

**Village of Wesley Hills
Planning Board – June 29, 2022
ZOOM MEETING**

Present: Chairwoman-Vera Brown, Lon Lieberman, Albert Tew, Neal Wasserman, Vanessa Caren, Joseph Zupnik-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:

The meeting was called to order by Chairwoman Vera Brown, at 7:30p.m. Chairwoman Brown stated that she wanted to confirm the date for the September meeting due to the religious holidays. The Board agreed that September 22nd would be best.

In addition, Chairwoman Brown welcomed Joseph Zupnik to the Board.

CONTINUATION 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 July meeting in advance of this meeting, because its plans would not be ready. Chairwoman Brown made a motion to adjourn the public hearing to the July meeting, seconded by Vanessa Caren.

Resolution # 22-14
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 27th day of April, 2022; and

WHEREAS, the applicant subsequently advised the Planning Board that it would not have its revised plans prepared in time for that meeting and requested that the public hearing on its application be adjourned until May 25, 2022, whereupon the Planning Board adopted Resolution # 22-9 adjourning the public hearing in accordance with that request; and

WHEREAS, on May 17, 2022, the applicant advised the Planning Board in writing that it would not have its revised plans prepared in time for the meeting on May 25, 2022 and therefore

requested that the public hearing on its application be adjourned until June 29, 2022, whereupon the Planning Board adopted Resolution #22-13 adjourning the public hearing in accordance with that request; and

WHEREAS. On June 21, 2022, the applicant advised the Planning Board in writing that it would not have its revised plans prepared in time for the meeting on June 29, 2022 and therefore requested that the public hearing on its application be adjourned until July 27, 2022;

NOW, THEREFORE, BE IT RESOLVED, that the public hearing on the aforementioned application shall be adjourned until the 27th day of July, 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.

CONTINUATION OF A PUBLIC HEARING ON THE APPLICATION OF RALPH RIEDER FOR A SPECIAL PERMIT TO PERMIT THE CONSTRUCTION OF A SPORTS COURT WHICH WILL EXCEED 2,500 SQUARE FEET. Affecting properties located at the south side of Judith Lane, approximately 500 feet east of Martha Road. Designated on the Town of Ramapo Tax Map as Parcel ID #42.18-1-24 and 42.18-1-25. Subject property is located at 15&17 Judith Road.

Chairwoman Brown read the item into the record. Paul Baum, attorney for the applicant, was present. Mr. Baum stated that the lots have been merged to now be known as 15 Judith Lane, Lot 24. Currently there is a house and pool on this property. At this time, the homeowner is proposing the construction of a 7,200 square foot sports court. The applicant had been before the Zoning Board of Appeals and had been granted a height variance for the fence. Further, Mr. Baum stated that a new landscaping plan had been submitted for the sports court that exceeds 2,500 square feet. Mr. Baum stated that there is adequate screening around the court and the lighting plan has been updated so no lights would exceed the .01 threshold. Mr. Baum also referenced seven (7) letters of support from neighbors that have been provided to the Board.

Chairwoman Brown stated that the newest plans were received yesterday and the professionals have not had time to review them. Paul Baum stated that Paul Gdanski stated that the newest submission addressed the drainage concerns.

Chairwoman Brown asked if the Village Planner had any comments. Mr. Osterman asked to confirm if these were two lots. Paul Baum replied that it was now one lot because of the filed lot line disclaimer. Matt Trainor noted a discrepancy with the plantings, as some are in the drainage easement. Chairwoman Brown asked if the applicant had satisfied the items contained in Mr. Trainor's last review letter. Mr. Trainor stated that they had.

Jeff Osterman asked if there was anything remaining that was significant and could change the plan. Matt Trainor stated that the infiltration system was robust and that there was room for planting. Mr. Trainor stated that his concern had been about screening around the court and would recommend this be a condition of approval. In addition, the arborvitaes need to remain

outside of the drainage easement. Matt Trainor stated that there were some plantings planned in the Village right-of-way for Judith Lane. Paul Baum requested that the Board only focus on the screening around the court because the front yard plantings are not related to the sports court and the special permit.

Chairwoman Brown asked if anyone from the Board wished to be heard. Albert Tew stated that he was open to approval with compliance with the Brooker Engineering review letter.

Chairwoman Brown asked if anyone from the Public wished to be heard. No one wished to speak.

Chairwoman Brown made a motion to close the public hearing, seconded by Lon Lieberman. Upon vote, this motion carried unanimously.

Vanessa Caren made a motion to approve the following resolution, seconded by Lon Lieberman.

Resolution #22-15
RIEDER SPECIAL PERMIT

WHEREAS, Ralph Reider 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 southerly side of Judith Lane, known as 15 Judith Lane (formerly 15-17 Judith Lane) and designated on the Town of Ramapo Tax Maps as Section 41.18, Block 1, Lot 24 (formerly Section 41.18, Block 1, Lots 24 and 25), 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 May 25, 2022 via a Zoom meeting noticed to the public and available to the public, and was continued via a Zoom meeting noticed to the public and available to the public on June 29, 2022, at which times all members of the public wishing to speak had an opportunity to be heard; and

WHEREAS, on May 18, 2022, the Zoning Board of Appeals of the Village of Wesley Hills adopted a resolution granting a variance 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 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 “Special Permit Plot Plan for 15 Judith Lane, 41.18-1-24 & 25, located in the Village of Wesley Hills, Rockland County, New York” prepared by Paul Gdanski P.E., PLLC, dated June 20, 2021 and last revised May 23, 2022, is hereby granted, subject to the following conditions:

1. There shall be compliance with the accompanying lighting and construction plans.
2. There shall be compliance with that portion of the accompanying landscaping plan entitled “Rieder Residence, Proposed Landscape Master Plan, 15&17 Judith Lane, Monsey, NY” prepared by High Tech Landscapes, Inc., dated April 29, 2022, which depicts screening around the proposed sports court.
3. There shall be compliance with all conditions imposed by the Zoning Board of Appeals in connection with the granting of such variances.
4. There shall be compliance with all conditions set forth in the letter of Brooker Engineering, PLLC dated June 14, 2022, a copy of which letter is attached to this Resolution and made a part thereof.
5. 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 1 hereinabove.

Upon vote, this motion carried unanimously.

Albert Tew made a motion to approve the following resolution, seconded by Neal Wasserman.

Resolution #22-16
RIEDER SPECIAL PERMIT

WHEREAS, Ralph Rieder has applied to the Planning Board of the Village of Wesley Hills for a special permit for increased impervious surface on premises located on the southerly side of Judith Lane, known as 15 Judith Lane (formerly 15-17 Judith Lane) and designated on the Town of Ramapo Tax Maps as Section 41.18, Block 1, Lot 24 (formerly Section 41.18, Block 1, Lots 24 and 25), 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 May 25, 2022 via a Zoom meeting noticed to the public and available to the public, and was continued via a Zoom meeting noticed to the public and available to the public on June 29, 2022, at which times all members of the public wishing to speak had an opportunity to be heard; and

WHEREAS, heretofore on June 29, 2022, by Resolution # 22-15, 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); and

WHEREAS, on May 18, 2022, the Zoning Board of Appeals of the Village of Wesley Hills adopted a resolution granting a variance 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 FURTHER RESOLVED, that said application for a special permit for increased impervious surface to allow an impervious surface ratio of 0.339, as depicted on the plot plan entitled "Special Permit Plot Plan for 15 Judith Lane, 41.18-1-24 & 25, located in the Village of Wesley Hills, Rockland County, New York" prepared by Paul Gdanski P.E., PLLC, dated June 20, 2021 and last revised May 23, 2022, 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 variance.
2. There shall be compliance with all conditions set forth in the letter of Brooker Engineering, PLLC dated June 14, 2022, a copy of which letter is attached to this Resolution and made a part hereof.

Upon vote, this motion carried unanimously.

CONTINUATION OF A PUBLIC HEARING ON 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 (Isaac) Steinfeld from LY Contractors and the homeowner, David Wanounou, were present and described the application.

Chairwoman Brown stated that the southeast area where the patio is to be located appears to be close to the wetlands. Chairwoman asked if Matt Trainor was concerned about this area. Matt Trainor stated that he had worked with Paul Gdanski and he was satisfied.

Chairwoman Brown asked if anyone from the Board wished to be heard. No one wished to be heard.

Chairwoman Brown asked if anyone from the Public wished to be heard. No one wished to be heard.

Chairwoman Brown made a motion to close the public hearing, seconded by Lon Lieberman. Upon vote, this motion carried unanimously.

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

Resolution #22-17
WANOUNOU WETLANDS PERMIT

WHEREAS, LY Contractor, Inc. on behalf of David Wanounou and Shoshana Wanounou has applied for a Wetlands Permit 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, on premises 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; and

WHEREAS, a public hearing on said application was held by the Planning Board on May 25, 2022 via a Zoom meeting noticed to the public and available to the public, and was continued via a Zoom meeting noticed to the public and available to the public on June 29, 2022, at which times all members of the public wishing to speak had 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 activities, there will be no additional net runoff resulting from the proposed activities, and the proposed activities 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, a swimming pool, a patio, and landscaping within 100 feet of the boundary of a freshwater wetland, as shown on the plot plan entitled as "Pool Plan for Wanounou, Village of Wesley Hills, Town of Ramapo, Rockland County, New York" prepared by Paul Gdanski, P.E., PLLC dated August 23, 2021 and last revised February 15, 2022, subject to the following conditions:

1. There shall be compliance with all conditions set forth in the letter of Brooker Engineering, PLLC dated June 14, 2022, a copy of which letter is attached to this Resolution and made a part thereof.
2. The currently existing erosion control devices shall be continuously maintained to the satisfaction of the Village Engineer until the completion of the project.

Upon vote, this motion carried unanimously.

PUBLIC HEARING ON THE APPLICATION OF THE VILLAGE GREEN SHUL FOR A SPECIAL PERMIT AND SITE PLAN APPROVAL FOR A NEIGHBORHOOD GATHERING. Affecting property located 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.

Chairwoman Brown stated that at the applicant's request, notice of a public hearing had not been published or posted, and that therefore this would not be a public hearing, but a discussion. Todd Rosenblum, architect for the applicant, and Steve Sparaco were present to represent the applicant. Mr. Rosenblum stated that he had originally requested an adjournment because the applicant was considering changes to the plan. The applicant has decided to move forward with the plan as it is. The application will require variances. Mr. Rosenblum stated that there have been some updates since the last meeting:

1. The Fire Inspector has conducted his review of the plan and signed off on the project.
2. Parking-overflow at Village Hall. There have been three memos to the Planning Board from the Mayor speaking to the path from the subject lot to the Village Hall lot. In addition, the Shul will accept responsibility for the construction of the path at cost and the maintenance of the path at cost.
3. As long as the lot is available, the lot may be used by the Shul.

Todd Rosenblum stated that he had authored a response to the review letter from the Rockland County Department of Planning but has not heard back from them. He believes that there may have been an error (item #1 for example). Frank Brown suggested that Mr. Rosenblum request an interpretation by the Zoning Board of Appeals, as the property is an average density lot.

Mr. Rosenblum requested feedback from the Board on the plan. Jeff Osterman stated that he was concerned with the placement of the dumpster, but this was minor. Mr. Osterman stated that moving it will affect the variance being sought. Matt Trainor stated that he had no obvious concerns of significance.

Chairwoman Brown asked if anyone from the Board wished to be heard. Ms. Brown stated that she was worried about maneuverability of fire trucks but was generally satisfied with the concept of the plan. Because of the need for variances, the applicant agreed that its public hearing should be delayed until September to give time for the Zoning Board of Appeals to act.

Chairwoman Brown made a motion to reschedule this public hearing to the September 22nd meeting, seconded by Vanessa Caren.

Resolution #22-18
VILLAGE GREEN SHUL SPECIAL PERMIT AND SITE PLAN

WHEREAS, by Resolution #22-12, the Planning Board scheduled a public hearing on the application 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, to be held before the Planning Board of the Village of Wesley Hills on the 29th day of June, 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 applications be held on September 22, 2022 instead; and

WHEREAS, a Notice of Public Hearing has not yet been published or posted;

NOW, THEREFORE, BE IT RESOLVED, that Resolution #22-12 is hereby rescinded, and

BE IT FURTHER RESOLVED, that the public hearing on the aforementioned applications shall be held before the Planning Board of the Village of Wesley Hills on the 22nd day of September, 2022 at 7:30 P.M., at the Village Hall, located at 432 Route 306 in the Village of Wesley Hills.

Upon vote, this motion was passed unanimously.

CONSIDERATION OF THE APPLICATION OF LARRY & SARAH KATZ FOR A WETLANDS PERMIT FOR CONSTRUCTION OF A SINGLE-FAMILY HOME.

Affecting property located on the north side of Judith Lane, approximately 500 feet east of Martha Road. Designated on the Town of Ramapo Tax Map as Parcel ID#41.18-1-6. Subject property is located at 16 Judith Lane.

Chairwoman Brown read this item into the record. Anthony Celentano, architect for the applicant, was present for the applicant. Mr. Celentano stated that this is a single-family home that the applicant intends to tear down and construct a new building. However, there are wetlands in the rear of the property, and a portion of the new construction is within the 100-foot buffer area. Matt Trainor encouraged Mr. Celentano to address the comments in the review letters prior to the next meeting.

Chairwoman Brown made a motion to schedule a public hearing on this application for the July 27th meeting, seconded by Albert Tew.

Resolution #22-19
KATZ WETLANDS PERMIT

RESOLVED, that a public hearing on a Wetlands Permit application by Larry Katz and Sarah Katz for property located on the northerly side of Judith Lane, known as 16 Judith Lane and designated on the Town of Ramapo Tax Maps as Section 41.18, Block 1, Lot 6, for authorization to construct a house, a portion of which is within 100 feet of the boundary of a freshwater wetland, and associated land grading and drainage improvements 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 27th day of July, 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).

CONSIDERATION OF THE APPLICATION OF CONGREGATION AHAVAS YITZCHAK FOR A REVISED SPECIAL PERMIT AND REVISED SITE PLAN APPROVAL FOR A NEIGHBORHOOD GATHERING. Affecting property located on the west side of Forshay Road at the intersection with Parker Blvd. Designated on the Town of Ramapo Tax Map as Parcel ID #41.18-1-12. Subject property is located at 73 Forshay Road.

Chairwoman Brown read this item into the record. Todd Rosenblum, architect, and Rachel Barese, engineer, were present for the applicant. Todd Rosenblum stated that the plan for an enlarged parking area was previously reviewed and approved, but the expanded parking area has not yet been constructed. The applicant now intends to knock down a portion of the existing structure and replace it with a new structure. Mr. Rosenblum stated that the applicant intends to make the synagogue ADA-compliant, replace the kitchen in the basement, add an elevator, add an accessible bathroom, and replace the Rabbi's office. The structure would go from a two-story structure to a three-story structure, including the basement level. Mr. Rosenblum stated that the Fire Inspector has now signed off on this plan. The parking lot currently has 18 spaces, the enlarged lot will have 58. Mr. Rosenblum stated that the balcony is increasing from 50 to 100 capacity and the daily synagogue from 20 to 35 capacity.

Chairwoman Brown clarified the reason for the fourth stop on the elevator. Mr. Rosenblum stated that it is on grade level in the rear of the building.

Chairwoman Brown asked if Mr. Osterman had any concerns with the plan. Mr. Osterman stated that he had no problem with the anticipated work. Matt Trainor stated that there was no change to the overall layout and that the current plan reflected an improved plan.

Chairwoman Brown asked if anyone from the Board wished to be heard. No one wished to speak.

Chairwoman Brown made a motion to schedule a public hearing on this matter for the July 27th meeting, seconded by Neal Wasserman. Upon vote, this motion passed unanimously.

Resolution #22-20
CONGREGATION AHAVAS YITZCHOK REVISED SITE PLAN

RESOLVED, that a public hearing on the application of Congregation Ahavas Yitzchok of Wesley Hills for approval of a revised site plan for a neighborhood gathering on premises located on the westerly side of Forshay Road known as 73 Forshay Road and designated on the Town of Ramapo Tax Map as Section 41.18, Block 1, Lot 12, will be held before the Planning Board of the Village of Wesley Hills on the 27th day of July, 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 5/25/22 PLANNING BOARD MINUTES.

Lon Lieberman made a motion to approve the 5/25/22 Planning Board minutes, seconded by Neal Wasserman. Upon vote, this motion carried unanimously.

PB
6/29/22

approved

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

Respectfully Submitted,
Tara Roberts