

**Village of Wesley Hills
Planning Board – October 3, 2018**

The meeting was called to order by Vera Brown, Chairman, at 7:40 p.m.

Present: Vera Brown-Chairman, Rachel Taub, Alexandra Wren, Israel Shenker, Joe Moskowitz-First Alternate, Marilyn Blocker-Second Alternate.

Also Present: Frank Brown-Deputy Village Attorney, Brian Brooker and Matt Trainor-Village Engineers, Janice Golda-Deputy Village Clerk

Absent: Uri Kirschner, Jeff Osterman-Village Planner

ADJOURNMENT OF THE PUBLIC HEARING CONTINUATION ON THE APPLICATION OF CONGREGATION DERECH EMES TO REVISE A PREVIOUSLY APPROVED SPECIAL USE PERMIT FOR A NEIGHBORHOOD GATHERING AND A PREVIOUSLY APPROVED SITE PLAN FOR A SYNAGOGUE. Affecting property located on the east side of Wilder Road approximately 228 feet north of Carter Lane. Designated on the Town of Ramapo Tax Map as Parcel ID#41.10-2-3.

The applicant was unable to submit the required updated plans in time for adequate review.

Israel Shenker motioned to adopt the following resolution. Joe Moskowitz seconded.

Resolution #18-33

WHEREAS, the Planning Board is conducting a public hearing on the application of Congregation Derech Emes for approval of a revised special permit and a revised site plan for a neighborhood gathering on premises located on the easterly side of Wilder Road known as 34 Wilder Road and designated on the Town of Ramapo Tax Map as Section 41.10, Block 2, Lot 3; and

WHEREAS, on August 22, 2018 the public hearing on such application was adjourned until October 3, 2018 to give the applicant an opportunity to submit revised plans responding to the comments received from the Village's engineering consultant and the Town of Ramapo Department of Public Works; and

WHEREAS, the applicant's revised plans were not submitted to the Planning Board until September 28, 2018, leaving insufficient time for the Village's engineering consultant to review them before this meeting of the Planning Board;

NOW, THEREFORE, BE IT RESOLVED, that the public hearing is hereby adjourned until October 24, 2018.

Vote: Vera Brown-Yes, Rachel Taub-Yes, Alexandra Wren-Yes, Israel Shenker-Yes, Joe Moskowitz-Yes.

Motion Approved

CLEARING AND FILLING APPLICATION OF JOSEPH STREICHER, BEN AVRAM LLC. Affecting property located on the north side of East Willow Tree Road approximately 330 west of Deerwood Road. Designated on the Town of Ramapo Tax Map as Parcel ID#41.08-44.2

John Atzl of Atzl, Nasher & Zigler P.C. Engineering appeared on behalf of the applicant.

Mr. Atzl explained to the Board that the Moskowitz Subdivision was filed in 2010 and this application for a Clearing/Filling/Excavation permit is for Lot 2, which was purchased last year by his client, Mr. Joseph Streicher, the owner of Ben Avram LLC. He stated that his client wants to clear the area where the home was proposed on the subdivision plat so his client can either build for himself or market the property for sale. There will be no removal of any trees that were not previously approved for removal on the subdivision plat. Mr. Atzl stated that all revisions required per Brooker Engineering's September 24, 2018 letter will be updated and the plan resubmitted for Village engineering final approval. One revision includes labeling the protected trees that were originally identified on the approved subdivision plat.

Vera Brown raised the issue that the Filling and Excavation Permit granted to Barak Jacobov in January required remediation work to be performed, including removal of fill deposited on this lot. Matt Trainor, Village Engineer, confirmed that that condition is not yet satisfied. Frank Brown stated that the condition was to have been satisfied by July 1st. The Board asked Mr. Atzl to follow up with his client Mr. Jacobov on status of this open permit. The Village Clerk will be notified. Mr. Atzl pointed out that the Jacobov permit has no bearing on this application because the area proposed to be cleared is not the same area where remediation work was required.

Vera Brown discussed with Mr. Atzl the possibility of saving some trees along the property line by the driveway. Mr. Atzl stated that many of the existing ash trees are not in good shape.

Frank Brown said that the Moskowitz Subdivision does require planting ten evergreen trees along the easterly lot line adjacent to a designated portion of the proposed driveway.

Frank Brown discussed the Village Zoning Law on tree clearing and the associated performance security requirements. Matt Trainor, Village Engineer, requested in his September 24, 2018 letter a cost estimate of the work in order to calculate an appropriate security deposit.

The Board discussed with Mr. Trainor options for calculating the security deposit.

Rachel Taub motioned to adopt the following resolution. Israel Shenker seconded.

Resolution #18-34

WHEREAS, a formal application from Ben Avram, LLC for a clearing, filling and excavation permit for clearing work on property located on the northerly side of East Willow Tree Road, designated on the Town of Ramapo Tax Maps as Section 41.08, Block 1, Lot 44.2, 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 of the Village of Wesley Hills), 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 clearing permit is hereby approved for the clearing and seeding work shown on the plot plan entitled “Ben Avram, LLC, Village of Wesley Hills, Rockland County, New York, Clearing Plan”, dated August 16, 2018, prepared by Atzl, Nasher & Zigler, P.C., subject to the following conditions and modifications:

1. The applicant shall comply with all conditions set forth in the letter of Brooker Engineering, PLLC dated September 24, 2018, a copy of which letter is attached to this Resolution and made a part hereof.

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 receipt by the Village Engineer of a cost estimate deemed to be acceptable by the Village Engineer, as required by condition 8 of the aforementioned letter of Brooker Engineering, PLLC.

3. All work required hereby shall be completed no later than three months after commencement of the work authorized by this Resolution.

Vote: Vera Brown-Yes, Rachel Taub-Yes, Alexandra Wren-Yes, Israel Shenker-Yes, Joe Moskowitz-Yes.

Motion Approved

APPROVE 8/22/18 PLANNING BOARD MINUTES

Vera Brown motioned to approve the 8/22/18 Planning Board minutes. Rachel Taub seconded.

Vote: Vera Brown-Yes, Rachel Taub-Yes, Alexandra Wren-Yes, Joe Moskowitz-Yes.
Motion approved.

Vera Brown motioned to adjourn the meeting. Rachel Taub seconded.

Vote: Vera Brown-Yes, Rachel Taub-Yes, Alexandra Wren-Yes, Israel Shenker-Yes, Joe Moskowitz-Yes.

Meeting adjourned 8:10 p.m.