board has approved that individuals be bona fide members of the congregation and that congregations do not make someone a member for the day to allow the privilege of using the space for an event. Mr. Brown further stated that commercial catering halls are not permitted in the Zoning Law. Mr. Brown stated that the applicant needs to be sure that the congregation's intention is accurately depicted in the narrative statement. The parking and other needs/requirements of the site will flow from that narrative. Chairwoman Brown further clarified that congregations are not permitted to advertise for parties as if it were a commercial catering facility. The social space is for the members and their families. This concern is less about religious services and more about parties, and similar celebratory events that will generate traffic and parking demands.

Matt Trainor asked if the office building is affected by giving up their spaces. Further, Mr. Trainor asked if the building would still have sufficient spaces. Frank Brown stated that this was a decision of the Planning Board and is at their discretion. Mr. Rosenblum stated that in the evening, spaces at the office building are empty. Mr. Rosenblum encouraged members of the Planning Board to go past the building to observe on their own. Jeff Osterman observed that this project has more parking capacity than most other applications.

Frank Brown stated that he believed that the Village would be open to the Congregation using the Village Hall parking lot if open with three conditions:

1. The Village would be included as additional insured party on the Congregation's insurance policy.
2. The Congregation would agree to hold the Village harmless.
3. A license would be used between the Village and the Congregation which would give the Village the right to notify the Congregation when the parking lot would not be available for use.

Neal Wasserman stated that he is concerned about the overflow of cars. He is uncomfortable with on-street parking, as parking on the street with events may not leave enough space for two-way traffic. In addition, Mr. Wasserman is concerned about safety and emergency access. Mr. Wasserman stated that he would recommend extending the current no-parking zone on Village Green for safety purposes. Chairwoman Brown asked if a fire truck could get through with parking on both sides of the street. Bill Johnson from Sparaco stated that there is 28/29 feet of roadway on Village Green. He further stated that the average car is 8 feet wide. This would leave 21/22 feet for emergency access. Neal Wasserman stated that he is worried about the disruption to the neighborhood. Todd Rosenblum stated that the Board has granted other Congregations applications with the same conditions. Mr. Rosenblum requested that the Fire Inspector review the current plans for this project.

Bill Johnson stated that a 24-foot roadway was designed which allows the required 150-foot hose lay. There is not over 30 feet to the eave. Mr. Johnson would like to wait for the Fire Inspector/department comments. Chairwoman Brown requested a supplemental narrative be provided speaking to the hours and use of the hall and addressing the dumpster concern. Frank Brown asked if the applicant was prepared to move forward with the public hearing. Mr.

PB  
4/27/2022

approved

Rosenblum requested that the hearing be delayed until feedback from the Fire Inspector has been received. Jeff Osterman requested that the building elevation and lighting plan be addressed before the public hearing is scheduled. Chairwoman Brown stated that the Board would wait to hear back from the applicant. It was determined that a public hearing could be scheduled, but not until June, leaving two months for additional information to be received.

Chairwoman Brown made a motion to schedule the public hearing for June, seconded by Lon Lieberman.

Resolution #22-12  
VILLAGE GREEN SHUL SPECIAL PERMIT AND SITE PLAN

RESOLVED, that a public hearing on the applications of Village Green Shul for approval of a special permit and site plan approval for a neighborhood gathering on premises located on the southerly side of Village Green known as 4 Village Green and designated on the Town of Ramapo Tax Map as Section 41.11, Block 2, Lot 17, will be held before the Planning Board of the Village of Wesley Hills on the 29<sup>th</sup> day of June, 2022 at 7:30 P.M., via a Zoom meeting available to the public (or, if a Zoom meeting on that date is not authorized, at the Village Hall, located at 432 Route 306 in the Village of Wesley Hills).

**APPROVE 3/23/22 PLANNING BOARD MINUTES.**

Lon Lieberman made a motion to approve the 3/23/22 Planning Board minutes, seconded by Albert Tew. Upon vote, this motion carried unanimously.

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

Respectfully Submitted,  
Tara Roberts