

**Village of Wesley Hills  
Planning Board – July 27, 2022  
Village Hall**

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

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

Absent: Joseph Zupnik-Second Alternate

The meeting was called to order by Deputy Chairman Lon Lieberman, at 7:35 p.m. Deputy Chairman Lieberman stated that Chairwoman Brown and Frank Brown were utilizing the Deputy Treasurer's office for this meeting because of COVID concerns. They were visible to everyone in the meeting room.

**PUBLIC HEARING ON 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.

Deputy Chairman Lieberman read this item into the record and opened the public hearing. Mr. Lieberman confirmed with the Deputy Village Clerk that notice of this hearing had been appropriately published, posted and mailed. 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 stated that he has no additional comments, as his concerns had been addressed. Jeff Osterman stated that he is satisfied but cautioned that the applicant needs to be careful with the grading in the rear of the property.

Lon Lieberman asked if anyone from the public wished to be heard. No one requested to be heard.

Lon Lieberman asked if anyone from the Board wished to be heard. No one requested to be heard.

Vanessa Caren made a motion to close the public hearing, seconded by Neal Wasserman. Upon vote, this motion carried unanimously.

Vera Brown made a motion to approve the following resolution, seconded by Neal Wasserman.

Resolution # 22-21

KATZ WETLANDS PERMIT

WHEREAS, Larry Katz and Sarah Katz have applied for a Wetlands Permit 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, on premises 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; and

WHEREAS a duly advertised public hearing was held on said application at the Village Hall, 432 Route 306, Wesley Hills, New York, on July 27, 2022, 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 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 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, as shown on the plot plan designated as "Proposed Single Family for 16 Judith Ln., Town of Ramapo, Rockland County, Wesley Hills, New York" prepared by Anthony R. Celentano P.E. dated March 13, 2020 and last revised May 5, 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 7, 2022, a copy of which letter is attached to this Resolution and made a part hereof.
2. A Wetlands Permit application fee of \$800.00 shall be paid.

Upon vote, this motion carried unanimously.

**PUBLIC HEARING ON THE APPLICATION OF AMS ACQUISITIONS FOR FINAL 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.

Deputy Chairman Lieberman read this item into the record and opened the public hearing. Lon Lieberman confirmed with the Deputy Village Clerk that notice of this hearing had been appropriately published, posted and mailed. Amy Mele, attorney for the applicant was present. Ms. Mele stated that she was present on behalf of the applicant who was seeking final plat

approval on a 14 lot subdivision. Ms. Mele also stated that there had been several technical meetings in advance, a SWPPP has been completed and escrow agreements have been provided to the Village attorney.

Jeff Osterman stated that he did not have any additional comments. Matt Trainor stated that there were DEC requirements still outstanding and soiling testing needed to be completed and the results reviewed.

Chairwoman Brown stated that the most recent review letter from Brooker Engineering included 37 comments and reminded counsel that these would need to be addressed to the satisfaction of the Village Engineer as a condition of approval.

Lon Lieberman asked if anyone from the public wished to be heard.

David Jungreis  
9 Cains Road

Mr. Jungreis stated that he lives behind the subject property. He stated that he is concerned that there is already work taking place on the site. Mr. Jungreis also stated that he had been assured that a landscaping buffer would remain, but at this point he does not believe that is happening. Mr. Jungreis is concerned that it will take years for the trees to rebound. Amy Mele responded that the work that was being done was for necessary geo-testing and that this work was now complete. Ms. Mele also stated that her client intends to respect the buffer in the future.

Goldie Kigler  
Powder Horn Drive

Ms. Kigler stated that she is concerned with the tree removal. She inquired regarding who would be monitoring the removal. Zac Chaplin, the applicant's engineer from Stonefield Engineering, responded that a tree disturbance fence would be installed which would limit the disturbance, there would be silt fencing installed and that tree removal would only happen outside the areas indicated by the fencing to be protected.

Matt Trainor added that due to the extent of the project, the builder is responsible for an external inspector who visits the site weekly to oversee operations.

Mr. Jungreis from 9 Cains Road asked who to contact if there is runoff or if he believes work has gone beyond the scope of the plan. Mr. Jungreis was directed to contact the Building Department at the Village of Wesley Hills.

Frank Brown explained the note on the plat relating to construction of homes in the subdivision. Until the plat is filed, this is still only one lot and the developer can't sell any of the 14 individual lots. In order to be able to file the plat, the developer has the option of either (1) completing the construction of all subdivision improvements other than final road wearing courses or (2) giving the Village financial security to ensure the completion of those improvements in a timely manner. Ordinarily, after the plat is filed 2 building permits for model homes could be issued

before the improvements other than the wearing courses have been completed. Also, ordinarily building permits for the final 2 hold back lots would not be issued until the installation of the final wearing courses. In this case the applicant has proposed being able to avoid the designation of hold-back lots by installing the final wearing courses sooner and providing sufficient final security to repair the wearing courses if they are damaged during construction of the houses.

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

Neal Wasserman made a motion to approve the following resolution, seconded by Chairwoman Brown.

Resolution #22-22  
AMS ACQUISITIONS SUBDIVISION

WHEREAS, a formal application from 15 Terrace Road, LLC for approval of a final plat entitled "Final Subdivision Plat prepared for 15 Terrace Road, LLC, Section 32.19, Block 2, Lot 4, 15 Terrace Road, Village of Wesley Hills, Town of Ramapo, Rockland County, New York", dated April 15, 2021 and last revised July 11, 2022, prepared by Stonefield Engineering & Design, affecting property 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, in an R-50 District, was receive by the Planning Board; and

WHEREAS, a duly advertised public hearing was held on said application and final plat at the Village Hall, 432 Route 306, Wesley Hills, New York on July 27, 2022, at 7:30 P.M., at which time all interested parties present were given an opportunity to be heard; and

WHEREAS, heretofore on February 23, 2022, by Resolution #22-4, this Board determined that the proposed subdivision will not have a significant impact on the environment as defined by the State Environmental Quality Review Act (SEQRA), and no change has been made in the final subdivision plat which would alter such determination; and

WHEREAS, the requirements of the Subdivision Regulations of the Village of Wesley Hills have been met by said application and plat, except as noted below;

NOW, THEREFORE, BE IT RESOLVED, that the said final subdivision plat is hereby approved subject to the following conditions, and that the Chairman of the Planning Board or, in her absence, the Deputy Chairman, is hereby authorized to endorse such approval on said plat upon compliance by the applicant with the following conditions. This conditional approval shall expire 180 days from the date of this Resolution if the applicant has not complied with such conditions, unless the applicant shall have obtained from this Planning Board an extension of such time of conditional approval pursuant to the provisions of said Subdivision Regulations.

1. Modification of Subdivision Plat and Construction Plans- The following modifications to the subdivision plat and construction plans shall be required:

- a. The plat and construction plans shall be revised to comply with all conditions set forth in the letter of Brooker Engineering, PLLC dated July 18, 2022, a copy of which letter is attached to this Resolution and made a part hereof.
2. Compliance with Conditions of Town of Ramapo Department of Public Works- The developer shall comply with all conditions set forth in the letter of the Town of Ramapo Department of Public Works dated July 12, 2022, a copy of which letter is attached to this Resolution and made a part hereof.
3. Compliance with Conditions of Rockland County Sewer District No.1 – The developer shall comply with all conditions set forth in the letter of Rockland County Sewer District No. 1 dated June 17, 2022, a copy of which letter is attached to this Resolution and made a part hereof.
4. Compliance with Conditions of Rockland County Department of Health – The developer shall comply with all conditions set forth in the letter of Rockland County Department of Health dated June 29, 2022, a copy of which letter is attached to this Resolution and made a part hereof.
5. Construction of improvements – The developer shall construct, install and maintain all required improvements in accordance with the approved subdivision plat and construction plans. Said improvements are to be completed to the satisfaction of the Planning Board.

In order to obtain the endorsement of the Planning Board Chairman on the plat prior to the completion of all required improvements, the developer may file letters of credit with the Village of Wesley Hills as specified below to ensure the completion of all such improvements. All letters of credit to be delivered by the developer to the Village of Wesley Hills shall be irrevocable and shall be from a bank having an office in Rockland County and having capital in the minimum amount of \$50,000,000.

- a. If the developer chooses to file a letter of credit pursuant to Section 193-15.A of the Code of the Village of Wesley Hills, such letter of credit shall be in an amount to be determined by the Village's engineering consultant, which amount shall represent 150% of the cost of the completion of the improvements (other than final road wearing course) that shall be uncompleted at that time. The said letter of credit shall authorize payment to the Village of Wesley Hills upon sight drafts accompanied by the written certification of the Planning Board Chairman that the required improvements other than the final road wearing course have not been completed to the satisfaction of the Village Engineer within three years from the date of this resolution. Such sight drafts shall be in the aggregate amount of all expenses incurred by the Village for the provision of such improvements. In the event the developer has elected to deposit cash with the Village of Wesley Hills in lieu of such letter of credit, the Village shall be authorized to pay for the expenses of provision of such improvements out of such cash, and any excess cash

remaining after the completion of such final improvements shall be returned to the developer.

- b. If the developer chooses to file a letter of credit pursuant to Section 193-15.B of the Code of the Village of Wesley Hills, the said letter of credit shall authorize payment to the Village of Wesley Hills upon sight drafts accompanied by the written certification of the Planning Board Chairman that the final road wearing course has not been completed to the satisfaction of the Village's engineering consultant within the earlier of the following two periods: (1) three years from the date of filing of the final subdivision plat, or (2) six months from the date of issuance of the building permit for the last lot other than the final two lots. Such sight drafts shall be in the aggregate amount of all expenses incurred by the Village for the provision of the final road wearing course. In the event the developer has elected to deposit cash with the Village of Wesley Hills in lieu of such letter of credit, the Village shall be authorized to pay for the expenses of provision of the final road wearing course out of such cash, and any excess cash remaining after the completion of such final improvements shall be returned to the developer.
6. Covenant – Prior to the endorsement of the final plat by the Chairman of the Planning Board, a declaration of covenants shall be prepared, in form satisfactory to the Village Attorney, and shall be executed by the applicant, providing for the future maintenance of the underground stormwater drainage facilities to be constructed within the proposed subdivision (other than ordinary stormwater drainage improvements within the rights-of-way of Jeremy Court, as extended, and Rockwood Lane, as extended) equally by the owners of all 14 lots within the subdivision. Such covenant shall be recorded in the Rockland County Clerk's Office simultaneously with the filing of the plat. The specific terms of such covenant shall include the following: (a) an initial amount of \$90,000.00 shall be deposited with the Village in a segregated escrow account, which account shall be used exclusively for the maintenance of the aforementioned drainage facilities; (b) the Village shall contract with a contractor of its choice to maintain the aforementioned drainage facilities on a regular basis and shall pay for such work from the said escrow account; (c) such contractor shall be permitted to enter any and all of the drainage easements shown on said subdivision plat to perform all necessary maintenance work without liability to itself or the Village for trespass (although such entry shall be upon reasonable notice to the owners of the affected subdivision lots); (d) whenever the balance in the said escrow account shall be reduced below the amount of \$45,000.00, the Village shall notify the then current owners of each of the 14 subdivision lots that the owner of each lot shall be required to deposit into the aforementioned escrow account an amount equal to 1/14 of the amount necessary to restore the escrow account balance to its initial amount; (e) if the owner of any subdivision lot shall fail to deposit the specified amount within a specified reasonable time, that amount shall be added to the next Village Tax bill for the affected lot as a special assessment and thereupon shall be subject to collection as part of the Village Tax assessed against that lot; and (f) the terms of such

covenant shall be perpetual and shall run with the land and shall be binding upon any persons or entities that shall at any time become the owners of any the subdivision lots. Such covenant shall be recorded in the Rockland County Clerk's Office simultaneously with the filing of the plat.

7. Additional Documents Required – Prior to the signing of the plat by the Chairman of the Planning Board, the applicant shall prepare and deliver to the Village of Wesley Hills all legal documents required by the Subdivision Regulations in form suitable for recording and satisfactory to the Village Attorney. The deeds conveying to the Village of Wesley Hills and the Town of Ramapo respectively the interests in real property as shown on the plat shall set forth that such conveyance is for general municipal purposes and shall be accompanied by a title insurance binder showing clear title and a paid bill from the title company.
8. Fees – Prior to the signing of the plat by the Chairman of the Planning Board, the applicant shall deliver to the Village of Wesley Hills full payment of all outstanding consultant review fees and inspection fees, in addition to the recreation fee as determined by Resolution #22-5.
9. Waiver – The Planning Board hereby waives the following requirements of the Subdivision Regulations: the provision of sidewalks on the new subdivision streets.

Upon vote, this motion passed unanimously.

**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.

Amy Mele, attorney, was present for the applicant. Ms. Mele stated that the applicant is seeking a special permit for the temporary use of this building for 24 months. Ms. Mele further stated that the applicant has provided a site plan that would take effect if the property is not vacated by this applicant in 24 months. Ms. Mele stated that the applicant is currently in Justice Court and would like to resolve any issues with the Court as well.

Matt Trainor confirmed that if the extension is granted, the applicant is intending to leave the building as it is. Ms. Mele confirmed that that is the intention. Jeff Osterman stated that lighting and landscaping are priorities. Mr. Osterman verbalized his concerns with temporary uses as his experience is that this type of use creates difficulty in confirming that improvements get done and that it is difficult to delineate parking.

Chairman Brown asked that the applicant confirm that there would be no major events celebrated on weekdays, as parking would be a concern. Amy Mele stated that the applicant represented no.

Frank Brown stated that the following requirements would need to be met:

- A minimum of 20 parking spaces. The Board will decide if that is sufficient.
- Four waivers have been requested. The Board will need to decide if these will be granted.
- Due to the temporary nature of the use, any resolution would state the end date of the use.

Mr. Lieberman asked if anyone from the Board wished to be heard. Albert Tew asked who would maintain the landscaping and who would be responsible for the cost. Jeff Osterman stated that the Village would have to enforce that with the applicant.

Mr. Lieberman stated that he is concerned with the waiver of landscaping because he is concerned about lights from cars. Shimon Reider, representative of the applicant, stated that they have been there for months and they have not heard any complaints. The applicant would like to keep the residential feel of the neighborhood and they are continuing their search for a permanent site. Mr. Lieberman stated that he would prefer to not agree to the landscaping waiver, unless a site inspection shows that additional landscaping is unnecessary. Chairwoman Brown agreed.

Frank Brown stated that because this site is on a County road, the application had to be referred to County Planning for review. Mr. Brown stated that if the Board is inclined to grant the landscaping waiver, the condition in the review letter from County Planning requiring additional landscaping would need to be overridden.

Lon Lieberman asked if anyone from the public wished to be speak.

Tzvee Rothberg  
37 Wilder Road

Mr. Rothberg stated that he lives two houses down and has no concerns with the continued use of this site.

Josh Hirst  
16 Dike Drive

Mr. Hirst stated that the property on one side of this site houses the landlord and the other side is park land. Mr. Hirst stated that he would be surprised if there would be any concerns from these neighbors.

Matt Trainor stated that he is open to the waiver of paving the parking area. However after reviewing the plan he noted that a variance would be needed for use of gravel. The Village Code requires that the first 50 feet be asphalt.



Mr. Trainor noted that on the landscaping plan, he would require a cutoff schedule. The perimeter would not just be the northern boundary. Mr. Trainor noted that the plan denotes plantings in the driveway expansion. Jeff Osterman stated that there is limited sight distance if one car is coming in and one car is going out.

Neal Wasserman stated that he is concerned about too much lighting if the waiver is granted. Mr. Wasserman stated that perhaps the Board should consider a more limited plan.

Frank Brown asked for clarification regarding what was being requested for the lighting plan- i.e. no lighting, limited lighting, not having to meet Village Code. Amy Mele stated that the waiver being sought would not bind the applicant to install the lighting as per the plan. Lon Lieberman asked how many lights were being discussed. Jeff Osterman stated that there were 4-15foot poles under consideration. Amy Mele agreed and further offered that the lighting plan could be found on page 4 of the plan, noted as lumineer summary.

The professionals asked if additional lighting was needed on the site for those going in and out of the structure. Mr. Reider responded that there is a fence on the site, in addition to trees for screening. Mr. Reider also stated that lighting already exists on the house and on Wilder Road and that he is skeptical about additional lighting and its potential impact to the residential feel of the property.

Lon Lieberman asked if anyone from the Board wished to be heard.

Lon Lieberman stated that he suggests a site visit be conducted. Chairwoman Brown agreed and further stated that she would like to visit after dark so that she could get a sense of the current lighting.

Matt Trainor stated that his review letter noted that the fence and trees are over the property line. Mr. Trainor requested that the applicant confirm their placement.

Chairwoman Brown made a motion to adjourn this hearing to the August 24<sup>th</sup> meeting, with a site visit at the Board's discretion, seconded by Lon Lieberman. Upon vote, this motion passed unanimously.

**PUBLIC HEARING ON 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.

Lon Lieberman read this item into the record and confirmed with the Deputy Village Clerk that notice of this hearing had been appropriately published, posted and mailed. Tara Roberts confirmed that it had been. Todd Rosenblum, architect, was 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, as it is currently not ADA-compliant, there is no elevator and there are renovations needed in the

kitchen in the basement. Mr. Rosenblum stated that the applicant intends to make the synagogue ADA-compliant, replace the kitchen in the basement, add a library, add an elevator, add an accessible bathroom, and replace the Rabbi's office. Mr. Rosenblum also stated that the social hall is not planned to be any larger than its current size, there will be an added emergency stairwell, and seating will be added in the women's balcony to be used for High Holidays.

Matt Trainor stated that one question to be asked is how many parking spaces are planned to be added versus the number of seats to be added. Mr. Trainor stated that there are currently 18 parking spaces, with a total of 58 proposed, and 25 seats are to be added on the women's balcony.

Todd Rosenblum asked if an architectural review will be required. Frank Brown stated that it would be.

Frank Brown stated that because the property is located on a County road, an updated review of the plan is required. However, a review letter from the County Planning Department has not yet been received. Mr. Brown stated that it was up to the applicant if it would prefer to accept a resolution at this meeting agreeing to all conditions that might appear in the Rockland County Department of Planning review letter or if the applicant would prefer to adjourn this matter to the August meeting and await the Planning Department letter. Mr. Rosenblum stated that he would prefer to adjourn to the August meeting.

Lon Lieberman asked if anyone from the Board wished to be heard. No one wished to speak.

Lon Lieberman asked if anyone from the public wished to be heard. No one wished to speak.

Chairwoman Brown made a motion to adjourn this hearing to the August 24<sup>th</sup> meeting, seconded by Albert Tew. Upon vote, this motion passed unanimously.

**CONTINUATION OF A PUBLIC HEARING ON THE APPLICATIONS OF YESHOSHUA MONCZYK FOR A WETLANDS PERMIT AND A PERMIT FOR CLEARING, FILLING OR EXCAVATION OF LAND.** 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.

Lon Lieberman read this item into the record. Yeshoshua Monczyk, applicant, was present. Mr. Monczyk stated that he had worked with Anthony Celentano and Mr. Torgersen in reference to this matter. In addition, Mr. Monczyk stated that he has been in Justice Court regarding this situation. Mr. Monczyk also stated that Brian Brooker was on his property when the DEC was on-site, and the DEC has since provided a letter stating that the remediation work required to be done has been completed to their satisfaction.

Matt Trainor stated that the DEC oversaw the removal of the boulders at the stream bed, but the Board was still awaiting feedback from the Army Corps of Engineers. Lon Lieberman asked if the applicant had reached out to the ACOE. Mr. Monczyk stated that he had not previously, as

he had just been informed two days prior about the requirement of the ACOE signoff. Mr. Monczyk further stated that it was his understanding from the DEC that the work he had performed had not changed the flow of the water in the stream so input from the ACOE was unnecessary. Jeff Osterman stated that contact with the ACOE was required and reiterated that need to file a report with the ACOE, however the ACOE could not be forced to respond. Frank Brown stated that both the April and May Planning Board minutes stated that the ACOE needed to be contacted with the intercession of Mr. Torgersen if needed. Lon Lieberman recommended that Mr. Monczyk employ his professionals to assist with the ACOE. Matt Trainor further stated that the boulders also needed to be removed from the 100-foot buffer and that confirmation would need to be made on this point as a condition of approval.

Lon Lieberman asked if anyone from the Board wished to be heard. No one wished to speak.

Lon Lieberman asked if anyone from the public wished to be heard. No one wished to speak.

Vanessa Caren made a motion to close the public hearing, seconded by Neal Wasserman. Upon vote, this motion carried unanimously.

Chairwoman Brown made a motion to approve the following resolution, seconded by Vanessa Caren.

Resolution #22-23

MONCZYK WETLANDS PERMIT

WHEREAS, Yehoshua Monczyk has applied for a Wetlands Permit 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, on premises 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; and

WHEREAS a duly advertised public hearing was held on said application at the Village Hall, 432 Route 306, Wesley Hills, New York via Zoom meeting noticed to the public and available to the public on May 25, 2022, and was continued at an in-person meeting on July 27, 2022, at which times all interested parties present were given an opportunity to be heard; and

WHEREAS, the Planning Board has determined that the proposed action, when performed within the limits of the conditions to be imposed by the Resolution, 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 applicant has performed the work required by the New York State Department of Environmental Conservation to the satisfaction of that Department and therefore has cured the Notice of Violation that had been issued by that

Department, as a result 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 (taking into consideration the restorative activities already performed to the satisfaction of the New York State Department of Environmental Conservation) 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 a swimming pool, regrading of the rear yard, and addition of boulders within 100 feet of the boundary of a freshwater wetland, as shown on the plot plan entitled as "Proposed Pool for 43 Glenbrook Road, Town of Ramapo, Rockland County, Monsey, New York" prepared by Anthony R. Celentano P.E. dated March 19, 2022, subject to the following conditions:

1. There shall be compliance with all conditions set forth in the letter of Brooker Engineering, PLLC dated April 21, 2022, a copy of which letter is attached to this Resolution and made a part hereof.
2. The currently existing erosion control devices shall be continuously maintained to the satisfaction of the Village Engineer until the completion of the project. Additional proposed erosion control measures during the boulder removal process, including all such measures as may be required by the New York State Department of Environmental Conservation and the Army Corps of Engineers, shall be added to the plot plan.
3. This permit is conditioned upon the applicant obtaining and filing with the Village a response from the Army Corps of Engineers approving the proposed activities or stating that it has no comment thereon, and thereafter there shall be compliance with all conditions that may be required by the Army Corps of Engineers.

Upon vote, this motion carried unanimously.

Neal Wasserman made a motion to approve the following resolution, seconded by Vanessa Caren.

Resolution #22-24  
MONCZYK FILLING AND EXCAVATION PERMIT

WHEREAS, a formal application from Yehoshua Monczyk for a clearing, filling and excavation permit for filling and regrading on 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, was received by the Planning Board and was referred to the Village Engineer for review and report pursuant to Section 95-4C(1) of the Code of the Village of Wesley Hills (the Clearing, Filling and Excavation Law), and

WHEREAS, the Planning Board has received the report of the Village Engineer and has considered said application,

NOW, THEREFORE, BE IT RESOLVED, that said application for a filling and excavation permit is hereby approved for the creation of the revised topography shown on the plot plan entitled "Proposed Pool for 43 Glenbrook Road, Town of Ramapo, Rockland County, Monsey, New York" dated March 19, 2022, prepared by Anthony R. Celentano P.E., subject to the following conditions and modifications:

1. The applicant shall pay a non-refundable application fee in the amount of \$350.00, as determined by the Village Engineer.
2. A performance bond or equivalent security (escrow cash or a letter of credit as approved by the Board of Trustees) shall be provided by the applicant in an amount to be determined by the Village Engineer after the volume of stones to be relocated or removed shall have been finally determined, on condition that such security shall be provided to the Village prior to the continuation of additional construction activities.
3. There shall be compliance with all conditions set forth in the letter of Brooker Engineering, PLLC dated April 21, 2022, a copy of which letter is attached to this Resolution and made part hereof.
4. The erosion control devices shall be properly installed and continuously maintained until the completion of the project.
5. Certification, to the satisfaction of the Village Engineer, shall be provided to document that the work as depicted on said plot plan has been completed.
6. All work required hereby, including topsoil and seeding, shall be completed no later than October 1, 2022, to the satisfaction of the Village Engineer.

Upon vote, this motion carried unanimously.

**CONSIDERATION OF THE APPLICATION OF SIMEON SCHLISSELFELD FOR A PERMIT FOR CLEARING, FILLING OR EXCAVATION OF LAND.** Affecting property located on the north side of Amsterdam Avenue, approximately 350 feet west of the southwest corner of Jodi Court. Designated on the Town of Ramapo Tax Map as Parcel ID#41.11-1-37. Subject property is located at 19 Amsterdam Avenue.

Stanley Mayerfeld, architect was present. Mr. Mayerfeld stated that while doing a walk-through of some landscaping and other work that had been done on the property, a question arose about the amount of fill that had been brought in for this project. It was confirmed that a Filling Permit was needed.

Matt Trainor stated that there was nothing outstanding on this application. Mr. Trainor confirmed that the applicant has exceeded the amount of fill allowed based on the work that was taking place on the property. Chairwoman Brown asked Mr. Trainor to clarify to the Board and the public why fill permits are necessary. Mr. Trainor stated that bringing in fill can alter topography, affect neighbors, affect drainage, and that it is important that the source of the fill is known to avoid waste being used. Clean fill must be utilized. These items, Mr. Trainor continued, need to be monitored by professionals.

Lon Lieberman asked if anyone from the Board wished to be heard. Albert Tew stated that he was grateful that the Board was aware of where the fill had come from.

Lon Lieberman asked if anyone from the public wished to be heard. No one wished to speak.

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

Resolution #22-25  
SCHLISSELFELD FILLING AND EXCAVATION PERMIT

WHEREAS, a formal application from Simeon Schlisselfeld for a clearing, filling, and excavation permit for filling and regrading on property located on the northerly side of Amsterdam Avenue, known as 19 Amsterdam Avenue and designated on the Town of Ramapo Tax Maps as Section 41.11, Block 1, Lot 37, was received by the Planning Board and was referred to the Village Engineer for review and report pursuant to Section 95-4C(1) of the Code of the Village of Wesley Hills (the Clearing, Filling and Excavation Law), and

WHEREAS, the Planning Board has received the report of the Village Engineer and has considered said application,

NOW, THEREFORE, BE IT RESOLVED, that said application for a filling and excavation permit is hereby approved for the creation of the revised topography shown on the plot plan entitled "Current Plan With Fill Added, Schlisselfeld, Town of Ramapo, Rockland County, Wesley Hills, New York", dated October 22, 2020 and last revised May 11, 2021, prepared by Anthony R. Celentano P.E., subject to the following conditions and modifications:

1. The applicant shall pay a non-refundable application fee in the amount of \$650.00, as determined by the Village Engineer.
2. No performance bond or equivalent security is required because all work to be authorized by the permit hereby granted already has been completed to the satisfaction of the Village Engineer.

3. There shall be compliance with all conditions set forth in the letter of Brooker Engineering, PLLC dated July 13, 2022, a copy of which letter is attached to this Resolution and made a part hereof.

Upon vote, this motion carried unanimously.

**CONSIDERATION OF THE APPLICATION OF KHAL CHASIDIM OF WESLEY HILLS FOR A SPECIAL PERMIT AND SITE PLAN APPROVAL FOR A NEIGHBORHOOD GATHERING.** Affecting property located on the east side of Deerwood Road 0 feet north of East Willow Tree Road, known as 2 Deerwood Road, designated on the Tax Map as Section 41.12 Block 1 Lot 4. Subject property is located at 2 Deerwood Road.

Lon Lieberman read this item into the record. Jeff Osterman stated that there are some things that need to be worked out on this plan before it is ready for a public hearing, including parking, and suggested that a site inspection is needed. Frank Brown stated that after reviewing the site plan, it is clear that the applicant will need a variance. Frank Brown further stated that this variance must be granted prior to moving forward in the Planning Board process.

Rabbi Hager asked if the second parking spot allocated for the single-family residence can be utilized by congregants. Further, Rabbi Hager inquired when the number of parking spots required by the synagogue would be confirmed. Frank Brown confirmed that although that spot may be used by congregants, it cannot also be counted toward the number of spots needed for the synagogue. To clarify, each parking spot would only be counted once towards requirements. Frank Brown also stated that the number of spaces required would be at the discretion of the Planning Board after a review of the site plans. Rabbi Hager also stated that the plan currently provides for 17 spaces, 2 for the residence and 15 for the synagogue. 10 spaces would be on-site and the remaining 7 would be at nearby neighbors' residences.

Chairwoman Brown stated that the narrative needs to speak more specifically about the 79 people who would be in attendance and the possibility of their use of the site for social gatherings. Rabbi Hager stated that there is no space for a social hall on the plans. There is a mikvah.

Jeff Osterman recommended that the applicant wait on the Zoning Board of Appeals process. Mr. Osterman stated that the professionals would need time to review the recently revised plans, confirm what variance(s) are needed from the Zoning Board of Appeals, and a determination needs to be made from the Planning Board on the parking space requirements.

Neal Wasserman stated that as he reviewed the revised plans, he recognized that the parking seemed tight. Mr. Wasserman offered that the applicant may want to consider this, as growth is always a consideration for congregations.

Matt Trainor asked if it was possible to go deeper into the rear yard with the proposed work. Rabbi Hager stated that the neighbor behind him has a pool and Rabbi Hager wanted to be respectful of that neighbor's wishes for privacy. In addition, Rabbi Hager stated that it is very important to him that his project not change the residential feel of the neighborhood.

PB  
7/27/22

approved

It was agreed that this matter would be adjourned until the Zoning Board process was complete. In addition, it was requested that a TAC meeting be scheduled to discuss the revisions to the plan.

**APPROVE 6/29/22 PLANNING BOARD MINUTES.**

Vanessa Caren made a motion to approve the 6/29/22 Planning Board minutes, seconded by Chairwoman Brown. 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