

**Village of Wesley Hills
Planning Board – November 30, 2022
Village Hall**

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

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

Absent:

The meeting was called to order by Chairwoman Brown, at 7:38 p.m. Chairwoman Brown introduced and welcomed the Village's new planner, Jonathan Lockman.

CONTINUATION OF THE PUBLIC HEARING ON 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.

Chairwoman Brown opened the public hearing. Todd Rosenblum, architect for the applicant, was present. Chairwoman Brown stated that she is in receipt of a letter from Veolia confirming availability of water service and is aware that the applicant has been granted the variances sought from the Zoning Board of Appeals.

Todd Rosenblum stated that they had been before the Zoning Board of Appeals for many months, as they were responding to the Rockland County Department of Planning review letter. Mr. Rosenblum stated that the Veolia letter was the last document needed to address the issues in the County's letter.

Mr. Rosenblum stated that the applicant has proposed 20 parking spaces on the property, 33 spaces at 441 Route 306, 47 residential spaces and a potential of using 49 spaces at Village Hall. Mr. Rosenblum stated that there are currently no parking signs from Village Hall to the end of the Congregation's property.

Mr Rosenblum stated that the lower level of the proposed structure will house the social hall, warming kitchen, and the men's/women's lobby elevator. The first floor is proposed to house the main sanctuary with 180 seat capacity, library, ladies' and men's restrooms and coat rooms. The second floor will house the rabbi's office and a 120-person balcony.

Matt Trainor stated that the applicant has addressed all of his major concerns, including stormwater. Mr. Trainor stated that he is satisfied. Jonathan Lockman stated that he has no comments at this point.

Chairwoman Brown stated that the Village's Zoning Law requires the Planning Board to determine the amount of parking required as a condition of approval of a neighborhood gathering.

Chairwoman Brown asked what the maximum occupancy of the structure is proposed to be. Mr. Rosenblum stated 300 people-180 in the main sanctuary and 120 on the balcony. Chairwoman Brown asked if there are sufficient means for all to evacuate. Mr. Rosenblum stated that there are six (6) total exits, two (2) directly to the outside. Mr. Rosenblum further stated that under Village Code two (2) exits are required for structures with occupancy up to 500 persons.

Chairwoman Brown asked, regarding parking, how visitors will know where to go if the on-site lot is full. Mr. Rosenblum stated that there are spaces at the office building on Route 306 and additional spaces at the Village Hall. Mr. Rosenblum stated that the Congregation will need to coordinate parking on the day of larger events. Chairwoman Brown asked where congregants would park during the week. Mr. Rosenblum noted that additional parking could be on the street. Mr. Wasserman stated that he is concerned about the potential disruption to the neighborhood. Mr. Rosenblum referred to the letters of support from the neighbors that had been previously submitted.

Chairwoman Brown asked if anyone from the Board wished to be heard. Neal Wasserman stated that safety was a concern for him. Mr. Wasserman asked what the plan was to assist congregants who park across the street-specifically across Route 306. Mr. Rosenblum stated that there is a crosswalk, more lighting at this site than anywhere else in the Village, there is a sidewalk on Route 306, others often hired a local security company to assist but ultimately it is up to the host of the specific function. Chairwoman Brown stated that it would be the obligation of the Congregation to inform the host of any event of the host's responsibilities to ensure that parking would be directed to the appropriate locations.

Albert Tew asked who is responsible for snow removal on the shared walkway. Mr. Rosenblum stated that the Congregation will be responsible.

Regarding parking, Neal Wasserman inquired if it was possible to issue resident parking vouchers. Chairwoman Brown stated that this is an issue for the Village Board.

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

Frank Brown stated that the vicinity map does not include Willows Road and requested that this be updated. Mr. Rosenblum agreed. Mr. Brown requested that architectural plans be submitted to the Board. Mr. Rosenblum stated that these plans have not been completed yet but will be submitted once available.

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

Lon Lieberman made a motion to approve the following resolution approving the special permit for a neighborhood gathering, seconded by Albert Tew.

RESOLUTION # 22-43
VILLAGE GREEN SHUL SPECIAL PERMIT

WHEREAS, Village Green Shul has applied for a special permit 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; and

WHEREAS, a duly advertised public hearing was held on said application at the Village Hall, 432 Route 306, Wesley Hills, New York, on October 26, 2022, and was continued on November 30, 2022, at which times all interested parties present were given 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 239-1 and 239-m, and by letter report dated May 20, 2022, the Rockland County Department of Planning notified this Planning Board that it had approved the application subject to conditions set forth therein; and

WHEREAS, on November 16, 2022, 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; and

WHEREAS, the Planning Board has considered the Environmental Assessment Form and supporting documentation submitted by the applicant;

NOW, THEREFORE, BE IT RESOLVED, based on upon such consideration, informal site inspection by Board Members, and the representations of the applicant concerning the proposed use of premises, it is hereby determined that the proposed project will not have a significant impact on the environment as defined by the State Environmental Quality Review Act (SEQRA) for the following reasons: (1) the proposed project is not anticipated to cause an increase in peak stormwater runoff, and (2) the proposed number of on-site and off-site parking spaces will be sufficient for the applicant's intended use, appropriate no parking zones will be established on Village Green, and adequate sight distance has been demonstrated taking into consideration those no-parking zones; and

BE IT FURTHER RESOLVED, that said application for a special permit for a neighborhood gathering is hereby granted, subject to the following conditions:

1. There shall be compliance with all conditions imposed by Zoning Board of Appeals in connection with the granting of such variances.
2. The neighborhood gathering shall be operated in strict conformance with the representations set forth in the revised narrative statement submitted by Todd

Rosenblum on behalf of the applicant dated November 22, 2022, a copy of which document is attached this Resolution and made a part hereof.

3. There shall be compliance with recommend modifications 2, 5 through 13, 15 through 18, and 20 through 22 set forth in the letter report of the Rockland County Department of Planning dated May 20, 2022, a copy of which letter report is attached to this Resolution and made a part hereof.
4. There shall be compliance with all conditions set forth in the letter of Rockland County Sewer District No. 1 dated April 29, 2002, a copy of which letter is attached to this Resolution and made part hereof.
5. There shall be compliance with all conditions set forth in the letter of Rockland County Health Center for Environmental Health dated May 23, 2022 a copy of which letter is attached to this Resolution and made a part hereof.
6. There shall be compliance with all conditions set forth in the letter of Hillcrest Fire Company No. 1 dated May 18, 2022, a copy of which letter is attached to this Resolution and made part hereof.
7. There shall be compliance with all conditions set forth in the willingness to serve letter of Veolia Water New York, Inc. dated October 27, 2022, a copy of which letter is attached to Resolution and made a part hereof.
8. There shall be compliance with all conditions set forth in the memorandum of Brooker Engineering, PLLC dated October 17, 2022, a copy of which memorandum is attached to this Resolution and made part hereof.
9. Pursuant to section 230-26G (1) (f) of the Code of the Village of Wesley Hills, the Planning Board has determined that the provision of 100 parking spaces, including 20 spaces as shown on the applicant's site plan and 80 off-site spaces, will be sufficient for the neighborhood gathering to be able operate in a manner that is consistent with public safety and neighborhood character. That determination is based on the applicant's representations concerning its presently intended operation of the neighborhood gathering. Therefore, pursuant to section 230-26G (1) (f) of the Code of the Village of Wesley Hills and pursuant to the discretion granted to the Planning Board by section 230-26G (1) (g) of the Code of the Village of Wesley Hills:
 - a. The Planning Board allows 2 parking spaces at 11 Willows Road, 2 parking spaces at 15 Willows Road, 2 parking spaces at 17 Willows Road, 3 parking spaces at 454 Route 306, 3 parking spaces at 1 Village Green, 3 parking spaces at 3 Village Green, 3 parking spaces at 5 Village Green, 4 parking spaces at 7 Village Green, 4 parking spaces at 6 Village Green, 4 parking spaces at 8 Village Green, 6 parking spaces at 428 Route 306, 2 parking spaces at 7 Earl Court, 4 parking spaces at 6 Earl Court, 1 parking space at 4 Earl Court, 4

parking spaces at 3 Kentor Lane, and 33 parking spaces at 44 Route 306 to count towards satisfaction of the parking requirements, provided that at all times the Village shall have in its files written permission for such parking executed by all then current owners of the said respective lots. Each year during the month of January, the then operator of the neighborhood gathering shall file such written permission with the Village. If such filing is not made, the Village shall notify the operator; and in the event of failure to file such written permission within 30 days of such notification, the permission for such off-site parking shall be deemed to have been revoked. If at any time the ownership of any of the said lots shall change for any reason whatsoever, the then operator of the neighborhood gathering, within 30 days of such change in ownership, shall submit to the Village a new document in writing giving permission for such parking, executed by all of the then current owners of that lot; and, in the event of a failure to provide such new permission document, the permission for such parking to continue on that lot shall be deemed to have been revoked. If at any time any of the owners of any of the said lots shall revoke such permission for any reason whatsoever or shall be deemed (pursuant to the provisions of either of the two previous sentences) to have revoked such permission, the parking spaces on that lot will no longer be counted towards satisfaction of the parking requirement, and the then operator of the neighborhood gathering on the subject premises, within 30 days of such revocation or deemed revocation, shall apply to the Planning Board for a modification of this special permit, which application must show the provision for all the parking spaces no longer counted in a replacement location deemed adequate and sufficient by the Planning Board.

- b. In the event that permission to use any other lot for off-site parking is revoked or deemed to be revoked in accordance with the provisions of paragraph 9a hereinabove, and if the then operator of the neighborhood gathering on the subject premises shall fail to apply to the Planning Board for a modification of this special permit to show the provision of all the parking spaces no longer counted in a suitable replacement location in accordance with the requirements of paragraph 9a hereinabove, then the special permit shall be deemed to be revoked.
- c. The Planning Board reserves the authority, at any time hereafter during the duration of this special permit, if it shall have determined that a genuine issue has arisen concerning the sufficiency of the parking requirement to enable the neighborhood gathering to continue to operate in a manner that is consistent with public safety and neighborhood character, and on notice to the then owner of the subject premises and the then operator of the neighborhood gathering on said premises, to adopt a resolution directing the then owner of the subject premises and the then operator of the neighborhood gathering on said premises to appear before the Planning Board at a subsequent public hearing for a consideration of whether the special permit shall be revised to require additional parking spaces.

10. The special permit use shall be operated, at all times, in full compliance with the requirements of the Noise Pollution Control Law of the Village of Wesley Hills (chapter 140 of the Code of the Village of Wesley Hills).
11. If, at any time during the duration of this special permit the Planning Board shall determine that the light emanating from the subject property is excessive, the applicant shall appear before this Board for approval of a plan to mitigate that situation, including new lighting, landscaping, window treatments, and /or other techniques.
12. The social hall shall be used only for celebratory events for bona fide members of the applicant's congregation. As agreed to by the applicant, any person who purports to become a "member" of the congregation for a temporary period only that is restricted to the date of such event and/or a short period of time around such date shall not be deemed to be a bona fide member, for the purposes of enforcing this condition. However, this condition shall not apply to celebratory events held on occasions when driving is not permitted.
13. The social hall may not be used as a commercial catering facility, which is not a permitted use in the R-35 Zoning District, and its availability for such use shall not be advertised in any manner.
14. No truck or any vehicle designed to serve as a mobile commercial kitchen for catering purposes shall be allowed to idle on the site for a continuous period of more than 10 minutes.
15. No generator shall be used on the site except for emergency situations when power is lost.

and BE IT FURTHER RESOLVED, that this Board hereby overrides, and compliance shall not be required with, the following modifications set forth in said letter report of the Rockland County Department of Planning for the reasons set forth herein below:

- (a) Modification 1, because the comment is based upon an incorrect interpretation of the Village's Zoning Law, as confirmed by the Zoning Board of Appeals on November 16, 2022;
- (b) Modification 3, insofar as it requires reduction in size of the proposed structures "to better comply with the bulk requirements of the Village", because that is more properly within the purview of the Zoning Board of Appeals, which has determined to grant the dimensional variances necessary for the proposal to be approved.
- (c) Modification 4, because (1) previous soil testing observed seasonally high groundwater in the area of the proposed parking lot, making porous pavers

or pavement not feasible in that area, (2) an underground detention system was previously designed and approved that results in a zero-net increase in peak stormwater discharge from the site, and (3) the applicant has modified its plans to utilize porous pavers outside the parking where feasible;

- (d) Modification 14, because that modification contradicts Section 230-54B (10) of the Code of the Village of Wesley Hills which establishes exterior lighting requirements for special permit uses in the Village, and the applicant must comply with the Village's requirements; and
- (e) Modification 19, because the Planning Board believes, in the exercise of the discretion delegated to it under Zoning Law, that the proposed amount and location of off-site parking spaces will be sufficient for the safe operation of the proposed neighborhood gathering, and the Planning Board has reserved the right at any time in the future to require additional and different parking spaces in the event that the operation of the neighborhood gathering without such additional parking is creating problems relating to public safety and neighborhood character.

Upon vote, this motion carried unanimously.

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

RESOLUTION # 22-44
VILLAGE GREEN SHUL SITE PLAN

WHEREAS, Village Green Shul has applied for approval of a site plan 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 41.1, Block 2, Lot 17: and

WHEREAS a duly advertised public hearing was held on said application at the Village Hall, 432 Route 306, Wesley Hills, New York on October 26, 2022, and was continued on November 30, 2022, at which times all interested parties present were given 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 239-1 and 239-m, and by letter report dated May 20, 2022, the Rockland County Department of Planning notified this Planning Board that it had approved the application subject to conditions set forth therein; and

WHEREAS, on November 16, 2022, 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; and

WHEREAS, heretofore on November 30, 2022, by Resolution # 22-43, this Board determined that the proposed project will not have a significant impact on the environment as defined by the State environmental Quality Review Act (SEQRA);

NOW, THEREFORE, BE IT RESOLVED, that the Planning Board hereby exercises the discretion granted to it by Section 230-53C (1) of the Code of the Village of Wesley Hills to determine that the 25-foot buffer screening requirement shall be waived along the easterly lot line of the subject premises because the proposed vegetation to be installed off-site on the adjacent lot will satisfy the same purpose; and

BE IT FURTHER RESOLVED, that said application for approval of a site plan is hereby granted for the site plan titled, "Preliminary Site Plan of 4 Village Green, Located in the Village of Wesley Hills, Town of Ramapo, Rockland County, New York", prepared by Sparaco & Youngblood, PLLC, dated March 18, 2022 and last revised October 31, 2022, 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 variances.
2. There shall be compliance with recommended modifications 2, 5 through 13, 15 through 18, and 20 through 23 set forth in the letter report of the Rockland County Department of Planning dated May 20, 2022, a copy of which letter report is attached to this Resolution and made a part hereof.
3. There shall be compliance with all conditions set forth in the letter of Rockland County Sewer District No. 1 dated April 29, 2022, a copy of which letter is attached to this Resolution and made a part hereof.
4. There shall be compliance with all conditions set forth in the letter of Rockland County Health Center for Environmental Health dated May 23, 2022, a copy of which letter is attached to this Resolution and made a part hereof.
5. There shall be compliance with all conditions set forth in the letter of Hillcrest Fire Company No. 1 dated May 18, 2022, a copy of which letter is attached to this Resolution and made a part hereof.
6. There shall be compliance with all conditions set forth in the willingness to serve letter of Veolia Water New York, Inc. dated October 27, 2022, a copy of which letter is attached to this Resolution and made a part hereof.
7. There shall be compliance with all conditions set forth in the memorandum of Brooker Engineering, PLLC dated October 17, 2022, a copy of which memorandum is attached to this Resolution and made a part hereof.

and BE IT FURTHER RESOLVED, that this Board hereby overrides, and compliance shall not be required with, the following modifications set forth in said letter report of the Rockland County Department of Planning for the reasons set forth hereinbelow:

- (a) Modification 1, because the comment is based upon an incorrect interpretation of the Village's Zoning Law, as confirmed by the Zoning Board of Appeals on November 16, 2022;
- (b) Modification 3, insofar as it requires reduction in size of the proposed structures "to better comply with the bulk requirements of the Village" because that is more properly within the purview of the Zoning Board of Appeals, which has determined to grant the dimensional variances necessary for the proposal to be approved;
- (c) Modification 4, because (1) previous soil testing observed seasonally high groundwater in the area of the parking lot, making porous pavers or pavement not feasible in that area, (2) an underground detention system was previously designed and approved that results in a zero-net increase in peak stormwater discharge for the site, and (3) the applicant has modified its plans to utilize porous pavers outside the parking area where feasible;
- (d) Modification 14, because that modification contradicts Section 230-54B (10) of the Code of the Village of Wesley Hills which establishes exterior lighting requirements for special permit uses in the Village, and the applicant must comply with the Village's requirements; and
- (e) Modification 19, because the Planning Board believes, in the exercise of the discretion delegated to it under the Zoning Law, that the proposed amount and location of off-site parking spaces will be sufficient for the safe operation of the proposed neighborhood gathering, and the Planning Board has reserved the right at any time in the future to require additional and different parking spaces in the event that the operation of the neighborhood gathering without such additional parking is creating problems relating to public safety and neighborhood character.

And BE IT FURTHER RESOLVED, that the architectural plans for the proposed building shall be reviewed and approved at a subsequent meeting of the Planning Board.

Upon vote, this motion carried unanimously.

Chairwoman Brown made a motion to approve the following resolution recommending no parking signs on Village Green, seconded by Neal Wasserman.

Resolution # 22-45
RECOMMENDATION FOR NO PARKING SIGNS

WHEREAS, the Planning Board has considered the application of Village Green Shul for a special permit for a neighborhood gathering on premises located on the southerly side of Village Green known as 4 Village Green, and

WHEREAS, in its review of such application the Planning Board has formed the opinion that it is unsafe to allow parking along portions of the southerly side of Village Green for any purpose at any time, so as to avoid impediments to safe traffic flow on that street,

NOW, THEREFORE, BE IT RESOLVED, that the Planning Board hereby recommends to the Board of Trustees, and hereby requests, that the Board of Trustees adopt a resolution directing the installation of “No Parking” signs prohibiting parking on the southerly side of Village Green from the intersection of Route 306 to a point 250 feet east of the aforementioned neighborhood gathering. The Planning Board recommends that the specific placement and design of signs should conform to the requirements of the Town of Ramapo Highway Department.

Upon vote, this motion carried unanimously.

PUBLIC HEARING ON THE APPLICATION OF SARELCO LLC FOR PRELIMINARY PLAT APPROVAL FOR A FOUR LOT SUBDIVISION. Affecting property located on the west side of McNamara Road 0 feet north of Pomona Lane. Designated on the Town of Ramapo Tax Map as Section 33.17, Block 2, Lot 6. Subject property is located at 231 McNamara Road.

Chairwoman Brown opened the public hearing and confirmed with the Deputy Clerk that the notice of public hearing had been properly published, posted, and mailed. Simon Zarour, applicant, was present. Mr. Zarour stated that his attorney, Ryan Karben, and his engineer, Paul Gdanski, are both available by phone if needed. Mr. Zarour stated that this is a four (4) lot subdivision on East Lane and Pomona Lane. The existing home has a driveway on McNamara Road, the others would be on East Lane and Pomona Lane. Mr. Zarour further stated that each lot has a proposed drywell system with zero net runoff. Matt Trainor, Village Engineer, recommended that perc testing be conducted sooner rather than later.

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

Chairwoman Brown asked if anyone from the public wished to be heard.

Ed McPherson
15 East Lane

Mr. McPherson stated that he lives two lots south of the proposed subdivision. Mr. McPherson stated that it was his understanding that there would be an agreement in place between Mr. Zarour and the Pomona Country Club prior to tonight’s meeting and certainly before any vote would be taken to approve this application. Mr. McPherson stated that Mr. Zarour had not signed the agreement and urged the Board not to grant approval of this application until an agreement was signed. Mr. McPherson stated that Mr. Zarour had requested some revisions to

the agreement and will not sign until those have been negotiated and completed on an updated agreement.

Mr. McPherson also stated that he does not believe that the Pomona Country Club should be responsible for monitoring the progress of the construction or ensuring that the work done is in compliance. Mr. McPherson stated that a court action would be the Country Club's only recourse. However, Mr. McPherson stated that the Village has the ability to issue a Stop Work Order, violations, require escrow be posted and withhold the certificates of occupancy.

Mr. McPherson requested that the Board adjourn this application until the agreement is signed or approve with the condition of the signed agreement.

Mr. McPherson also stated that if grading or drainage work made a public road impassable, an immediate Stop Work Order should be issued. Mr. McPherson asked if the Village had the same authority on a private road. Frank Brown asked if construction work of any type was proposed within the right-of-way of any of the Country Club's private roads, and Matt Trainor confirmed that the answer was no.

Mr. McPherson stated that at this time, the subdivision does not have permission to use the Country Club's roads. Without an agreement, the subdivision would need to be revised for this reason.

Phyllis McPherson
15 East Lane

Mrs. McPherson asked how an agreement works if Sorelco sells this property. Frank Brown stated that this would be included on the final plat in the notes, requiring compliance with the conditions of this approval.

Marilyn Gambardella
199,199a and 205 McNamara Road

Ms. Gambardella stated that she believes that an agreement is close. Ms. Gambardella stated that there is one item in question and that she does not have the authority to approve. Ms. Gambardella stated that there are a few topics that require additional discussions, including the buying of stock shares and the paying of fees.

Chairwoman Brown stated that the map is incorrect because of the water cap and a revised map is required. Chairwoman Brown made a motion to adjourn this hearing to the January 4, 2023 meeting, seconded by Lon Lieberman. Upon vote, this motion carried unanimously.

**CONSIDERATION OF THE APPLICATION OF CONGREGATION KHAL CHASIDIM
FOR REVISED SITE PLAN APPROVAL FOR A NEIGHBORHOOD GATHERING.**

Affecting property located on the west side of Martha Road approximately 220 feet from the intersection of Grandview Avenue. Designated on the Town of Ramapo Tax Map as Parcel ID#41.14-1-66. Subject property is located at 15 Martha Road.

Ira Emanuel, attorney for the applicant, was present. Mr. Emanuel stated that Bill Johnson, engineer for the applicant, was also present. Mr. Emanuel stated that after the 2020 site plan approval for this project, there had been expansion of a patio, and the trees that were supposed to remain on the southeast corner of the lot were removed. Mr. Emanuel stated that his client understands that they should have come back before the Board sooner, but they are now present and seeking the appropriate approvals. Mr. Emanuel stated that along the north and west property lines, planting has been approved by the Village, but different plantings have been installed. Mr. Emanuel stated that his client is now seeking an amended site plan approval.

Mr. Johnson stated that the playground equipment proposed for the site has been purchased, but he does not believe that it has been installed. Mr. Johnson stated that a fence is required around the proposed play area-4 feet high and 4 feet from the equipment. Mr. Johnson stated that the shed on the plans is no longer wanted.

Matt Trainor stated that the fire lane, striping, lighting and signage are missing on the site plan. Mr. Trainor also noted the stone arch is in the Village right of way. In addition, Matt Trainor inquired about ADA compliance. Mr. Emanuel stated that the building is two levels and that the lower level is currently handicap accessible. Mr. Johnson stated that there is not an elevator to go upstairs and that the client believed that a long exterior ramp would disrupt the plan and aesthetics.

Mr. Emanuel stated that he was seeking permission for a designated handicapped space on Martha Road, as this would be an easy access point for the building. In addition, Mr. Emanuel stated that this entry would provide a gentler slope and that he intends on embarking on a discussion with the Village Board regarding this matter. Vanessa Caren asked if Mr. Emanuel had seen other designated spots on any other street. Mr. Emanuel stated that he has but is not certain about the location. Lon Lieberman asked if it would be cheaper to add a lift. Mr. Emanuel stated that it would not due to the width and cost.

Jonathan Lockman stated that the plan submitted was a bit confusing. Mr. Lockman requested that a plan be submitted that clearly denotes what's new, what's existing and what is still proposed.

Mr. Lockman asked if the wall around the playground had been built. Mr. Johnson stated that it was not.

Mr. Lockman asked if a manufacturers sheet on the rope structure was available. Specifically, Mr. Lockman is wondering if a variance is needed and/or if the structure needs to be moved over. Mr. Johnson stated that because of the drywells near the play area it cannot be moved much. Mr. Johnson stated that the playground is proposed 10 feet from the property line and the rope structure is proposed 14 feet from the line. Mr. Lieberman stated that the manufacturers sheet states that the rope structure is 13x28 feet-a total of 364 square feet. Mr. Lockman noted that there is no lighting planned near the play area and requested that the plan be updated.

Mr. Emanuel asked that this application not be sent out for GML review until the shed is removed from the plan, notes are added, and he has had the opportunity to speak with the Village Board regarding the archway and the designated parking space. The Board agreed.

Frank Brown asked for clarification on how the playground will be used-i.e. will there be designated times? After school? Summer afternoons? Mr. Brown discussed whether the applicant should be required to abide by setbacks for these structures due to the possible impact on the neighbors. Mr. Emanuel stated that the area will be used during services and that he does not believe that this is in conflict with the approved narrative. Mr. Emanuel stated that he will need to speak to his client about the play area being used or available at other times. Frank Brown requested that there be a map note added with the hours of use under the special permit.

Mr. Emanuel stated that prior to scheduling a public hearing for the Planning Board, he would like the opportunity to obtain feedback from the Village Board on the handicap space and the archway.

APPROVE 10/26/22 PLANNING BOARD MINUTES.

Chairwoman Brown made a motion to approve the 10/26/22 Planning Board minutes, seconded by Neal Wasserman. Upon vote, this motion carried unanimously.

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

Respectfully Submitted,
Tara Roberts