

**Village of Wesley Hills
Planning Board – February 22, 2023
Village Hall**

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

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

Absent: Joseph Zupnik-Second Alternate

The meeting was called to order by Chairwoman Brown, at 7:35 p.m.

CONTINUATION OF THE PUBLIC HEARING ON THE APPLICATION OF CONGREGATION TRISK TOLNA, INC FOR A SPECIAL PERMIT AND SITE PLAN APPROVAL FOR A NEIGHBORHOOD GATHERING. Affecting property located on the northerly side of Glenbrook Road approximately 300 feet west of Moccasin Place. Designated on the Town of Ramapo Tax Map as Parcel ID# 41.10-2-24. Subject property is located at 33 Glenbrook Road.

Chairwoman Brown read this item into the record and reopened the public hearing. Chairwoman Brown stated that since the applicant's last appearance the Board has received two revised versions of the narrative statement, updated plans were received yesterday per the request of the Board at the October 2022 meeting, and a site visit has been conducted at the neighbor's property to assess the impact of the project on the neighbor.

John Atzl, architect for the applicant, was present. Mr. Atzl stated that the original plan included fifteen (15) on-site parking spaces. The current plan includes nine (9) spots. In addition to these nine spots, parking is proposed in the front of the residence and at the homes of three nearby neighbors. Per Matt Trainor's review, an updated EAF and narrative have been submitted. Mr. Atzl noted that pervious pavement is proposed in the parking area and pervious pavers are to be used on the walkway.

Mr. Atzl stated that three variances are needed before the Zoning Board of Appeals and that this application is currently on the March 15th agenda. Mr. Atzl stated that this applicant is requesting a negative SEQRA declaration from the Board.

Matt Trainor stated that he will require soil testing prior to the issuance of a building permit, as the results could affect impervious surface. Also, Mr. Trainor noted that due to the zero buffer on the neighbor, he would like to have input from the neighbor on screening requirements.

Joshua Scheinberg stated that he believes that the frosting on the windows should go all the way to the top of the windows and that shades should be placed on the upper windows to provide screening. Neal Wasserman stated that due to the clear line of sight into the neighbor's home, he agreed that privacy measures should be implemented.

Chairwoman Brown inquired about the ceiling heights on each level of this structure. Chairwoman Brown requested that the applicant confirm that the ceiling heights comply with the New York State Building Code.

Jonathan Lockman requested that color be added to the elevations on the plans. Mr. Lockman stated that the newly submitted plans helped to clarify the basement level as the mikvah level and has made the project far easier to understand. Mr. Lockman also stated that the applicant must obtain permission in writing from the neighbors to utilize their driveways for parking. Mr. Lockman recommended that the adjacent neighbor to the west should be contacted regarding screening due to the zero setback on the driveway. Further, Mr. Lockman stated that clarification will be required with respect to the path, as the bump-out of the home and the path cannot be in the same space.

Mr. Lockman stated that based on the fact that there is no wall between the men's and women's worship spaces and the size of the room, he calculated that the estimated occupancy of the space is 80 -100 people. This also takes into account that each person is designated 15 feet in the space. Chairwoman Brown stated that if the sanctuary capacity is for 80 people, parking needs would be based on this capacity. Further, Chairwoman Brown stated that based on an 80-person occupancy, 15 parking spaces would not be sufficient.

Matt Trainor requested that seating be mapped out on the architectural plans.

Vanessa Caren request that the usage of the site by women be better articulated in the narrative.

Neal Wasserman stated that there is a trench on this site that is near the east boundary. Mr. Wasserman asked about the need/usage of this trench. Mr. Atzl stated that he is not aware of this trench but will investigate prior to the next meeting.

Frank Brown stated that prior to the next meeting, a revised narrative should be submitted that addresses:

- the second floor
- the social hall/event space or the lack of
- if there will be meetings for adult educational study, and if there will not this must be stated clearly
- Parking-how many spots will be offered on each neighbor's property? A sketch should be provided for each driveway with the cars indicated on them. In addition, please confirm the distance from the subject property to 41 Glenbrook, as it appears that this property is greater than 300 feet away. Mr. Brown requested that a 300 foot envelope in dotted lines be added to the plan to be clear about the distance.
- Screening-applicant to add a note regarding buffer screening (230-53(C)(1)). Further, there may be a need to extend the line of trees that extends down the driveway, to the end. Notes regarding frosted glass and shades should be added.

Albert Tew made a motion to adjourn this hearing to the March 22, 2023 meeting, seconded by Vanessa Caren.

Chairwoman Brown requested that revised plans be submitted to the Village by March 8th to provide time for an appropriate review by the Village professionals.

Upon vote, this motion carried unanimously.

CONSIDERATION OF THE APPLICATION OF MARK AND MIRIAM SILBER FOR A CLEARING/FILLING/EXCAVATING PERMIT. Affecting properties located on the West side of Powder Horn Drive Designated on the Town of Ramapo Tax Map as Parcel ID#32.19-2-45, 32.19-2-46, and 32.19-2-47. Subject properties are located at 32 Powder Horn Drive, 34 Powder Horn Drive, and 36 Powder Horn Drive.

Chairwoman Brown read this item into the record. Ira Emanuel, attorney for the applicant, and Paul Gdanski, engineer for the applicant, were present. Chairwoman Brown noted that there has been a site visit conducted by members of the Board. Chairwoman Brown stated that while on the visit, a question arose regarding the significance of the blue and orange flags. Mr. Heinmann clarified that the blue flag denoted the base of the proposed wall. Mr. Heinmann stated that the yellow flags indicate the old wall.

Ira Emanuel stated that the current plan proposes a two (2) tiered wall with landscaping in between and a 100 foot conservation easement.

Chairwoman Brown stated that the details for the wall on page four (4) of the plans require more information. Ms. Brown stated that she would like to see the color of the wall and the proposed landscaping. Further, Chairwoman Brown stated that she is concerned about erosion/a potential water flow issue in this area due to the removal of the trees in this area. Matt Trainor agreed that there is an anticipated increase in stormwater runoff due to the removal of the trees and other vegetation. Matt Trainor also inquired about the transferring of the SWPPP to the correct property now that the project has shifted lots.

Paul Gdanski asked the Board if there was a color that they preferred for the wall. Chairwoman Brown and Vanessa Caren stated that their preference would be a color that blends in with the vegetation, perhaps grey or brown. Mr. Emanuel asked if there was an issue with textures or color that the Board is concerned with. The Board replied not at this time, prior to presentation of a final proposal.

Matt Trainor stated that he is awaiting a response to his October 2022 review letter as he is aware of a shallow bedrock concern on this site and that soil testing is needed. Frank Brown stated that an architectural review will be needed on this site before issuance of a building permit. In addition, Mr. Brown advised that there is a need for a special permit application for the large sports court. Mr. Emanuel asked that the Board limit the scope of this approval to the wall, not the sports court, driveway or other site issues, which would be dealt with separately later.

CONTINUED DISCUSSION ON THE APPLICATION OF CONGREGATION KHAL CHASIDIM FOR REVISED SITE PLAN APPROVAL FOR A NEIGHBORHOOD GATHERING

Chairwoman Brown read this item into the record. In advance of this meeting, a request had been made by the applicant's representative to adjourn this hearing to the March 22, 2023 meeting. Lon Lieberman made a motion to adjourn this application to the March 22, 2023 meeting, seconded by Neal Wasserman. Upon vote, this motion carried unanimously.

CONSIDERATION OF THE APPLICATION OF VINICIO LOZANO FOR A CLEARING/FILLING/EXCAVATING PERMIT.

Chairwoman Brown read this item into the record. Paul Gdanski, engineer for the applicant, was present. Mr. Gdanski stated that the applicant conducted work on his property to create an area on his property to play soccer. Mr. Gdanski stated that Mr. Lozano removed trees without a permit and would like to restore the site. Matt Trainor asked that Mr. Gdanski confirm that silt fencing has been installed and is being maintained. Chairwoman Brown confirmed with Mr. Gdanski that Mr. Lozano intends to also restore the neighbor's property as well. Mr. Gdanski confirmed that that is the intention.

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

Lon Lieberman made a motion to approve this application, seconded by Neal Wasserman.

Resolution # 23-7
LOZANO FILLING AND EXCAVATION PERMIT

Whereas, a formal application from Vinicio Lozano for a clearing, filling and excavation permit for filling and regrading on property located on the southerly side of Lime Kiln Road, known as 114 Lime Kiln Road and designated on the Town of Ramapo Tax Maps as Section 41.05, Block 1, Lot 35, 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 titled "Site Restoration Plan for Lozano, Village of Wesley Hills, Town of Ramapo, Rockland County, New York", dated January 22, 2023, prepared by Paul Gdanski, P.E., PLLC, subject to the following conditions and modifications:

1. The applicant shall pay a non-refundable application fee in the amount of \$1,100.00, 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 the amount of \$8,500.00, as determined by the Village Engineer, 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 February 17, 2023, a copy of which letter is attached to this Resolution and made a part hereof.
4. The erosion control devices shall be properly installed and continuously maintained until the completion of the projection.
5. Certification, to the satisfaction of the Village Engineer, shall be provided to document that the work depicted on said plot plan has been completed.
6. All work required hereby, including topsoil and seeding, shall be completed no later than August 31, 2023, to the satisfaction of the Village Engineer.

Upon vote, this motion carried unanimously.

APPROVE 1/25/23 PLANNING BOARD MINUTES.

Chairwoman Brown made a motion to approve the 1/25/23 Planning Board minutes, seconded by Lon Lieberman. Upon vote, this motion carried unanimously.

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

Respectfully Submitted,
Tara Roberts