



PLANNING BOARD MEETING MINUTES

November 29, 2023 at 7:30 PM

432 Route 306, Wesley Hills, NY 10952

Phone: 845-354-0400 | Fax: 845-354-4097

CALL TO ORDER

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

Also Present: Frank Brown-Deputy Village Attorney, Eve Mancuso-Village Engineer, Jonathan Lockman-Village Planner, Alicia Schultz-Deputy Village Clerk

Absent: Lon Lieberman, Joseph Zupnik- Second Alternate

Chairwoman Brown introduced Eve Mancuso, who has succeeded Matt Trainor as the Village's engineering consultant from Brooker Engineering to the Planning Board members.

CONTINUED PUBLIC HEARING ON THE APPLICATION OF ROCKLAND TREE EXPERT CO., INC. DBA IRA WICKES/ARBORISTS FOR AN AMENDED SITE PLAN AND SPECIAL PERMIT. Affecting property located on the South side of McNamara Road, 0 feet West of Union Road. Designated on the Town of Ramapo Tax Map as Parcel ID #42.13-1-22. Subject property is located at 11 McNamara Road.

Chairwoman Brown read this item into the record. Ira Emanuel, the applicant's attorney, sent a letter to the Village requesting an adjournment to the January 24, 2024 meeting, as the applicant does not have finalized environmental reports yet.

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

Resolution # 23-39 **WICKES ARBORISTS SPECIAL PERMIT & SITE PLAN**

WHEREAS, the Planning Board is conducting a public hearing on the application of IJJ, LLC for approval of a special permit and a site plan for the use of premises located on the southerly side of McNamara Road and the westerly side of Union Road known as 11 McNamara Road and designated on the Town of Ramapo Tax Map as Section 42.13, Block 1, Lot 22 as an arborist service, and on August 30, 2023 such public hearing was adjourned until October 25, 2023 in order to give the applicant sufficient time to submit

additional documents to the Planning Board; and

WHEREAS, on November 17, 2023, the applicant's attorney advised the Planning Board in writing that the applicant's revised submissions relating to the Planning Board's review of the project pursuant to the State Environmental Quality Review Act (SEQRA) would not be ready for the meeting on November 29, 2023 and therefore requested that the public hearing on its application be adjourned until the Planning Board meeting on January 24, 2024;

NOW, THEREFORE, BE IT RESOLVED, that the public hearing on the aforementioned application shall be adjourned until the 24th day of January, 2024 at 7:30 P.M., at the Village Hall, located at 432 Route 306 in the Village of Wesley Hills, upon the request of the applicant.

Upon vote, this motion was carried unanimously.

CONTINUED PUBLIC HEARING ON APPLICATION OF DEERWOOD TRUST ON BEHALF OF ORAH MONCZYC FOR A SPECIAL PERMIT FOR A HOME BUSINESS. Affecting property located on the westerly side of Deerwood Road designated on the Town of Ramapo Tax Map as Parcel ID #41.08-1-25. Subject property is located at 19 Deerwood Road.

Chairwoman Brown opened the continuation of the public hearing. Stanley Mayerfeld, the applicant's architect, was present and stated Ms. Monczyc is a single mother and would like to use her basement as a salon for doing makeup for income. Mr. Mayerfeld stated that the applicant will not have more than one client at a time, there is plenty of parking, and they are not planning to post any signage. Mr. Mayerfeld submitted updated plans and Long Environmental Assessment form as requested.

Eve Mancuso read her review letter dated November 28, 2023. Ms. Mancuso stated that the applicant needs to put a wheel stopping device on the west side of the driveway where people are going to park, as there is a large hill in front of the proposed parking spaces. Ms. Mancuso questioned if there is more lighting being installed outside of the home. Mr. Mayerfeld answered no, the current lighting on the home is sufficient, and the walkway and stairway into the salon are well lit. Jonathan Lockman stated that the applicant has satisfied all of his requests, other than completing page 2 of the Planning Board application.

Chairwoman Brown questioned if anyone from the public would like to speak. No one wished to speak.

All persons wishing to be heard having been heard, Chairwoman Brown made a motion to close the public hearing, seconded by Vanessa Caren. Upon vote, this motion was carried unanimously.

Albert Tew made a motion to approve the following resolution, seconded by Joshua Scheinberg:

Resolution # 23-40
MONCZYC SPECIAL PERMIT

WHEREAS, Deerwood Trust on behalf of Orah Monczyc has applied to the Planning Board of the Village of Wesley Hills for a special permit for a home business for property located on the westerly side of Deerwood Road, known as 19 Deerwood Road and designated on the Town of Ramapo Tax Maps as Section 41.08, Block 1, Lot 25; and

WHEREAS, a public hearing on said application was held by the Planning Board on October 25, 2023, and was continued on November 29, 2023, at which times all members of the public wishing to speak had an opportunity to be heard;

NOW, THEREFORE, BE IT RESOLVED, that it is hereby determined that the proposed project is a Type II action which will not have a significant impact on the environment as defined in the State Environmental Quality Review Act (SEQRA) for the reasons that (1) there will be no external modifications to the building or other construction on the site, (2) the applicant is proposing a reasonable and small number of non-resident visits and hours of operation of the proposed home business, and (3) there are no other potentially significant adverse environmental impacts that are foreseeable from the proposed project so long as it is operated in conformance with the requirements of the Zoning Law of the Village of Wesley Hills and the condition imposed hereinbelow; and

BE IT FURTHER RESOLVED, that said application for a special permit for a home business for a salon providing only makeup services is hereby granted, subject to the following conditions:

1. The home business shall be operated in conformance with the representations set forth in the narrative statement of Mayerfeld Architecture PLLC dated May 23, 2023, as supplemented by the letter of Stanley Mayerfeld dated November 2, 2023, except as modified by the following additional requirement.
2. No parking of customer vehicles shall be allowed on Deerwood Road at any time.
3. Wheel stops shall be installed in front of or behind the fence, to the satisfaction of the Village's engineering consultant.
4. The application form shall be completed to the satisfaction of the Village's planning consultant.

Upon vote, this motion was carried unanimously.

CONTINUATION OF THE APPLICATION OF NANCY RUBIN ON BEHALF OF MARK NUSSEN FOR A CLEARING/FILLING/EXCAVATING PERMIT. Affecting property located on the west side of Astor Place, 625 feet from the intersection of Ardley Place.

Designated on the Town of Ramapo Tax Map as Parcel ID #41.06-1-78. Subject property is located at 33 Astor Place.

Chairwoman Brown opened the continuation of the public hearing. The applicant, and Isaac Steinfeld, applicant's contractor, were present. Mr. Nussen showed the Board the revised plans. Mr. Nussen explained that the plans have been scaled back a lot, including a reduction of 8,000 cubic yards of fill. Mr. Nussen stated that the topography of the property leaves no good solution, so they are proposing to build tiered walls in order to utilize space not previously able to be used.

Jonathan Lockman stated that he needs to see a more detailed landscaping plan and more of a design plan which specifies if the fence is next to the top of the wall, or on top of the wall itself, as the current plans are not clear enough. Eve Mancuso was concerned that if the fence is installed on top of the wall, it might damage the integrity of the wall. Eve Mancuso stated that the soil that has been brought into the site must be tested by an independent tester, and they must specify where each specimen is coming from as there are THREE (3) different addresses in the application. Ms. Mancuso also stated that there is no drainage information regarding the infiltration under the pavers, and that information needs to be added to the plans. Albert Tew suggested the applicant have a meeting with their team and the Village professionals prior to the January 3, 2024 meeting, to help the process along.

Devorah Weider, 31 Astor Place, stated that she is concerned because they have been moving a lot of soil around the property, and there is no silt fence installed.

Chairwoman Brown made a motion to adjourn the public hearing on this application until the January 3, 2024 meeting, seconded by Albert Tew. Upon vote, this motion was carried unanimously.

CONSIDERATION OF THE APPLICATION SUBMITTED BY YITZCHOK WIEDER FOR A WETLANDS PERMIT. Affecting property located on the west side of Tranquility Road, 575 feet south of Joy Road. Designated on the Town of Ramapo Tax Map as Parcel ID #41.09-1-28. Subject property is located at 49 Tranquility Road.

Chairwoman Brown read this item into the record. Anthony Celentano, applicant's engineer, was present. Mr. Celentano stated that the applicant is building an addition within the 100-foot wetlands buffer.

Jonathan Lockman stated that the plans do not reflect the correct boundaries of the wetlands and wetlands buffer, and that needs to be corrected on the plans prior to the January 3, 2024 meeting. Mr. Lockman added that the narrative should include mention of no intention of harm to the wetlands, and that the applicant will have to apply to the Zoning Board of Appeals for variances. Eve Mancuso agreed with Mr. Lockman that the setbacks need to be corrected and they will need to apply to the Zoning Board of Appeals. Ms. Mancuso added that there are other technical details that need to be changed on the plans as well prior to the next meeting in January.

Albert Tew made a motion to approve the following resolution, seconded by Vanessa Caren:

Resolution # 23-41
WIEDER WETLANDS PERMIT

RESOLVED, that a public hearing on a Wetlands Permit application by Yitzchok Wieder for property located on the westerly side of Tranquility Road, known as 49 Tranquility Road and designated on the Town of Ramapo Tax Maps as Section 41.09, Block 1, Lot 28, for authorization to construct an addition to a house within 100 feet of the boundary of a freshwater wetland, as depicted on the plot plan designated as "Plot Plan for Wieder, 49 Tranquility Road, Located in the Village of Wesley Hills, Rockland County, New York" prepared by Paul Gdanski, PE, PLLC, dated September 11, 2023, will be held before the Planning Board of the Village of Wesley Hills on the 3rd day of January, 2024 at 7:30 P.M., at the Village Hall, located at 432 Route 306 in the Village of Wesley Hills.

Upon vote, this motion was carried unanimously.

RECOMMENDATION TO BOARD OF TRUSTEES ON PROPOSED ZONING LAW AMENDMENT.

Frank Brown explained the purpose of the proposed amendment.

Albert Tew made a motion to approve the following resolution, seconded by Joshua Scheinberg:

Resolution # 23-42
RECOMMENDATION CONCERNING
PROPOSED AMENDMENT TO ZONING LAW

WHEREAS, the Board of Trustees of the Village of Wesley Hills is considering the adoption of a proposed local law entitled "A Local Law Amending the Code of the Village of Wesley Hills, to Revise the Zoning Law in Relation to Procedures for the Regulation of Sign Permits"; and

WHEREAS, the Board of Trustees has referred such proposed local law to the Planning Board for review and report pursuant to Section 230-76 of the Code of the Village of Wesley Hills, and this Board has thereupon considered such proposed local law;

NOW, THEREFORE, BE IT RESOLVED, that this Board hereby approves the form of such proposed local law, and recommends its adoption, for the following reasons:

1. The purpose and effect of such proposed local law is to remove the requirement of Planning Board review of applications for certain sign permits because the Zoning Law already requires review of such applications by the Building Inspector based on specified objective standards, and there are no additional standards applicable to Planning Board review that are stated in the Zoning Law so review by the Planning Board would serve no useful purpose; and
2. For the foregoing reasons, such proposed local law would be in furtherance of the purposes of the Zoning Law; and

BE IT FURTHER RESOLVED, that a copy of this Resolution, which shall be deemed to be a report of this Board, shall be transmitted to the Board of Trustees forthwith.

Upon vote, this motion was carried unanimously.

APPROVAL OF MINUTES- 10/25/2023

Chairwoman Brown made a motion to approve the October 25, 2023 minutes, seconded by Neal Wasserman. Upon vote, this motion was carried unanimously.

ADJOURNMENT

Chairwoman Brown made a motion to adjourn the meeting, seconded by Vanessa Caren. Upon vote, this motion was carried unanimously.

Respectfully Submitted,
Alicia Schultz