



PLANNING BOARD MEETING AGENDA

January 24, 2024 at 7:30 PM

432 Route 306, Wesley Hills, NY 10952

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

CALL TO ORDER

CONTINUED PUBLIC HEARING

- 1. CONTINUED PUBLIC HEARING ON 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.
- 2. CONTINUED PUBLIC HEARING ON THE APPLICATION SUBMITTED BY 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.

PUBLIC HEARING

- 3. PUBLIC HEARING ON THE APPLICATION SUBMITTED BY BASYA HOLZBERG FOR ARCHITECTURAL PLAN REVIEW OF A SINGLE-FAMILY HOME.** Affecting property located on the west side of Powder Horn Drive. Designated on the Town of Ramapo Tax Map as Parcel ID#39.19-2-45. Subject property is located at 28 Powder Horn Drive.

DISCUSSIONS

- 4. CONTINUED DISCUSSION ON APPLICATION SUBMITTED BY ZAHAV GROUP FOR REVISION OF THE FINAL PLAT KNOWN AS THE HURWITZ SUBDIVISION.** Affecting property located on the westerly side of Spook Rock Road, approximately 750 feet north of the intersection of Grandview Avenue. Designated on the Town of Ramapo Tax Map as Parcel ID #40.16-1-10.2. Subject property is located at 89 Spook Rock Road.

APPROVAL OF MINUTES

- 5. January 3, 2024**

ADJOURNMENT

VILLAGE OF WESLEY HILLS

432 Route 306

Wesley Hills, New York 10952

(845) 354-0400 Fax: (845) 354-4097

Item 1.

APPLICATION FOR WETLANDS PERMIT

NAME OF APPLICANT YITZCHOK ISSAC WIEDER PHONE _____

ADDRESS 49 TRANQUILITY RD , WESLEY HILLS

PROJECT NAME 49 TRANQUILITY RD TAX LOT # 41.09-1-28

LOCATION West side of Tranquility Road approx 575 South of Joy Road

DESCRIBE THE SPECIFIC PURPOSE, NATURE AND SCOPE OF THE ACTIVITY PROPOSED.

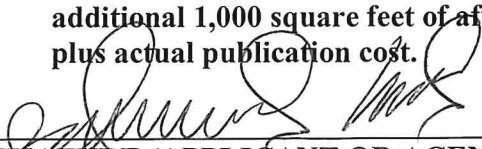
Addition to a single family dwelling

(Attach a separate piece of paper if necessary)

"Permission is hereby granted to the Village of Wesley Hills, its agents, servants and employees to enter upon the above described property solely for the purposes incidental to the within application at reasonable times upon reasonable notice to the owner or tenant in possession."

SUBMIT THE FOLLOWING:

- 1) **A MAP SHOWING THE AREA OF WETLAND, WATER BODY OR WATERCOURSE DIRECTLY AFFECTED.**
- 2) **A TOPOGRAPHICAL AND PERIMETER SURVEY, HYDROLOGICAL COMPUTATION, ENGINEERING STUDIES AND OTHER FACTUAL OR SCIENTIFIC DATA AND REPORTS AS DEEMED NECESSARY BY THE PLANNING BOARD TO PERMIT IT TO ARRIVE AT A PROPER DETERMINATION.**
- 3) **FEE(S): \$100 for first 1,000 square feet of affected area, plus \$50 for each additional 1,000 square feet of affected area (as determined by Village Engineer), plus actual publication cost.**


SIGNATURE (APPLICANT OR AGENT)

10-18-23
DATE



CONSTRUCTION EXPEDITING
AND CONSULTANTS

Step by Step Guidance from Planning ... to Reality

October 23, 23

Attn: Planning Board
Village of Wesley Hills

Re: 49 Tranquility Road

To whom it may concern:

The above application is being submitted to obtain a permit for doing work within the 100-foot buffer of the wetland and watercourse that is located in the rear of the property.

Should have any questions please do not hesitate to contact us.

Construction Expediting
845-426-7272



CONSTRUCTION EXPEDITING
AND CONSULTANTS

Paul Gdanski, PE, PLLC

633 Woodmont Lane
Sloatsburg, NY 10974
(917) 418-0999
Email: pgski@earthlink.net

Item 1.

December 17, 2023

Village of Wesley Hills
432 Route 306
Wesley Hills, NY 10952

Re: 49 Tranquility Road
Addition Plan & Wetland Permit Application
Section 49.01-1-28

Brooker Engineering PLLC letter dated November 28, 2023

- 1) We agree that no mitigation is required.
- 2) The columns have been corrected.
- 3) Owner will send plans to DEC for determination.
- 4) The waters edge is clearly labelled.
- 5) The 100 year flood plain is shown and the datum is noted.
- 6) Additional grades were added and a partial plan added as well.
- 7) Existing and proposed roof leaders are shown. The proposed footing drain will be connected to the existing footing drain.
- 8) The proposed walls are all under 4 feet and a detail has been provided.
- 9) The fence has been extended.
- 10) Wetlands permit application will be submitted.

NPV letter dated November 10, 2023

- 1) The wetland will be protected by the silt fence that is installed as part of the construction drawings.
- 2) Edge of wetlands is delineated and shown.
- 3) Lot is shown correctly.
- 4) Name has been added.
- 5) A RC Drainage Agency permit will be obtained.
- 6) Setbacks to wetlands are provided.
- 7) Comment noted.
- 8) Comment noted.
- 9) Comment noted.
- 10) Comment noted.

Very truly yours,

Paul Gdanski

Paul Gdanski, P.E.



Memorandum

To: Village of Wesley Hills Planning Board

From: Jonathan T. Lockman, AICP
 Aaron Kardon, AICP

Re: Yitzchok Issac Wieder; 49 Tranquility Road – Home Addition
 SBL# 41.09-1-28

Date: January 3, 2024

cc: Eve Mancuso, P.E., Village Engineer
 Frank Brown, Esq., Planning Board Attorney
 Alicia Schultz, Deputy Village Clerk
 John Layne, Building Inspector
 Paul Gdanski, P.E., for the Applicant

Received and reviewed for this memorandum:

- Response Letter, From Construction Expediting to Planning Board, dated December 21, 2023.
- Response Letter from Paul Gdanski to Village of Wesley Hills, dated December 17, 2023.
- Plot Plan, 1 Sheet, for Wieder, stamped by Paul Gdanski, P.E., dated September 11, 2023, with latest revision date of December 17, 2023.
- GML Review Letter, from Rockland County Department of Planning to Planning Board, dated November 27, 2023.

Project Summary

The subject application is for a Wetland Permit from the Planning Board, under Chapter 221 of the Village Code, for construction of a home addition and other improvements within 100 feet of a wetland. The subject lot is located in the R-50 District on the west side of Tranquility Road, and on the north side of Wesley Chapel Road. (It is a through lot rather than a corner lot.) The proposed new house addition will be 606 square feet. Other proposed improvements will be a replacement rear deck, a new front porch at the front door, and a new balcony off the addition.

Submission Comments

1. In reference to comment #1 from our previous memorandum dated November 10, 2023, the applicant states that the wetland will be protected by the silt fence which will be installed as shown on the construction drawings. It is up to the Planning Board to determine if this action will provide protection to the wetland areas & lake and that proposed construction will not have any undue adverse impacts. See § 221-7 which states that **the applicant has “the burden of**

demonstrating that the proposed activity will be in accordance with the policies and provisions of this chapter.”

2. Regarding comments #2 and #3 of our previous memorandum, the applicant has clarified the location of the delineated wetlands edge and has provided the source of reference. Our previous comment has been resolved.
3. Regarding comment #4 of our previous memorandum, the applicant has identified the water body as Willow Tree Brook, and that it is a DEC Regulated Stream (number 860-14, Classification B(T)), and that it is a County-regulated stream. Our previous comment has been resolved.
4. In response to comment #5 of our previous memorandum, the applicant has stated that they will obtain **a permit from the Rockland County Drainage Agency**. The Planning Board may wish for the applicant to obtain this permit prior to approval, or it may set the procurement of a permit as a condition of approval.
5. Regarding comment #6 of our memorandum, the applicant has added the setbacks of the proposed additions and improvements from the wetland edge as requested. Our previous comment has been resolved.

Zoning Comments

6. As we noted in comment #7 of our previous memorandum, **the proposed front porch will require a variance from the ZBA as it would be located only 46.7 feet from the front property line** where 50 feet is required. As the existing house is 57.1 feet from the front property line and there is some space available, **please consider making this improvement smaller, so that a ZBA variance is not required.**
7. As we noted in comment #8 of our previous memorandum, the proposed addition and improvements will create another nonconformity because of an increase in impervious surfaces in the required front yard, beyond the 0.22 maximum. **As previously requested, please show the location of the required front yard, and where the incursion into this yard is being proposed. Please consider a redesign that lessens or eliminates the need for this variance.**

SEQRA/GML Comments

8. The project is for the expansion of a single-family residence on an approved lot which is considered **a type II action, requiring no SEQRA review**. However, this proposal for a Wetlands & Watercourse permit still may have impacts on drainage, wetlands water quality, and the character of the surrounding neighborhood. The Planning Board may still require changes to mitigate environmental impacts of this application under its Chapter 221 standards, even if the project is only considered Type II for SEQRA purposes.
9. The site is adjacent to Willow Tree Brook, a County Regulated Stream and requires an RC Drainage Agency permit (see comment 4 above). As discussed at the applicant's last appearance before the Planning Board in November, **GML reviews are not required for Wetland Permits. Nonetheless, the Building Department did send this application to RC Planning Department, which conducted a GML Review and issued a review letter dated November 27, 2023** (even though it was not

required). Ironically however, should the applicant continue to pursue ZBA variances, **GML Review of the ZBA variance application will be required.** We can safely assume that their comments on the ZBA application will be consistent with their comments on the wetland application. We defer to the Planning Board attorney on the handling of this GML letter situation.

Please let me know if you have any questions or comments regarding this review.

The following Items were reviewed for our previous memorandum, dated November 10, 2023:

- Transmittal Letter, From Construction Expediting to Planning Board, dated October 23, 2023.
- Application for Wetlands Permit, for Wieder, 49 Tranquility Road, dated October 18, 2023.
- Plot Plan, 1 Sheet, for Wieder, stamped by Paul Gdanski, P.E., dated September 11, 2023.



Memorandum

To: Village of Wesley Hills Planning Board

From: Jonathan T. Lockman, AICP
 Aaron Kardon, AICP

Re: Yitzchok Issac Wieder; 49 Tranquility Road – Home Addition
 SBL# 41.09-1-28

Date: November 10, 2023

cc: Matthew Trainor, P.E., Village Engineer
 Frank Brown, Esq., Planning Board Attorney
 Alicia Schultz, Deputy Village Clerk
 John Layne, Building Inspector
 Paul Gdanski, P.E., for the Applicant

Received and reviewed for this memorandum:

- Transmittal Letter, From Construction Expediting to Planning Board, dated October 23, 2023.
- Application for Wetlands Permit, for Wieder, 49 Tranquility Road, dated October 18, 2023.
- Plot Plan, 1 Sheet, for Wieder, stamped by Paul Gdanski, P.E., dated September 11, 2023.

Project Summary

The subject application is for a Wetland Permit from the Planning Board, under Chapter 221 of the Village Code, for construction of a home addition and other improvements within 100 feet of a wetland. The subject lot is located in the R-50 District on the west side of Tranquility Road, and on the north side of Wesley Chapel Road. (It is a through lot rather than a corner lot.) The proposed new house addition will be 606 square feet. Other proposed improvements will be a replacement rear deck, a new front porch at the front door, and a new balcony off the addition.

Submission Comments

1. A wetlands permit is required by Section 221-4.C because the home addition and other improvements are located within the 100-foot Wetlands buffer. Standards for granting a permit are found in §221-7. **The applicant has “the burden of demonstrating that the proposed activity will be in accordance with the policies and provisions of this chapter” and should address how the wetland will be protected, as part of this application.** The Planning Board must be able to determine that proposed construction won’t have any undue adverse impacts on the wetland.
2. The edge of the wetland must be clearly delineated on the plot plan. There is a faint line with arrows on the drawing, but it is unclear that this is the wetland edge, as this line symbol is

perpendicular to the contour lines at the southwest corner of the lot. The edge of the water should run parallel to contours at the edge of a water body. Please clarify and adjust the depictions of the contours and wetlands edge accordingly.

3. See the depictions of Lot 29 on the Rockland County GIS viewer:



4. Please indicate that Willow Tree Brook is the name of the waterbody, and (1) that it is a DEC Regulated Stream 860-14, Classification B(T); and (2) that it is a County-regulated stream.
5. A permit will be required from the Rockland County Drainage Agency.
See <http://rocklandgov.com/departments/highway/drainage-agency/>
6. Please show the setbacks of the proposed additions and improvements to the wetland edge (the site setbacks are now shown).

Zoning Comments

7. According to the plot plan submittal, the proposed front porch will require a variance from the ZBA as it would be located only 46.7 feet from the front property line where 50 feet is required. As the existing house is 57.1 feet from the front property line and there is some space available, please consider making this improvement smaller, so that a ZBA variance is not required.
8. According to the plot plan submittal, the proposed addition and improvements will create another nonconformity because of an increase in impervious surfaces in the required front yard, beyond the 0.22 maximum. Please show the location of the required front yard, and where the incursion into this yard is being proposed. Please consider a redesign that lessens or eliminates the need for this variance.

SEQRA/GML Comments

9. The project is for the expansion of a single-family residence on an approved lot which is considered a type II action, requiring no SEQRA review. However, this proposal for a Wetlands & Watercourse permit still may have impacts on drainage, wetlands water quality, and the character of the surrounding neighborhood. The Planning Board may still require changes to mitigate environmental impacts of this application under its Chapter 221 standards, even if the project is only considered Type II for SEQRA purposes.
10. This action is over 500 feet from County Road 85, Spook Rock Road. However, the site is adjacent to Willow Tree Brook, a County Regulated Stream. Therefore, we believe this application is required to be sent to Rockland County Planning Department for GML review.

Please let me know if you have any questions or comments regarding this review.



BROOKER ENGINEERING

a division of Weston & Sampson

74 Lafayette Avenue, Suite 501, Suffern, NY 10901
Tel: 845.357.4411

November 28, 2023

Village of Wesley Hills
Planning Board
432 Route 306
Wesley Hills, New York 10952

Attn: Alicia Schultz, Building Department

Re: 49 Tranquility Road
Addition Plan & Wetland Permit Application Review
Section 49.01 Block 1 Lot 28
ENG23-3106 (BBE# WH0169)

Dear Members of the Board,

Our office has reviewed the following documents for a Wetlands Permit for the construction of an addition and site work fully within 100 feet of a wetland boundary at the above referenced location:

- Plot Plan entitled "Wieder 49 Tranquility Road," dated September 11, 2023, prepared by Paul Gdanski, P.E., PLLC, sheet 1 of 1.
- Wetlands Permit Application, prepared by Yitzchok Isaac Wieder, dated October 18, 2023

Site work includes an addition to a single-family home, driveway modifications, retaining wall construction, and front porch & rear deck replacement as close as 25 feet to the wetland. Our office offers the following comments:

1. Although this addition appears to be a major addition (>25% building footprint increase), it is proposed at the location of the existing driveway, virtually resulting in a zero net increase in impervious surfaces. Therefore, our office would not require any additional stormwater mitigation measures.
2. Two variances are noted to be required:
 - a. Front Yard on Tranquility Road (46.7 feet proposed – 50.0 feet required.)
 - b. Front Yard Impervious Surface Ratio along Tranquility Road (0.228 proposed - 0.22 required.) The existing non-conformance appears to have been reduced only as a result of the proposed front yard offset requested. It is noted that the impervious area Bulk Table columns for the two front yard impervious surface ratios do not agree with calculations noted on plan. Column descriptions should be swapped.
3. Disturbances are within 50' of the water's edge. According to the NYS DEC's Environmental Resource Mapper, the pond/stream is classified as B(T) which is considered protected. Applicant to inquire with the NYS DEC if a Protection of Waters Permit is required for the proposed work.
4. The water's edge should be clearly indicated on the plan. Offset from water's edge to proposed addition / disturbance to be provided.
5. 100 Year Flood elevations shall be provided. The survey datum shall be noted.

6. Additional grading/contour detail should be provided. Elevations of all corners of proposed addition to be provided. Updated floor/garage floor elevations shall be confirmed. Driveway linework and wall elevation text is difficult to interpret. Consider a part plan for area of improvements.
7. Existing and proposed roof leader & footing drain locations to be provided and modified as necessary.
8. Construction details of proposed retaining walls to be provided. Walls over 4.0 in height will require structural calculations be submitted and certification from a licensed professional engineer.
9. Extension of silt fence/disturbance limit should encompass deck replacement work.
10. Wetlands Permit application fee to be provided after updated disturbance limit is provided.

Sincerely,



WESTON & SAMPSON, PE, LS, LA, Architects, PC
Eve Marie Mancuso, PE.
Principal Engineer

CC. Jonathan Lockman, AICP – Village Planner
Frank Brown, Esq.- Planning Board Attorney
Camille Guido-Downey – Village Clerk
John Layne – Building Inspector
Gdanski, PE. – applicants Engineer

Y:\VILLAGES\WH Wesley Hills\WH0169 - 49 Tranquility Wetlands Permit\2023-11-28 Wetlands Application .docx

GML Report

Property Information:

Parcel ID: 41.09-1-28	Date Parcel: February 2022
OLD ID: 8-19A2A4	Address: 49 TRANQUILITY RD
Address 2:	Alternative:
City: SUFFERN	State: NY
Zip: 10901	Book Page:
Deed Date: 6/24/2011 12:00:00 AM	Instrument: 2011-00023117
Municipality: Wesley Hills	Deed Acres: 0
GIS Acres: 1.960	

GML Criteria:

GML Review: YES	Palisades Parkway: NO
Thruway: NO	County Road: YES
State Road: NO	County Regulated Streams: YES
Long Path: NO	County Park: NO
State Park: NO	State Property: NO
County Property: NO	Village Boundary: NO
Town Boundary: NO	Orange County Boundary: NO
X Coordinate: 603095	Y Coordinate: 846443

Item 1.

Date Sent: 11/1/2023

Meeting Date: 11/29/2023

File Name Yitzcock Wieder
Contact Person Alicia Schultz, Deputy Village Clerk
Address 432 Route 306
Wesley Hills, NY 10952

Referral Agencies

(Please indicate the agencies that have also received copies of this application)

☒	RC Highway Department
☐	RC Division of Environmental Resources
☒	RC Drainage Agency
☒	RC Department of Environmental Health (Sewers, Water, Mosquito Code, Underground Tanks)
☒	RC Sewer District #1
☐	NYS Department of Environmental Conservation
☐	NYS Department of Transportation
☐	NYS Thruway Authority
☐	NY-NJ Trail Conference (Long Path)
☐	Palisades Interstate Park Commission
☐	US Army Corps of Engineers
☐	Cornell Cooperative Extension of Rockland County
☐	Adjacent Municipality-_____
☐	Other-_____

Pursuant to the General Municipal Law Article 12-B, Section

239 (n): _____ Subdivision
 239 (l) & (m): _____ Site Plan _____ Variance _____ Special Permit _____ Zone Change/Amendment
 _____X_____ Other-Wetlands permit

Location of Parcel(s): 49 Tranquility Road

Acreage of Parcel (s): 1.960

Existing Sq. Footage	Proposed Sq. Footage

The Property in Question Lies Within 500 Feet of:

☒ County Road
☒ County Stream
☐ County Park
☐ County or State Facility
☐ State Road, Thruway, or Parkway
☐ State Park
☐ Village, Town, or County Boundary (Town of Ramapo)
☐ The Long Path

Map 41.09 Block 1 Lot(s) 28 Map Date: Sept. 11, 2023
Current Zoning: R-50

Brief Project Description: Addition to single family home encroaching upon 100 ft wetlands buffer area.

Variances Needed (*if applicable*)

Required

Proposed

Item 1.

Rockland County Department of Planning 9/13

{G:\All\GML\GML Referral Form}

HIGHWAY DEPARTMENT

23 New Hempstead Road
New City, New York 10956
Phone: (845) 638-5060 Fax: (845) 638-5037
Email: highway@co.rockland.ny.us

Charles H. "Skip" Vezzetti
Superintendent of Highways

November 20, 2023

Ms. Alicia Schultz
Deputy Village Clerk
Village of Wesley Hills
432 Route 306
Wesley Hills, NY 10952

Re: Site Plan Review for Addition to Single-Family Dwelling (Wieder)
49 Tranquility Rod Wesley Hills, NY
Tax Lot #41.09-1-28; R-50 Zoning District

Dear Ms. Schultz:

The Rockland County Highway Department ("RCHD") was in receipt of the above application along with a site plan prepared by Paul Gdanski, PE, PLLC., dated 09.11.23, as part of the GML review process. The review has been complete now and we offer the following comment.

1. A drainage report shall be prepared to demonstrate that the existing/proposed drainage system in the parcel is adequately designed to produce no net increase in the peak rate of discharge from the site at all design points.

We appreciate you for the opportunity to review the site plan. Please feel free to contact us at 845 638 5060 with any question or concern you may have regarding this matter.

Thank you.



Dyan Rajasingham
Engineer III

CC: Rockland County Department of Planning
Paul Gdanski, PE, PLLC. – Consulting Engineer

ROCKLAND COUNTY SEWER DISTRICT NO. 1

4 Route 340
Orangeburg, New York 10962
Phone: (845) 365-6111 Fax: (845) 365-6686
RCSD@co.rockland.ny.us

Michael Specht
Chairman

Michael R. Saber, P.E.
Executive Director

November 27, 2023

Ms. Alicia Schultz
Deputy Village Clerk
Village of Wesley Hills
432 Route 306
Monsey, NY 10952

Re: Yitzchok Issac Wieder
49 Tranquility Road
Tax Lot 11/41.09-1-28 (formerly a portion of ESA Lot 8./19/A2)

Dear Ms. Schultz:

Our office has received and reviewed a plot plan that was last revised on September 11, 2023, which Paul Gdanski, PE prepared for the above referenced project. We thank you for the opportunity to comment on this application. Our comments are as follows:

1. Rockland County Sewer District No. 1 does not object to the plan as shown. Approval of this application and the variances for a proposed addition to a single-family dwelling on an 83,880 square foot lot in the R-50 District does not affect any sanitary sewers. The site has a septic system, and there are no sanitary sewers in the vicinity of this lot.
2. The lot that is subject of this application was formerly a portion of Tax Lot 8./19/A2, which the United States Environmental Protection Agency (EPA) has designated as an Environmentally Sensitive Area (ESA).
 - a. If future sanitary sewer lines are extended to this lot, and prior to connecting any building to sanitary sewers, the developer must obtain a waiver of the EPA's grant condition, which restricts sewer connections from ESA lots.
 - b. In addition to 49 Tranquility Road, any sewer application for the following parcels –
 - i. 52 Spook Rock Road (41.09-1-6),
 - ii. 2 Wesley Chapel Road (41.09-1-5),
 - iii. 4 Wesley Chapel Road (41.09-1-29),
 - iv. 47 Tranquility Road (41.09-1-23),
 - v. 45 Tranquility Road (41.09-1-24),

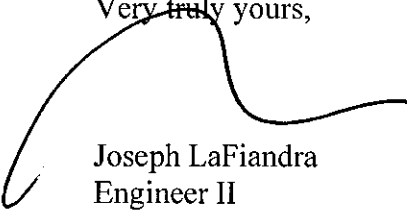
- vi. 43 Tranquility Road (41.09-1-25),
- vii. 44 Tranquility Road (41.09-1-26), and
- viii. 46 Tranquility Road (41.09-1-27) –

which were formerly portions of ESA Lot 8./19/A2, cannot be approved until the EPA and New York State Department of Environmental Conservation approve the waivers for these lots.

3. If future sanitary sewer lines are extended to this lot, the property owner will be required to connect to the sewer, and will have to pay an impact fee *if the use or occupancy of the property exceeds one (1) sewer unit (e.g., with an additional dwelling unit, a guest suite, a house of worship, a school, a daycare center, or a home occupation).*

Please inform us of all developments in this project. If you have any questions, please contact this office at 845-365-6111.

Very truly yours,



Joseph LaFiandra
Engineer II

cc: M. Saber M. Dolphin
Michael Kezner – Rockland County Department of Planning
Michael Sadowski, P.E. – Town of Ramapo DPW
Paul Gdanski, P.E. – 633 Woodmont Lane, Sloatsburg, NY 10974-1522
Kalman Herskovits – Construction Expediting, 134 Route 59, Suite 201, Suffern, NY
10901-4917
Yitzchok Issac Weider – 49 Tranquility Road, Suffern, NY 10901-2508

File: TOR 41.09-1-28 – 49 Tranquility Road
ESA
Reader

DRAINAGE AGENCY
DIVISION OF THE HIGHWAY DEPARTMENT
23 New Hempstead Road
New City, New York 10956
Phone: (845) 638-5060; Fax: (845) 708-7116
Email: Drainageagency@co.rockland.ny.us

Charles H. "Skip" Vezzetti
Superintendent of Highways
Chairman, Drainage Agency

Vincent Altieri, Esq.
Executive Director

Via email: buildingdept@wesleyhills.org

November 21, 2023

Planning Board
Village of Wesley Hills
432 Route 306
Wesley Hills, NY 10952
Attn.: Alicia Schultz, Deputy Village Clerk

Re: Wieder Single-Family Dwelling Addition

Location: 49 Tranquility Road, Suffern
Parcel ID(s): Section 41.09, Block 1, Lot(s) 28
Municipality: Village of Wesley Hills
Resource: Willow Tree Brook

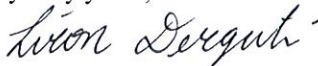
Dear Planning Board Members:

The Rockland County Drainage Agency (RCDA) has reviewed the above referenced proposal as prepared by Paul Gdanski, PLLC, dated/last revised 09/11/2023, included with the municipal referral dated 11/1/2023. Based on a review, the RCDA offers the following comment(s):

- 1) The above referenced site is within the jurisdiction of the RCDA, pursuant to the Rockland County Stream Control Act, Chapter 846, but a Stream Control Act permit from the RCDA is not requested for the current proposal. However, any future development proposal for this site will require a review and written determination from the RCDA as to whether a permit is required.
- 2) Any future decisions or determinations made by municipal land use boards and departments regarding developments at this site should indicate that it is within the jurisdiction of the RCDA and will require a review and written determination from the RCDA as to whether a permit is required. The RCDA recommends that the municipal departments ensure the project with any land disturbance has adequate soil erosion and sediment control measures to prevent sediment from leaving the site.

Please contact the undersigned at (845) 638-5060 or by email: drainageagency@co.rockland.ny.us, if you have any questions regarding this matter.

Very truly yours,



Liron Derguti, Engineer I
Rockland County Drainage Agency

c: Vincent Altieri, Esq., RCDA
Building Department, Village of Wesley Hills
Zoning Board of Appeals, Village of Wesley Hills
Yitzchok I. Wieder, Owner/Representative
Rockland County Planning Department
File

buildingdept@wesleyhills.org
buildingdept@wesleyhills.org
49 Tranquility Road, Suffern, NY 10901
(by email)

(File: 23 RWR 75)



BUILDING DEPT.

NOV 27 2023

DEPARTMENT OF PLANNING

Dr. Robert L. Yeager Health Center
50 Sanatorium Road, Building T
Pomona, New York 10970

Phone: (845) 364-3434 Fax: (845) 364-3435

VILLAGE OF WESLEY HILLS

Douglas J. Schuetz
Acting Commissioner

Richard M. Schiafo
Deputy Commissioner

November 27, 2023

Wesley Hills Planning Board
432 Route 306
Wesley Hills, NY 10952

Tax Data: 41.09-1-28

Re: GENERAL MUNICIPAL LAW REVIEW: Section 239 L and M
Map Date: 09/11/2023

Date Review Received: 11/03/2023

Item: *YITZCOCK WIEDER/49 TRANQUILITY ROAD (Whi-203)*

Wetlands permit to allow the construction of an addition to an existing single-family dwelling located on 1.15 net acres (1.93 gross acres) in the R-50 zoning district.

East side of Tranquility Road, north side of Wesley Chapel Road, approximately 600 feet south of Joy Road

Reason for Referral:

Spook Rock Road (CR 85), Willow Tree Brook

The County of Rockland Department of Planning has reviewed the above item. Acting under the terms of the above GML powers and those vested by the County of Rockland Charter, I, the Commissioner of Planning, hereby:

****Recommend the following modifications***

- 1 A review must be completed by the County of Rockland Drainage Agency, and any required permits obtained.
- 2 A review must be completed by the County of Rockland Department of Health, any comments or concerns addressed, and any required permits obtained.
- 3 A review must be completed by the County of Rockland Sewer District No. 1, any comments or concerns addressed, and all required permits obtained.
- 4 The applicant shall comply with the comment made by the Rockland County Highway Department in their letter dated November 20, 2023.
- 5 Since there is encroachment into the 100-foot wetland buffer area, a review must be completed by the United States Army Corps of Engineers (USACOE) and all required permits obtained. If a Section 404 USACOE permit is required, then a Section 401 Water Quality Certification will be required from the NYS Department of Environmental Conservation.

YITZCOCK WIEDER/49 TRANQUILITY ROAD (Whi-203)

6 According to the New York Natural Heritage Program's (NHP) database, as is reflected on the Hudson Valley Natural Resources Mapper (<https://giservices.dec.ny.gov/gis/hvnm/>), a majority of the site is located within the riparian buffer of the Willow Tree Brook. The NHP has identified riparian buffers to highlight important streamside areas that influence stream dynamics and health. Well-vegetated riparian buffers intercept stormwater runoff, filter sediment and nutrients, and help attenuate flooding. Natural buffers also support unique and diverse habitats, and often serve as wildlife travel corridors. The DEC has found the Willow Tree Brook to be a low-condition stream. The Village must consider the potential impacts of the proposed development on the on-site wetlands and the Willow Tree Brook.

7 The engineer of record shall certify to the floodplain administrator for the Village of Wesley Hills that the proposed construction is in compliance with the floodplain regulations of the Town and the Federal Emergency Management Agency.

8 We request the opportunity to review any variances that may be needed to implement the proposed development, as required by New York State General Municipal Law, Section 239-m (3)(a)(v).

9 Pursuant to General Municipal Law (GML) Section 239-m and 239-n, if any of the conditions of this GML review are overridden by the board, then the local land use board must file a report with the County Commissioner of Planning of the final action taken. If the final action is contrary to the recommendation of the Commissioner, the local land use board must state the reasons for such action.

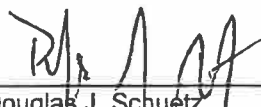
10 In addition, pursuant to Executive Order 01-2017 signed by County Executive Day on May 22, 2017, County departments are prohibited from issuing a County permit, license, or approval until the report is filed with the County Commissioner of Planning. The applicant must provide to any County agency which has jurisdiction of the project: 1) a copy of the Commissioner report approving the proposed action; or 2) a copy of the Commissioner of Planning recommendations to modify or disapprove the proposed action, and a certified copy of the land use board statement overriding the recommendations to modify or disapprove, and the stated reasons for the land use board's override.

11 The following additional comments are offered strictly as observations and are not part of our General Municipal Law (GML) review. The board may have already addressed these points or may disregard them without any formal vote under the GML process:

11.1 This application was officially received by the Rockland County Planning Department on November 3, 2023. The application materials indicate that the public hearing will be held on November 27, 2023. As a reminder, State General Municipal Law, Section 239 (m) 4. (b) states that "Such county planning agency or regional planning council, or an authorized agent of said agency or council, shall have thirty days after receipt of a full statement of such proposed action, or such longer period as may have been agreed upon by the county planning agency or regional planning council and the referring body, to report its recommendations to the referring body, accompanied by a statement of the reasons for such recommendations." Adequate time must be provided to the Rockland County Planning Department in order for us to do our review before the public hearing is scheduled and the matter heard before the board.

11.2 The actual building height and exposed building height proposed must be indicated on the bulk table, rather than "< 25'" and "< 40'," respectively. The bulk table shall not include estimations.

11.3 The plot plan must contain a vicinity map that has a north arrow and scale.


 Douglas J. Schuetz
 Acting Commissioner of Planning

cc: Mayor Marshall Katz, Wesley Hills
 New York State Department of Environmental Conservation
 Rockland County Department of Health
 Rockland County Drainage Agency
 Rockland County Highway Department

YITZCOCK WIEDER/49 TRANQUILITY ROAD (Whi-203)

Rockland County Sewer District No. 1
United States Army Corps of Engineers
Paul Gdasnki, PE, PLLC

Rockland County Planning Board Members

**NYS General Municipal Law Section 239 requires a vote of a 'majority plus one' of your agency to act contrary to the above findings. The review undertaken by the County of Rockland Department of Planning is pursuant to, and follows the mandates of Article 12-B of the New York General Municipal Law. Under Article 12-B the County of Rockland does not render opinions, nor does it make determinations, whether the item reviewed implicates the Religious Land Use and Institutionalized Persons Act. The County of Rockland Department of Planning defers to the municipality forwarding the item reviewed to render such opinions and make such determinations if appropriate under the circumstances.*

In this respect, municipalities are advised that under the Religious Land Use and Institutionalized Persons Act, the presumptive force of any provision of the Act may be avoided (1) by changing a policy or practice that may result in a substantial burden on religious exercise, (2) by retaining a policy or practice and exempting the substantially burdened religious exercise, (3) by providing exemptions from a policy or practice for applications that substantially burden religious exercise, or (4) by any other means that eliminates the substantial burden.

Proponents of projects are advised to apply for variances, special permits or exceptions, hardship approval or other relief.

Pursuant to New York State General Municipal Law §239-m(6), the referring body shall file a report of final action it has taken with the County of Rockland Department of Planning within thirty (30) days after final action. A referring body which acts contrary to a recommendation of modification or disapproval of a proposed action shall set forth the reasons for the contrary action in such report.

PLANNING BOARD
Village of Wesley Hills
Rockland County, New York

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 2.8, 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.

Dated: November 29, 2023

ACTUAL SIZE

Village of Wesley Hills Public Hearing Notice

PLEASE TAKE NOTICE that a Public Hearing will be held by the Planning Board of the Village of Wesley Hills on the 3rd day of January, 2024 at 7:30 PM at the Village Hall, 432 Route 306, Wesley Hills, New York 10952, to consider the application submitted by Yitzchok Wieder for authorization to construct an addition to a house within 100 feet of the boundary of a freshwater wetland.

The subject premises is situated on the westerly side of Tranquility Road, approximately 575 feet from the intersection of Joy Road, known as 49 Tranquility Road, designated on the Town of Ramapo Tax Maps as Section 41.09, Block 1, Lot 28, in an R-50 Zoning District.

Copies of the aforesaid application are available for public review at the office of the Deputy Village Clerk, Village of Wesley Hills, 432 Route 306, Wesley Hills, New York 10952 between the hours of 9 AM and 4 PM Mondays through Fridays, exclusive of holidays.

Date: Wesley Hills, New York
December 7, 2023

Alicia Schultz
Deputy Village Clerk
Village of Wesley Hills

1x12-21/27167

VILLAGE OF WESLEY HILLS

432 Route 306
 Wesley Hills, New York 10952
 (845) 354-0400 Fax: (845) 354-4097

AFFIDAVIT OF POSTING

STATE OF NEW YORK }
 COUNTY OF ROCKLAND } SS:
 VILLAGE OF WESLEY HILLS }

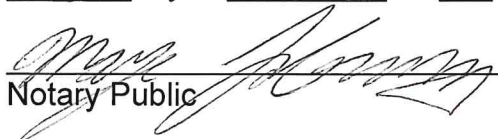
Lehman Herskovits being duly sworn, deposes and
 says that he/she is the applicant in the matter of an application before the
 Village of Wesley Hills Planning Board affecting property located at
49 Tranquility, Wesley Hills, Town of Ramapo,
 Rockland County, New York.

That on the 19 day of December 2023, he/she posted the
 posters provided by the Planning Board of the Village of Wesley Hills
 giving notice of the hearing on this application in a conspicuous place
 visible from every street along the frontage of the plot affected by this
 application.



Sworn to before me this

21 day of DEC 2023


 Notary Public

MAYER JACOBOWITZ
 Notary Public, State of New York
 No. 01JA6351978
 Qualified in Rockland County
 Commission Expires Dec 19, 2024

January 3, 2024

Village of Wesley Hills Planning Board
432 Route 306
Wesley Hills, NY 10952

Attn. Chair Brown and Honorable members of the Planning Board

Re: Wickes Arborists – 11 McNamara Road
Response to Site Plan and Special Permit Review comments

Dear Chair Brown,

The following are in response to comments prepared by Brooker Engineering, PLLC dated May 23, 2023.

- 1. Special Permit notes are provided in a condensed format. We defer to the Planning Board Attorney if this is an acceptable format. Expanded info does not appear to be provided in the latest narrative.**

Response: Comment Noted.

- 2. Our office takes no objection to the location of additional access to Union Road for emergency services.**

Response: Comment Noted.

- 3. Existing material storage containment areas appear not to be in conformance with the Village code. Four 100 cubic yard containers are depicted on the plans and described in the narrative. Code allows a maximum of 25 CY for stone/gravel per container and 50 CY per container for other materials.**

Response: The Stipulation of Settlement provides the storage of 400 cubic yards of mulch and/or woodchips in storage structures with a 100 cubic yard capacity. No storage of stone and/or gravel is proposed.

- 4. Confirmation is requested by the applicant that gravel is a suitable finished surface for ADA parking & accessible route area.**

Response: The ADA compliant parking spaces and accessible route are now being proposed to have concrete pavement.

- 5. Further information is requested for the intended method of parking space delineation. Striping paint may not be suitable for permanent markings on a gravel surface.**

Response: The markings on the plans are to demonstrate there is enough room for the proposed parking spaces. Painted striping will not be done on the gravel surface. The parking is primarily for employee parking which can be monitored.

- 6. Proposed concrete curb limits to be confirmed. Previous plan set included only a limited area of concrete curb along the border of the rain garden to convey and pretreat stormwater runoff.**

Civil Tec Engineering & Surveying P.C.

139 Lafayette Avenue, 2nd Floor, Suffern, NY 10901 Tel 845.547.2241 Fax 845.547.2243
111 Main Street, Chester, NY 10918 Tel 845.610.3621

Civil-Tec.com

Response: The Concrete curb is to be installed along the border of the rain garden to channel the flow into the rain garden through the pretreatment structures. The remaining concrete curbing has been removed.

- 7. Discussion is requested for the parking and material storage area to the southwest in regard to sufficient traffic maneuverability. Conflicts may exist for 'heavy duty' and 'very heavy duty' trucks.**

Response: The company exists, and the use of heavy duty and very heavy-duty trucks occurs on a regular basis. Any conflicts are resolved internally.

- 8. Our office defers to the Building Inspector / ZBA if minor driveway modifications triggers requirements of 230-34-C for a blacktop or comparable surface for at least 50 feet from the right-of-way on McNamara Road.**

Response: Comment noted.

- 9. Various site plan elements appear to be absent from the previously approved site plan, including but not limited to:**

- a. "No left turn for trucks" signage
- b. Fire zone signage
- c. Proposed fence limits
- d. Block wall adjustments (or note current heights)
- e. Lighting Plan

A thorough review shall be performed to confirm all previously approved site plan elements have been incorporated to the new plans.

Response: A thorough review of the approved site plan was performed, and revisions were made to the plans.

Grading, Drainage, Utilities Plan

- 10. Grading detail is limited. Additional spot grades shall be provided to demonstrate:**

- a. Maximum pitch of 2% at ADA spaces is achieved.
- b. Positive discharge to catch basins/flo-gard prefilters.

Response: Additional spot grades have been provided to clarify the proposed grading in the named areas.

- 11. Additional drop curbs appear necessary to accommodate proposed configuration of catch basins/flo-gard prefilters. Outlet of catch basin to be clarified. Detail suggests a piped overflow is needed. Grading/inverts to be confirmed.**

Response: An additional Drop curbs and an additional flo-gard pre-filter have been proposed. The overflow has been designed to flow overland in a grass swale to McNamara Road drainage system. An underdrain is not required in the rain garden if the soil infiltration rate is not sufficient. If soil testing determines an underrating is required, we will design it before construction.

- 12. It is unclear why a catch/basin/flo-gard is not provided for the northern most curb cut near the entrance of McNamara.**

Response: A flo-gard unit has been proposed in the northern most curb cut location.

- 13. The discharge point for the underdrain system and domed overflow riser are absent from the plan. Overflow invert, underdrain invert, and discharge location & invert shall be provided.**

Response: Overflow has been designed to flow overland in a grass swale to McNamara Road drainage system.

Landscaping & Erosion Control Plan

- 14. Various landscaping plan elements appear to be absent from the previously approved site plan, including but not limited to:**

a. Raised bed planting schedule

Response: Raised Bed planting schedule is provided.

b. Bamboo Plantings (show existing and proposed limits if necessary)

Response: Bamboo plantings have been removed from the details and planting schedules. Native Rain Garden plants have been indicated.

c. Trees to be relocated

Response: Trees to be relocated have been labeled.

d. Rain garden planting schedule

Response: The Rain Garden Planting schedule is provided.

- 15. It is noted that the proposed scope of work appears to be under an acre of disturbance and therefore a SWPPP is not required. Approximate disturbance area shall be noted.**

Response: The Limits of Disturbance has been indicated and the area of disturbance is 27,297 s.f.

Details

- 16. Grass-crete detail/cross section to be provided.**

Response: Additional Details have been provided.

- 17. Range of rain garden soil media/stone depths to be removed and replaced with actual design depths. Elevations to be indicated on detail including domed riser, top of bank, mulch, soil media, stone, and underdrain inverts.**

Response: Additional Details are provided.

- 18. All applicable details from previously approved plans shall be transferred and incorporated into the new plan set.**

Response: Additional Details are provided.

The following are in response to comments prepared by Nelson Pope Voorhis dated May 22, 2023.

Zoning Comments

1.A ZBA variance will be required for impervious surface ratio as proposed at 0.46.

Response: Comment noted.

Planning Comments

2. We have no problem with the gated emergency access drive connecting the east parking area to Union Road. We believe this would satisfy the condition of the Court decision without any undue adverse impact to Union Road. The grasscrete installation will provide a lawn appearance and will not add impervious surfaces to the site.

Response: Comment noted.

3. We appreciate the gravel removal west of the main driveway and restoration of the stream bank with the installation of the “proposed landscape berm.” Please provide details of the height and plant materials proposed for this berm feature as part of the landscape plan (which were not included on sheet 3).

Response: Additional details have been provided.

4. We note that on sheet 3 a rain garden is proposed east of the main driveway. We note that on existing conditions sheet 4, about a dozen large trees (including one 24” and one 16”) are located within this rain garden area but are not shown as “to be removed.” Typically when a rain garden is constructed, and underdrain system must be installed, which would require the clearing of all existing vegetation. Please clarify what will happen to the large existing trees if a rain garden is installed in this area indicated.

Response: The existing trees in the rain garden location will be removed. The trees to be removed have been indicated on the plans.

5. We note that in the northeast area of the Arborist parking lot (closest to the existing dwelling), the removal of five trees (two are 14” diameter) is proposed, to make way for two overnight truck parking spaces. Could these not be placed on an already cleared and disturbed part of the site? Please provide additional information on the parking demand for the various types of vehicles proposed to be parked on the site. Are 29 automobile parking spaces needed? Are truck parking spaces needed? Please consider whether the gravel parking area expansion proposed, as compared to the existing gravel area, is necessary for the proposed operations. If proposed additional parking can be reduced, it will lessen the size of the ZBA variance need for the impervious surfaces ratio.

Response: The location of the two overnight parking spaces was requested by the planning board during the previous approval process. The car parking spaces are required for employee parking.

GML/SEQRA Comments

6. GML review of the project by the Rockland County Planning Department will be needed as the site fronts on two County roads. The project application must be circulated to the Village of New Hempstead for their review and comments per GML 239-nn.

Response: Comment noted.

7. Before the previous approval of this project, by resolution 10-16, the Planning Board granted a negative declaration of environmental significance for this unlisted action. We will defer to the opinion of the Planning Board Attorney regarding how re-affirming this Negative Declaration should be handled, given the Court's holding in this case. Please let me know if you have any questions or comments regarding this review.

Response: Comment noted.

The following are in response to comments prepared by Lange Planning and Consulting dated July 31, 2023.

- 1. Traffic needs to be assessed with the number of daily vehicles projected and the impacts on the county roads determined. I could not find any information regarding ingress and egress trips or peak rates.**

Response: A traffic study is being prepared to address the comment.

- 2. Did the design for the rain garden include percolation tests or was it based on theoretical constructs. I would recommend percolation tests to be completed.**

Response: Percolation tests have not been completed. The minimum percolation rate was used for design purposes. Percolation and soil logs will be provided when available.

- 3. The emergency access road should align with Fairway Oval on New Hempstead Road for better traffic flow.**

Response: The emergency access road has been widened to 26 feet wide as requested by the Fire inspector and realigned to be compatible with Fairway Oval. Traffic flow was not a consideration for this access is only for emergency access use and not for traffic.

- 4. Did Rockland County Department of Highways comment on the emergency access connection?**

Response: Rockland County Department of Highway's comments and responses are attached.

5. **Although the plans show lines demarking parking spaces, gravel surfaces will not preserve the lines. How will the spaces be maintained?**

Response: The car parking spaces are primarily for employee parking. Painted parking spaces are not required. The lines are for design purposes.

6. **The concept of gravel as the travelway surface is not ideal. Did the Village consider more permanent pavement? Permanent curbs are proposed.**

Response: The gravel parking area has been in use for many years and works well for this use. The permanent curbs are only located around the rain garden to funnel the stormwater through the pretreatment structures.

7. **The use of gravel as the surface for mixing and moving materials seems inappropriate as it will not last, nor will it maintain drainage under active conditions.**

Response: The material storage units detail provides a concrete floor. The mixing and moving of materials has been an ongoing activity for many years without any major problems.

8. **It appears that the rain garden will be draining a significant area as sufficient elevation for the property all show a slope forward to the rain garden. The distance exceeds 100 linear feet of runoff. Will this small rain garden be sufficient?**

Response: The rain garden is large enough to provide water quality volume for the project. Rain Garden calculations are attached.

9. **No details were provided for the proposed landscaping berm, the elevation is lower than the nearby 486 contour line.**

Response: The grading has been revised and more details have been provided.

10. **As mentioned in the narrative, granting of this special permit will travel with the property. Is this what the Village of Wesley Hills desires as the long term(forever) use of the property? It appears to me that an interim solution rather than a permanent solution might be a better alternative.**

Response: Comment noted.

The following are in response to comments prepared by Wesley Hill Fire Inspector dated July 10, 2023.

- 1 – I would look for the access road to be 26 feet wide. I know on the proposal it shows 20 feet wide, however with the size of the fire trucks and the fire load at this location I would ask kindly to consider the extra width for the fire service.

Response: The Grasscrete Emergency Access Road has been widened to 26 feet wide.

- 2 – The crash gate on the property line would require a Knox Box lock on this so the F.D would be able to open at their discretion

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139 Lafayette Avenue, 2nd Floor, Suffern, NY 10901 Tel 845.547.2241 Fax 845.547.2243

111 Main Street, Chester, NY 10918 Tel 845.610.3621

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Response: A Knox Box has been noted on the site plan.

3 – The parking lot be re-done with the appropriate Fire Zones and parking spots allowing for the Fire Department to operate accordingly.

Response: The Fire zones and signage has been located on the site plan.

4 – Confirm the correct Fire Department is on the proposed drawings.

Response: The Fire Department has been revised.

5 – Make sure the road is not on top of a septic tank.

Response: The abandoned septic tank is in the front yard of the existing house and not in the location of the Emergency access road.

The following are in response to comments prepared by Rockland County Sewer District #1 dated July 24, 2023.

1. The sanitary sewers from this site are connected to the District's sewer system.

- a. **Upon review of this application, the District has determined that an impact fee is required, in accordance with Section 502A and 1317 of the Rockland County Sewer Use Law as last amended in 2010.**

Response: Comment noted.

- b. **Approval of this application for an emergency access road onto a 96,083 s.f. lot in the R-35 District,**

- i. **To which tax rolls dating back to 2012 assign two (2) sewer units,**
- ii. **Which contains a commercial structure with a landscaping business, and**
- iii. **Which contains a residential structure with a two-family dwelling,**

will result in one (1) additional sewer unit. Therefore, the applicant must submit a check in the amount of one thousand eight hundred fifty dollars (\$1850.00) payable to Rockland County Sewer District #1 within thirty (30) days of Planning Board approval.

Response: Comment noted.

- c. **If the use or occupancy of the property exceeds three (3) units (e.g. with additional dwelling units), the District will further review and the owner will have to pay an additional impact fee.**

Response: Comment noted.

- d. **We request that the Planning Board notify the District upon approval of the project.**

Response: Comment noted.

2. **As this is a non-residential project, Rockland County Sewer District No. 1's "Commercial/Non-residential Wastewater Questionnaire" and the County Planning Information Certification must be submitted to and approved by this office for the landscaping business. The business owner must sign the Wastewater questionnaire.**

Response: The "Commercial/Non-residential Wastewater Questionnaire" will be submitted when appropriate.

The following are in response to comments prepared by Rockland County Center for Environmental Health dated July 17, 2023.

1. **Application is to be made to the RCDOH for review of the stormwater management system for compliance with the County Mosquito Code.**

Response: The Mosquito Breeding suppression Application will be made when applicable.

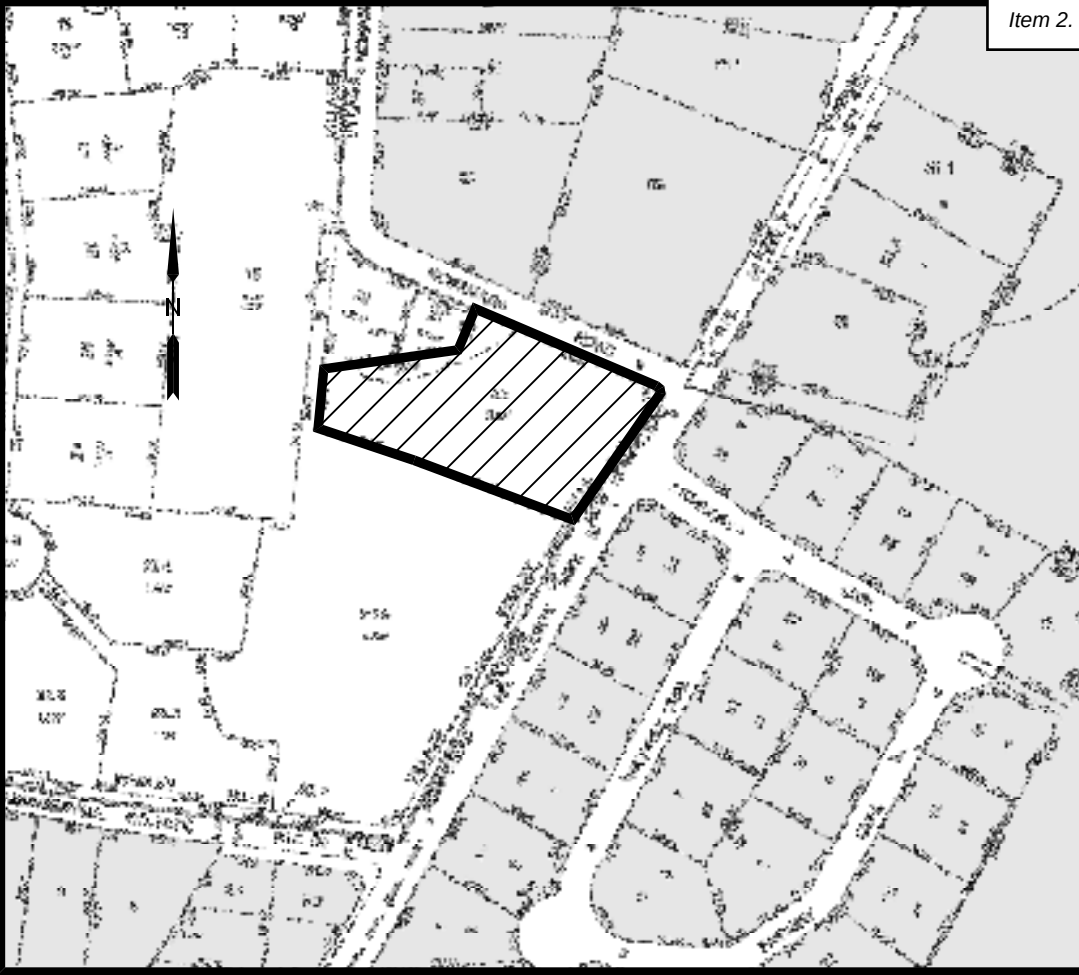
The following are in response to comments prepared by Rockland County Highway Department in an email dated September 5, 2023.

- **The proposed emergency access shall be gated and closed unless there would be an emergency at the site. The Village will have to enforce it to mitigate the potential traffic congestion issues and promote traffic safety in the area.**

Response: Comment noted.

The responses to the comments prepared by Rockland County Planning Department dated July 24, 2023, were prepared by the applicant's attorney, Ira M. Emanuel, Esq., and are attached.

- SPECIAL PERMIT NOTES (CONDENSED):
- OVERNIGHT PARKING LIMITED TO NOT MORE THAN 7 LIGHT DUTY TRUCKS
13 MEDIUM DUTY TRUCKS
7 HEAVY DUTY TRUCKS
1 VERY HEAVY DUTY TRUCK
OF WHICH NO MORE THAN 13 CAN BE PARKED OUT OF DOORS
 - NOISE LEVELS SHALL CONFORM TO R.C. DEPT. OF HEALTH STANDARDS
NOT MORE THAN 400 CY OF MULCH AND/OR WOOD CHIPS SHALL BE STORED AT THE PREMISES WITHIN STORAGE STRUCTURES. EACH STRUCTURE SHALL NOT EXCEED 100 CUBIC YARDS CAPACITY.
 - NOT MORE THAN 50 CY OF GRAVEL AND/OR STONE SHALL BE STORED AT THE PREMISES. NO GRAVEL AND/OR STONE STORAGE IS PROPOSED.
 - OPERATING HOURS AT THE PREMISES SHALL NOT EXCEED THE FOLLOWING:
WHOLESALE NURSERY: 7:00AM TO 6:30PM MONDAY THROUGH FRIDAY
8:00AM TO 3:30PM SATURDAY
CLOSED SUNDAY
7:00AM TO 8:30PM MONDAY THROUGH FRIDAY
8:00AM TO 5:00PM SATURDAY
CLOSED SUNDAY
 - OFFICE:
COMMERCIAL TRUKS AND OTHER EQUIPMENT MAY BE STARTED OUT OF DOORS BETWEEN NOV 1 AND APR 15 NOT BEFORE 7:30AM
OUT OF DOORS BETWEEN APR 16 AND OCT 31 NOT BEFORE 8:00AM
INDOORS ALL YEAR NOT BEFORE 7:00AM
WARM UP TIMES SHALL NOT EXCEED 30 MINUTES
EXCEPTIONS TO NOTE 6 ARE PROVIDED IN THE STIP. OF SETTLEMENT.
7 LIGHT DUTY TRUCKS

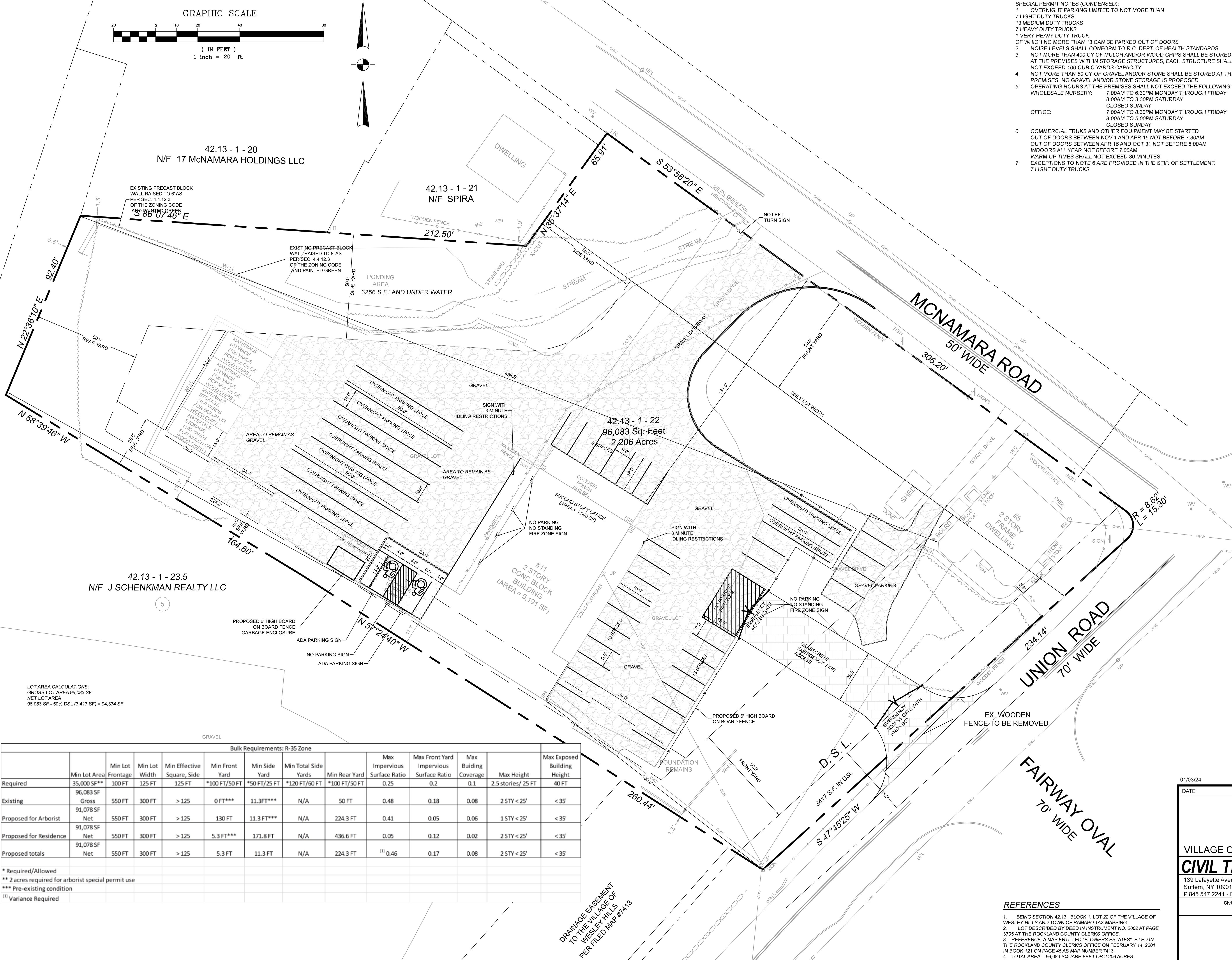


VICINITY MAP
1" = 300'

- SITE PLAN NOTES:
- THIS IS LOT SECTION 42.13 BLOCK 1 LOT 22 AS SHOWN ON THE TOWN OF RAMAPO TAX MAPS.
 - AREA OF TRACT: 2.21 ACRES
 - ZONE: R-35
 - USE: ARBORISTS
 - RECORD OWNER: IJJ, LLC
11 MCNAMARA ROAD
SPRING VALLEY, NY 10977
 - APPLICANT: SAME AS ABOVE
 - FIRE DISTRICT: MOLESTON FIRE DISTRICT
 - SCHOOL DISTRICT: EAST RAMAPO
 - WATER DISTRICT: VEOLIA WATER
 - SEWER DISTRICT: ROCKLAND COUNTY SEWER DISTRICT NO. 1
 - DATUM: NAVD83
 - ALL UTILITIES SHALL BE INSTALLED UNDERGROUND. ELECTRIC SERVICE SHALL BE CONDUIT OF NOT LESS THAN 2 INCH DIAMETER.
 - THERE ARE NO COVENANTS, DEED RESTRICTIONS, EASEMENTS OR OTHER RESERVATIONS OF LAND RELATIVE TO THIS SITE EXCEPT AS SHOWN ON THIS PLAN, SUBJECT TO THE FINDINGS OF A COMPLETE AND UP TO DATE TITLE SEARCH.
 - NO SIGN(S) OTHER THAN THOSE SHOWN ON THIS DRAWING ARE PERMITTED WITHOUT PRIOR APPROVAL OF THE PLANNING BOARD. TENANTS ARE TO BE ADVISED OF THIS CONDITION.
 - THE UNDERSIGNED, OWNER AND/OR APPLICANT, AS A CONDITION OF APPROVAL OF THIS SITE PLAN, HEREBY AGREES TO COMPLETE THE WITHIN SITE DEVELOPMENT PLAN AS DRAWN AND ALL IMPROVEMENTS AS SHOWN THEREON AS CONDITION OF THE ISSUANCE OF A BUILDING PERMIT. THE APPLICANT/OWNER IS AWARE THAT NO CHANGES IN THIS PLAN MAY BE MADE UNLESS APPROVED BY THE PLANNING BOARD.

- | APPLICANT | DATE | OWNER | DATE |
|---|------|-------|------|
| 17. PRIOR TO ISSUANCE OF A CERTIFICATE OF OCCUPANCY, AN AS-BUILT LANDSCAPING DRAWING SHALL BE SUBMITTED TO THE BUILDING INSPECTOR, PLANNING BOARD, AND DEPARTMENT OF PUBLIC WORKS WHICH IS CERTIFIED BY A LANDSCAPING ARCHITECT LICENSED TO PRACTICE IN THE STATE OF NEW YORK. SAID CERTIFIED LANDSCAPING DRAWING SHALL INDICATE THE DEGREE OF COMPLETION OF SAID LANDSCAPING IMPROVEMENTS IN ACCORDANCE WITH THE APPROVED SITE PLAN. | | | |
| 18. PLANS ARE BASED ON FIELD ENGINEERING DATA AND CERTIFIED HERETO: | | | |

LICENSED PROFESSIONAL ENGINEER OR LAND SURVEYOR DATE:
BOUNDARY AND TOPOGRAPHIC SURVEYS ARE FROM ACTUAL FIELD MEASUREMENTS UNDER THE DIRECTION OF STEPHEN DOLSON, PLS COMPLETED ON MAY 2022.
19. ALL ENCROACHMENTS SHALL BE RELOCATED.



LOT AREA CALCULATIONS:
GROSS LOT AREA 96,083 SF
NET LOT AREA
96,083 SF - 50% DSL (3,417 SF) = 94,374 SF

Bulk Requirements: R-35 Zone												
	Min Lot Area	Min Lot Frontage	Min Lot Width	Min Effective Square, Side	Min Front Yard	Min Side Yard	Min Total Side Yards	Min Rear Yard	Max Impervious Surface Ratio	Max Front Yard Impervious Surface Ratio	Max Building Coverage	Max Height
Required	35,000 SF**	100 FT	125 FT	125 FT	*100 FT/50 FT	*50 FT/25 FT	*120 FT/60 FT	*100 FT/50 FT	0.25	0.2	0.1	2.5 stories/ 25 FT
Existing	96,083 SF Gross	550 FT	300 FT	> 125	0 FT***	11.3 FT***	N/A	50 FT	0.48	0.18	0.08	2 STY < 25'
Proposed for Arborist	91,078 SF Net	550 FT	300 FT	> 125	130 FT	11.3 FT***	N/A	224.3 FT	0.41	0.05	0.06	1 STY < 25'
Proposed for Residence	91,078 SF Net	550 FT	300 FT	> 125	5.3 FT***	171.8 FT	N/A	436.6 FT	0.05	0.12	0.02	2 STY < 25'
Proposed totals	91,078 SF Net	550 FT	300 FT	> 125	5.3 FT	11.3 FT	N/A	224.3 FT	(1) 0.46	0.17	0.08	2 STY < 25'

* Required/Allowed
** 2 acres required for arborist special permit use
*** Pre-existing condition
(1) Variance Required

REFERENCES

- BEING SECTION 42.13, BLOCK 1, LOT 22 OF THE VILLAGE OF WESLEY HILLS AND TOWN OF RAMAPO TAX MAPPING.
- LOT DESCRIBED BY DEED IN INSTRUMENT NO. 2002 AT PAGE 3705 AT THE ROCKLAND COUNTY CLERKS OFFICE.
- REFERENCE A MAP ENTITLED "FLOWERS ESTATES" FILED IN THE ROCKLAND COUNTY CLERKS OFFICE ON FEBRUARY 14, 2001 IN BOOK 121 ON PAGE 45 AS MAP NUMBER 7413.
- TOTAL AREA = 96,083 SQUARE FEET OR 2.206 ACRES.

DATE	ISSUE	DESCRIPTION	REVISIONS
01/03/24	REV 1	AS PER CONSULTANTS COMMENTS	

S.B.L 42.13 - 1 - 22

SITE PLAN

FOR

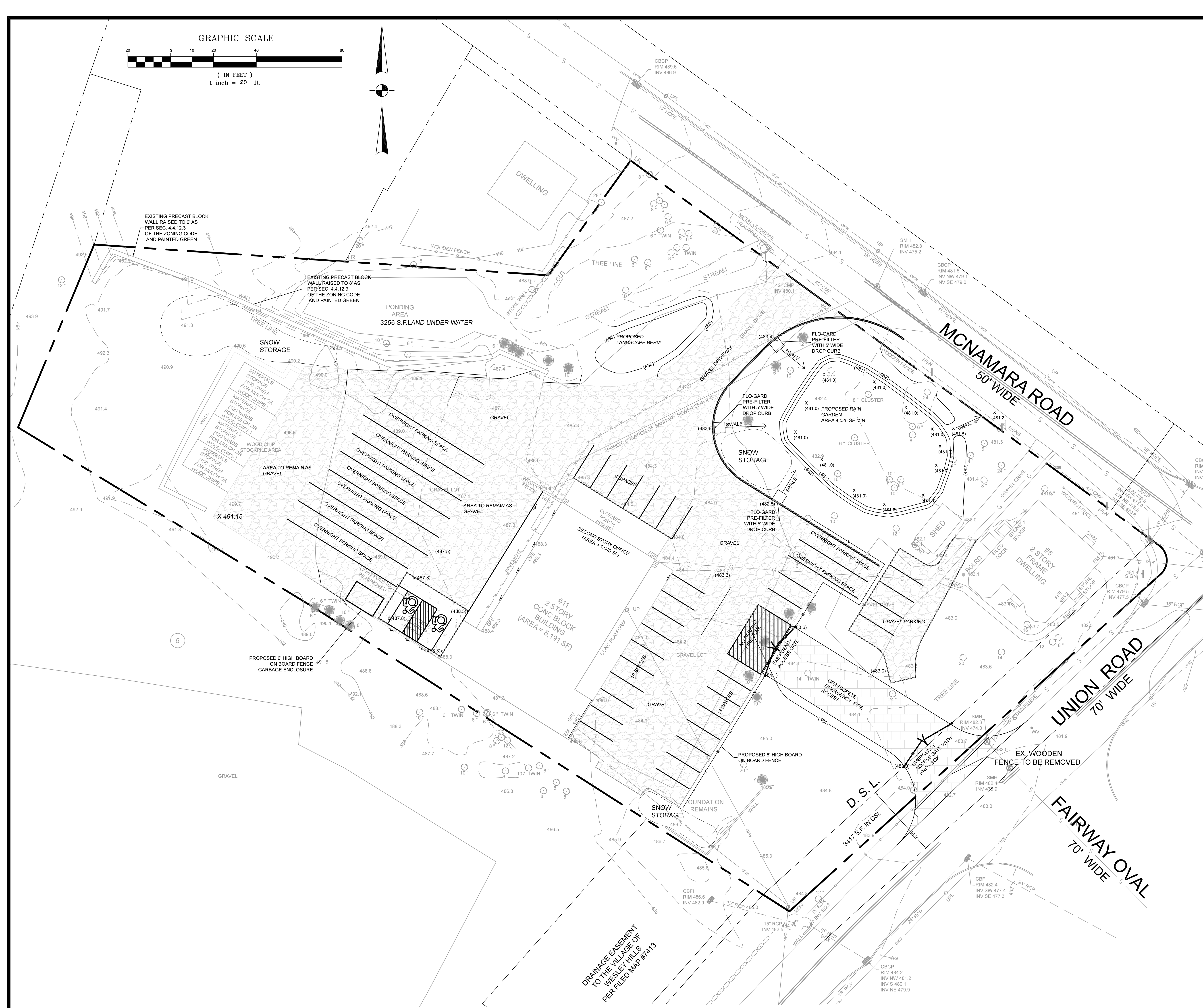
IRA WICKES ARBORISTS

VILLAGE OF WESLEY HILLS - ROCKLAND COUNTY - NEW YORK

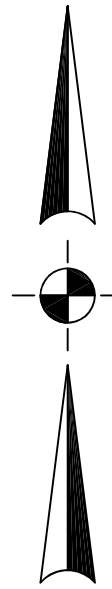
CIVIL TEC Engineering & Surveying PC 139 Lafayette Avenue, 2nd Fl. Suffern, NY 10901 P 845.547.2241 - F 845.547.2243	55 Brookside Avenue Chester, NY 10918 845.610.3621 Civil Engineering & Land Surveying Services that Build Confidence www.Civil-Tec.com	DATE: 12/07/22 DRAWN BY: RB/LT CHKD BY: RB/LT JOB No. 4131 SCALE: 1"=20' DWG No. 1 OF 34
---	--	--

Rachel B. Barese, P.E.
N.Y. Lic. No. 90143

- NOTES
1. CONTRACTOR TO VERIFY LOCATION, SIZE AND INVERTS OF ALL EXISTING UTILITIES PRIOR TO CONSTRUCTION.
 2. CONTRACTOR SHALL CONTACT ALL UTILITY COMPANIES AND HAVE ALL UTILITIES FIELD LOCATED BY RESPECTIVE UTILITY COMPANY AND SHALL ASSUME FULL RESPONSIBILITY AND SHALL BE SOLELY RESPONSIBLE FOR MAINTAINING CONTINUOUS UTILITY SERVICE AND REPAIRS TO ANY DAMAGE.
 3. ALL EXISTING OFF-SITE PAVEMENT, FENCES, CURBS, WALKS AND OTHER FACILITIES DISTURBED BY CONSTRUCTION SHALL BE RESTORED OR REPLACED BY THE CONTRACTOR AT NO ADDITIONAL COST.
 4. EXISTING UTILITIES THAT ARE TO BE REMOVED AND/OR REPLACED SHALL BE REMOVED AND LEGALLY DISPOSED OF BY THE CONTRACTOR.
 5. PROJECT SAFETY AND TRAFFIC MAINTENANCE ARE THE SOLE RESPONSIBILITY OF THE CONTRACTOR.
 6. UTILITIES AND UTILITY STRUCTURES WHOSE LOCATIONS ARE UNKNOWN MAY BE AFFECTED BY THE PROPOSED WORK. UPON FINDING SUCH UTILITIES, THE CONTRACTOR'S RESPONSIBILITY SHALL BE TO NOTIFY THE OWNER AND MAINTAIN THE UTILITIES IN WORKING ORDER UNTIL THEIR DISPOSITION IS RESOLVED.
 7. CONTRACTOR TO COORDINATE WITH ALL COMPANIES TO ASSURE ADEQUATE SUPPLY AND SCHEDULING OF NEW SERVICE, WHERE REQUIRED, TO FIT THE CONSTRUCTION SCHEDULING AND SEQUENCE TO ASSURE NO DAMAGE OR DISTURBANCE TO COMPLETED WORK.
 8. ALL NEW UTILITY SERVICE CONNECTIONS, INCLUDING LINES AND EQUIPMENT FOR PROVIDING POWER AND/OR COMMUNICATIONS, ARE TO BE INSTALLED UNDERGROUND.
 9. THE EXTENT OF THE CONSTRUCTION AND DISTURBANCE AREAS SHALL BE THE MINIMUM REQUIRED TO PERFORM THE CONTRACT WORK, WITH AS MINIMAL EFFECT ON ADJACENT AREAS AS POSSIBLE.
 10. ALL HOUSE CONNECTIONS TO BE 6" DIA. SDR-35.
 11. ALL GAS & ELECTRIC UTILITIES PER ORANGE & ROCKLAND UTILITY REQUIREMENTS.



DATE	ISSUE	DESCRIPTION	REVISIONS
01/03/24	REV 1	AS PER CONSULTANTS COMMENTS	
S.B.L. 42.13 - 1 - 22			
GRADING, DRAINAGE & UTILITES PLAN			
FOR			
IRA WICKES ARBORISTS			
VILLAGE OF WESLEY HILLS - ROCKLAND COUNTY - NEW YORK			
CIVIL TEC Engineering & Surveying PC			DATE: 12/07/22
139 Lafayette Avenue, 2nd Fl. Suffern, NY 10901			DRAWN BY: RB/LT
P 845 547 2241 - F 845 547 2243			CHKD BY: RB/LT
55 Brookside Avenue Chester, NY 10918			JOB No. 4131
845 610 3621			SCALE: 1"=20'
Civil Engineering & Land Surveying Services that Build Confidence www.Civil-Tec.com			DWG No. 3 OF 36
Rachel B. Barese, P.E. N.Y. Lic. No. 90143			



(IN FEET)
1 inch = 20 ft.

(IN FEET)
1 inch = 20 ft.

- 1) Munch all plant beds and trees with a 4" depth of sugar cane or licorice root mulch.
- 2) Stake all trees with 2 cedar stakes, rubber hose around tree (6"/6" above grade) and twisted #10 gauge galvanized wire.
- 3) Plant pits shall be 12" wider and 6" deeper than the root ball. Remove all existing soil and backfill with a mixture of one part peat-humus to 4 parts topsoil. Add 3 year Eeseyes grow fertilizer packets (or equal) – 1 per inch of tree caliper or per 12" height of shrub.
- 4) Guarantee all plants and workmanship for two planting seasons.
- 5) All planting shall be placed under the direction of an appropriate licensed design professional. Notify 48 hours prior to planting.
- 6) Provide the Town of Ramapo building inspector with a copy of the State Certificate of Source for all plant material.
- 7) All plant material shall be nursery grown and shall conform to the American Association of Nursery Men's Standards.

Adaptive Zero-Trust SDN: Reconfigurable Specifications, Dinnemann, Franklyn, Dietmar, e Gardar.

1. A TEMPORARY SEEDING SHALL BE APPLIED TO DISTURBED AREAS THAT ARE LEFT BARE FOR 15 DAYS UNLESS CONSTRUCTION WILL BEGIN WITHIN 30 DAYS. IF CONSTRUCTION IS SUSPENDED OR COMPLETED, AREAS SHALL BE SEEDED DOWN OR MULCHED IMMEDIATELY.
2. STRUCTURAL MEASURES MUST BE MAINTAINED TO BE EFFECTIVE. IN GENERAL, THESE MEASURES MUST BE PERIODICALLY INSPECTED TO INSURE STRUCTURAL INTEGRITY, DETECT VANDALISM DAMAGE, AND FOR CLEANING AND REPAIR WHENEVER NECESSARY.
3. DURING CONSTRUCTION, ALL STRUCTURES SHALL BE INSPECTED WEEKLY AND AFTER EACH RAIN.
4. AFTER CONSTRUCTION, INSPECTION SHALL BE MADE AT LEAST SEMI-ANNUALLY AND AFTER EVERY RAIN.
5. THE STORM DRAIN INLET STRUCTURES SHALL BE PROTECTED WITH A FILTER BERM UNTIL THE AREA IS STABILIZED WITH VEGETATION OR THE BASE COURSE OF PAVEMENT IS INSTALLED.
6. CONSIDER LIMITING LAND DISTURBANCE TO ONLY THAT AREA NECESSARY FOR DEVELOPMENT.
7. THE MACADAM SURFACE SHALL BE SWEEP "BROOM CLEAN" AT THE END OF EACH DAY DURING THE CONSTRUCTION PHASE OF THE SIDEWALKS AND CURB.
8. A STABILIZED CONSTRUCTION ENTRANCE SHALL BE INSTALLED AT ALL POINTS OF DISTURBED AREA MEETS AN IMPERVIOUS SURFACE, THIS INCLUDES ALL NEW DRIVEWAY CONNECTIONS ALONG THE NEW ROADWAY.
9. CONSTRUCTION EQUIPMENT SHALL BE LIMITED TO THOSE AREAS WITHIN THE SILT FENCE SEDIMENT PROTECTION. AT THE CONCLUSION OF CONSTRUCTION OPERATIONS, THE AREA COMPACTED BY MACHINERY SHALL BE DICED OR OTHERWISE LOOSENED TO A DEPTH OF 12 INCHES PRIOR TO FINAL GRADING WITH TOPSOIL AND SEEDING.

KEY	QUANTITY	COMMON NAME/BOTANICAL NAME	SIZE COMMENT
TREES			
WP	39	WHITE PINE/PINUS STROBUS	7'-8' HT
		LANDSCAPE BERM PLANTING	
GG	7	GREEN GIANT/THUJA	3'-4' HT
MV	3	MAPLE-LEAF VIBURNUM/Viburnum acerifolium	3'-4' ht.
VR	6	VIRGINIA ROSE/ Rosa virginiana	2'-3- ht.

1. ALL VEGETATION SHOWN ON THIS PLAN SHALL BE MAINTAINED IN A HEALTHY AND VIGOROUS GROWING CONDITION THROUGHOUT THE DURATION OF THE PROPOSED USE OF THE SITE. ALL VEGETATION NOT SO MAINTAINED SHALL BE REPLACED WITH NEW COMPARABLE VEGETATION AT THE BEGINNING OF THE NEXT GROWING SEASON.
2. ALL LIGHTING SHOWN ON THIS PLAN SHALL BE DIRECTED AND/OR SHIELDED SO AS TO PRECLUDE OBJECTIONABLE GLARE FROM BEING OBSERVABLE FROM ADJOINING STREETS AND PROPERTIES.

An Erosion control system will be utilized by the developer to minimize the production of sediment from the site. Methods to be utilized will be those found most effective for the site and shall include one or more of the following, as applicable:

- 1) Temporary sedimentation entrapment areas shall be provided at key locations to intercept and clarify silt laden runoff from the site. These may be excavated or may be created utilizing earthen berms, rip-rap or crushed stone dams, hay bales, or other suitable materials. Diversion swales, berms, or other channelization shall be constructed to ensure that all silt laden waters are directed into the entrapment areas, which shall not be permitted to fill in, but shall be cleaned periodically during the course of construction. The collected silt shall be deposited in areas safe from further erosion.
- 2) All disturbed areas, except roadways, which will remain unfinished for more than 30 days shall be temporarily seeded with $\frac{1}{2}$ lb. of ryegrass or mulched with 100 lbs. of straw or hay per 1,000 square feet. Roadways shall be stabilized as rapidly as practicable by the installation of the base course.
- 3) Silt that leaves the site in spite of the required precautions shall be collected and removed as directed by appropriate municipal authorities.
- 4) At the completion of the project, all temporary siltation devices shall be removed.

DRAINAGE EASEMENT
TO THE VILLAGE OF
WESLEY HILLS
PER FILED MAP #7413

Id Communities

Rachel Ba

Rachel B. Barese, P.E.
N.Y. Lic. No. 90143

Id Communities

DATE:	12/07/22
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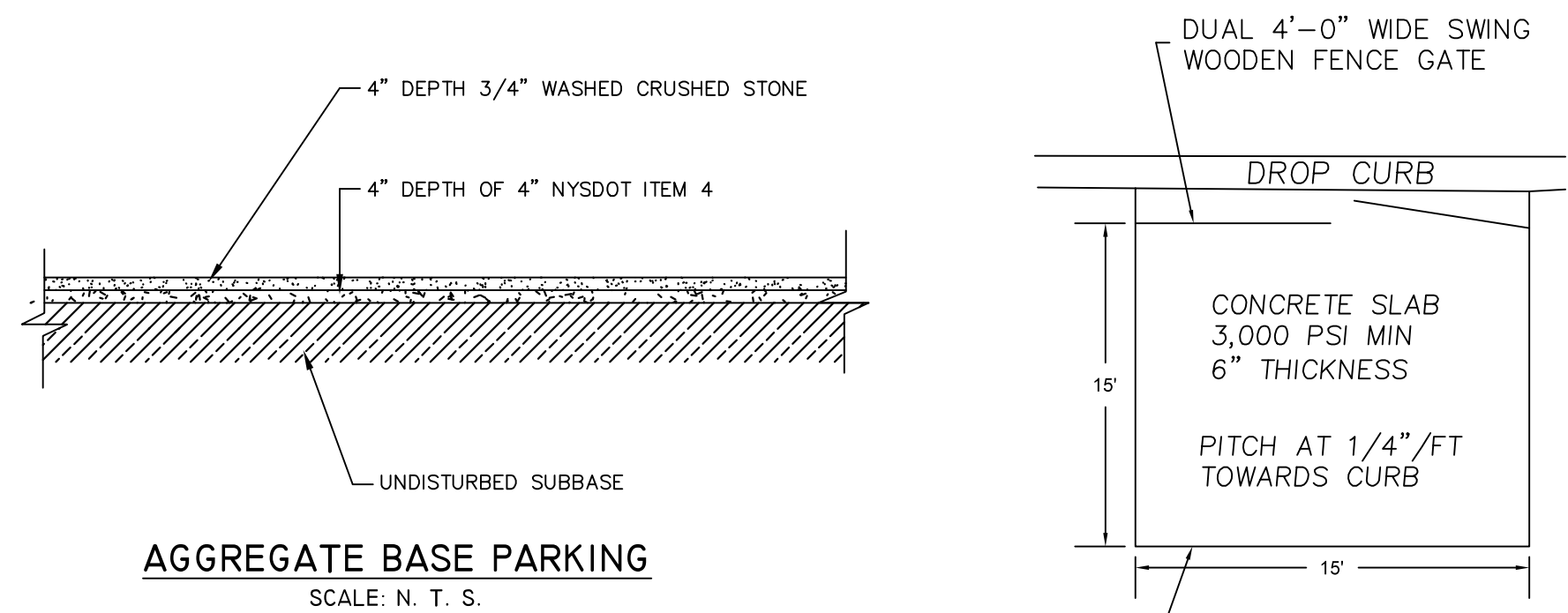
DRAWN BY:	RB/LT
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CHKD BY:	RB/LT
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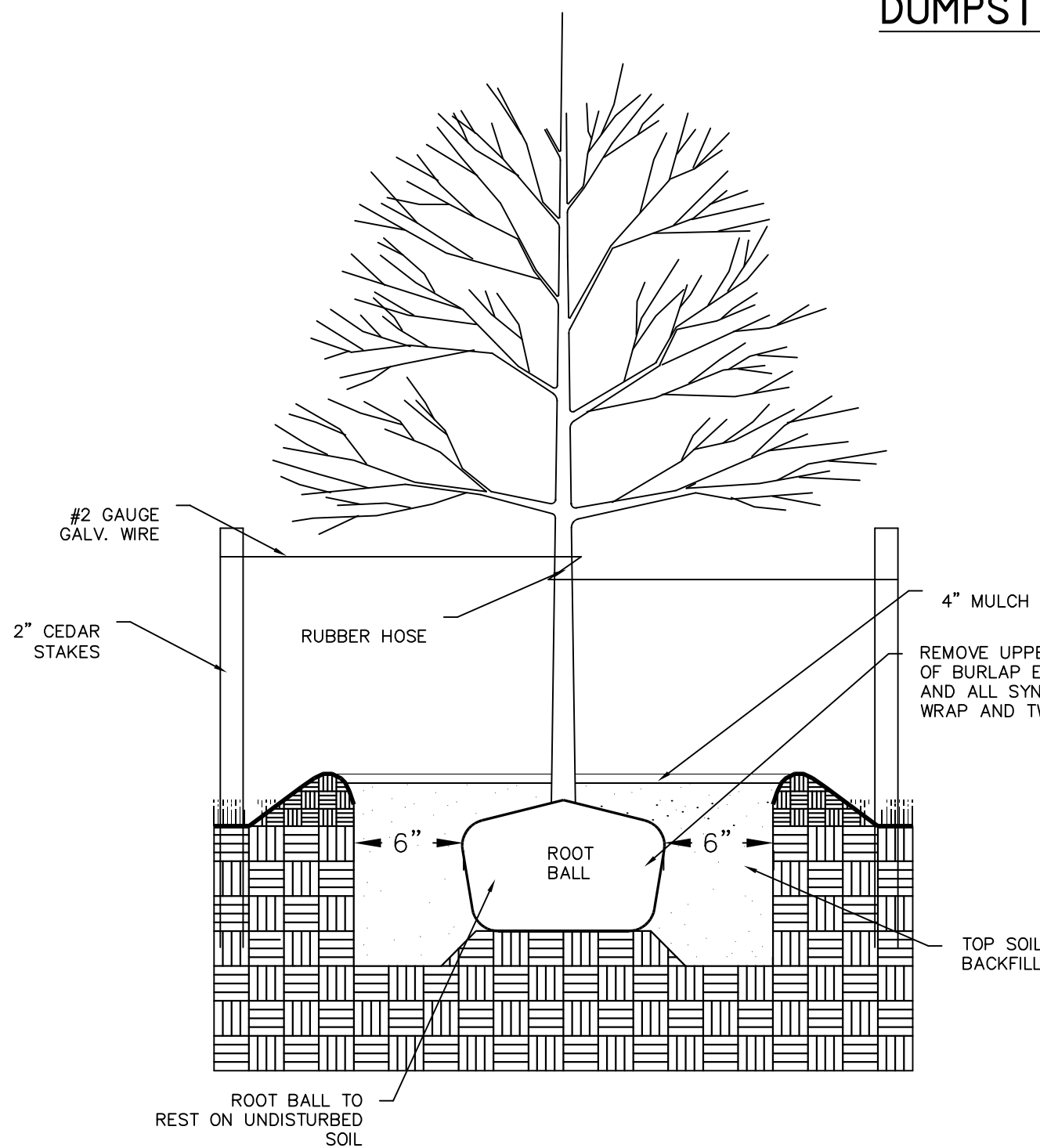
JOB No.	4131
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SCALE:	1"=20'
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37



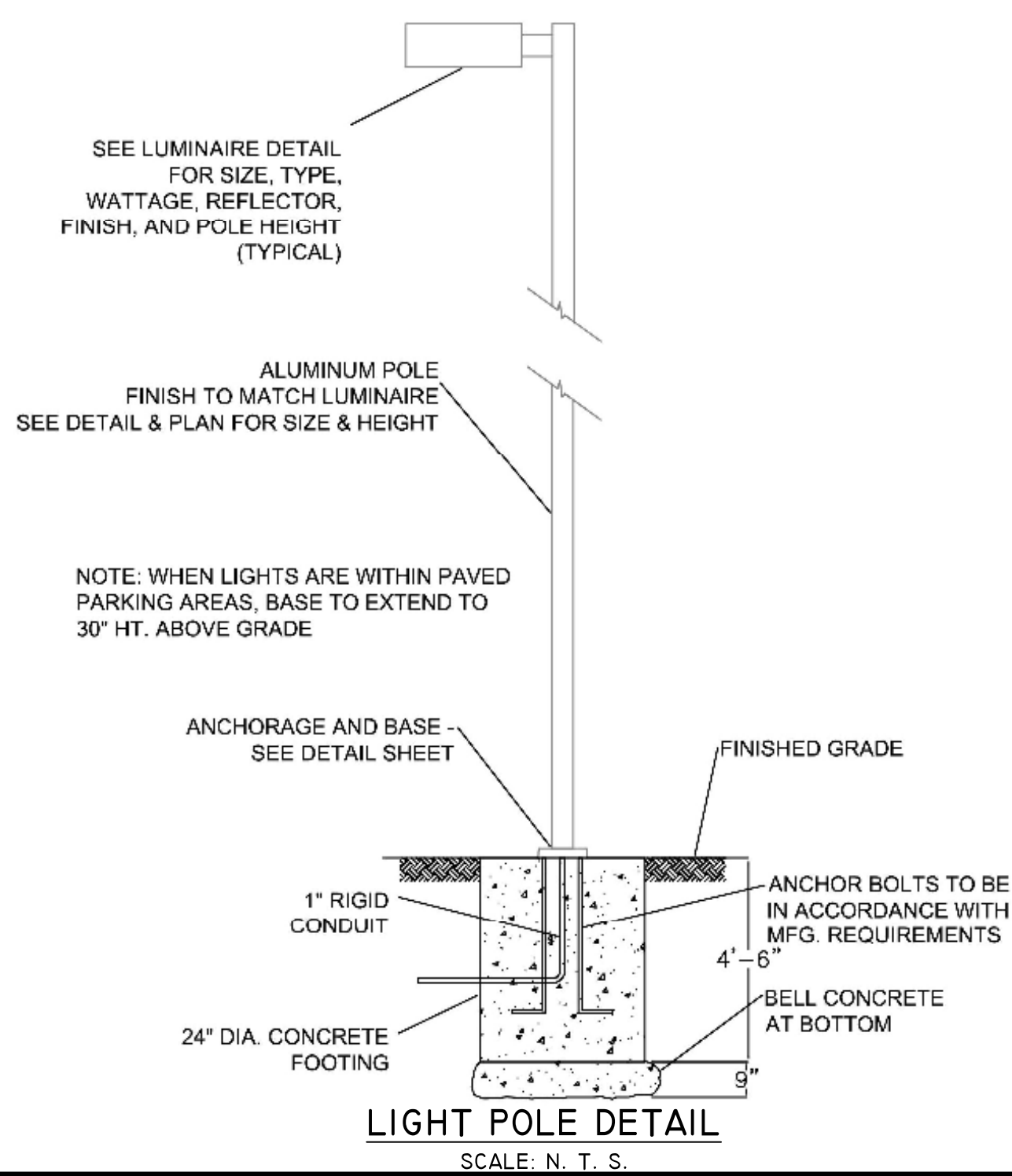
DUMPSTER ENCLOSURE DETAIL



TREE PLANTING DETAIL
SCALE: N. T. S.

NOTES:

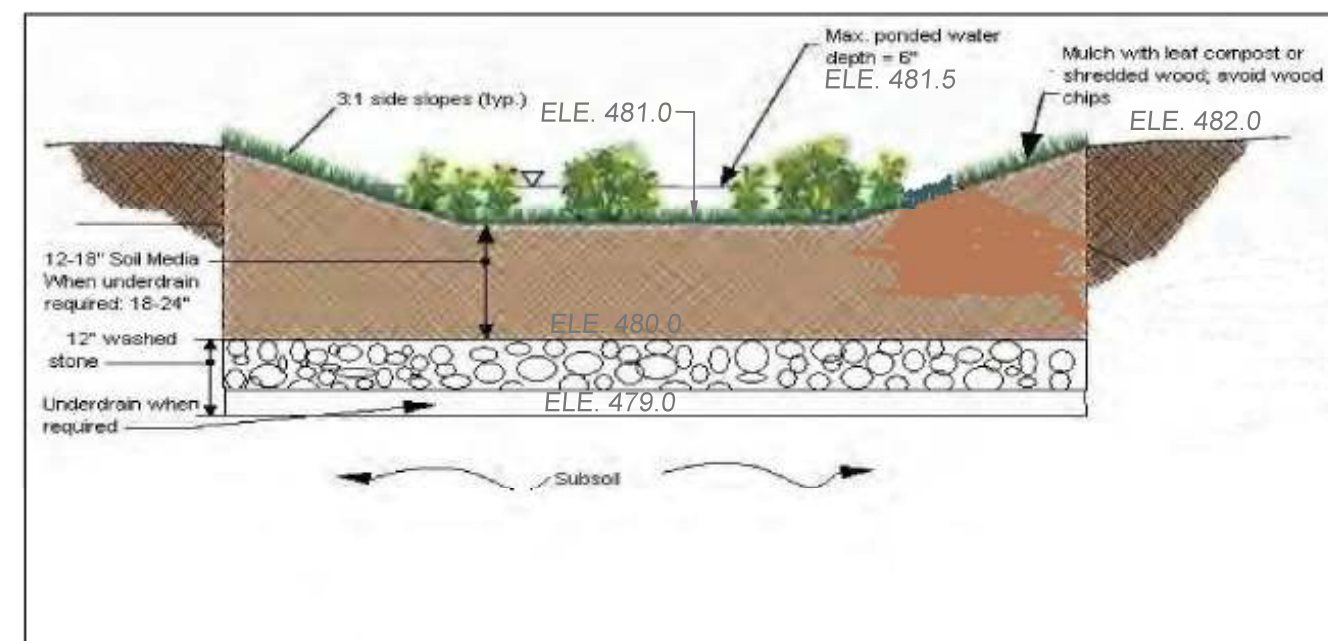
1. EXCAVATE A HOLE THAT IS 12" WIDER & 6" DEEPER THAN THE ROOTBALL.
2. REMOVE ANY STRINGS TIED AROUND TRUNK OR STEM BUT LEAVE BURLAP IN TACT.
3. TOPSOIL MIX FOR BACKFILL TO BE 2 PARTS TOPSOIL, 1 PART SAND & 1 PART HUMUS.
4. BUILD DEPRESSION AROUND PLANT & FILL WITH MULCH.
5. STAKE ALL TREES WITH 2" CEDAR STAKES.



LIGHT POLE DETAIL
SCALE: N. T. S.

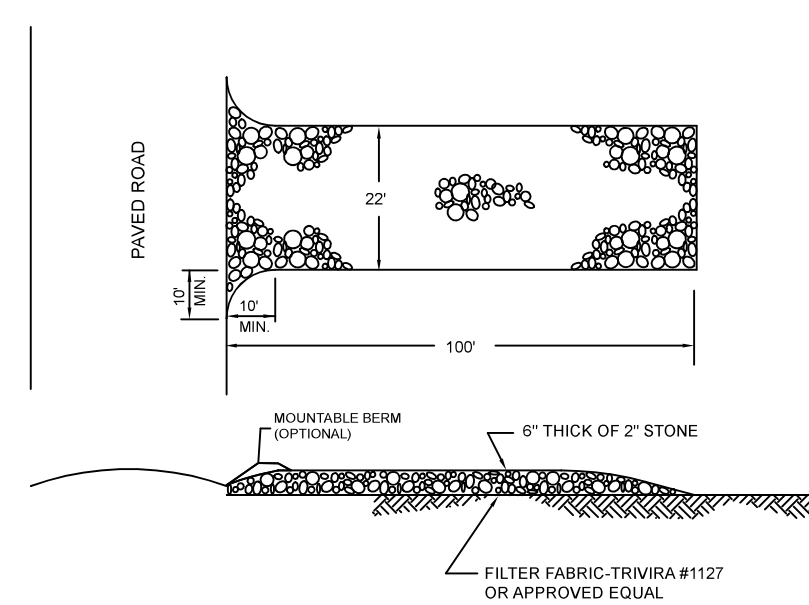


Figure 5.41 Profile of a typical rain garden

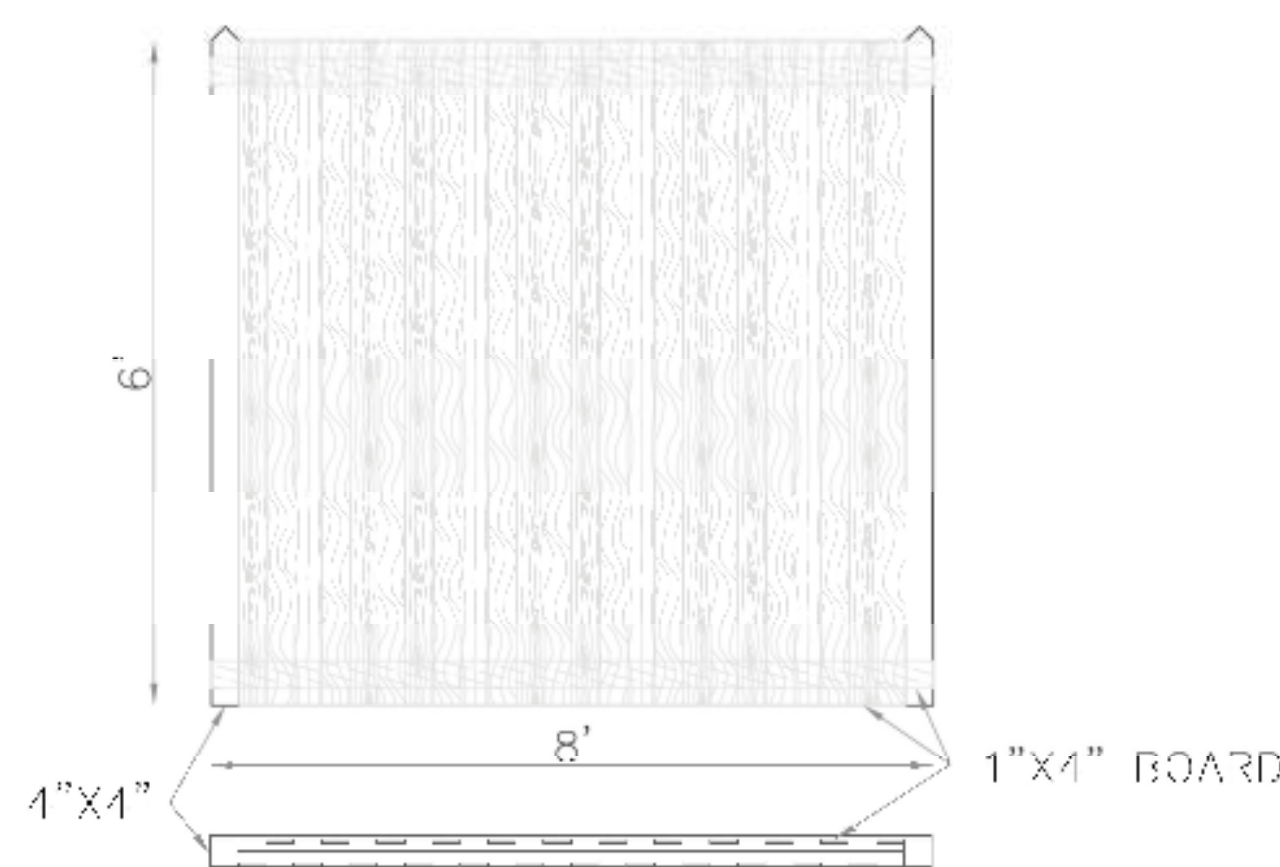


RAIN GARDEN DETAIL

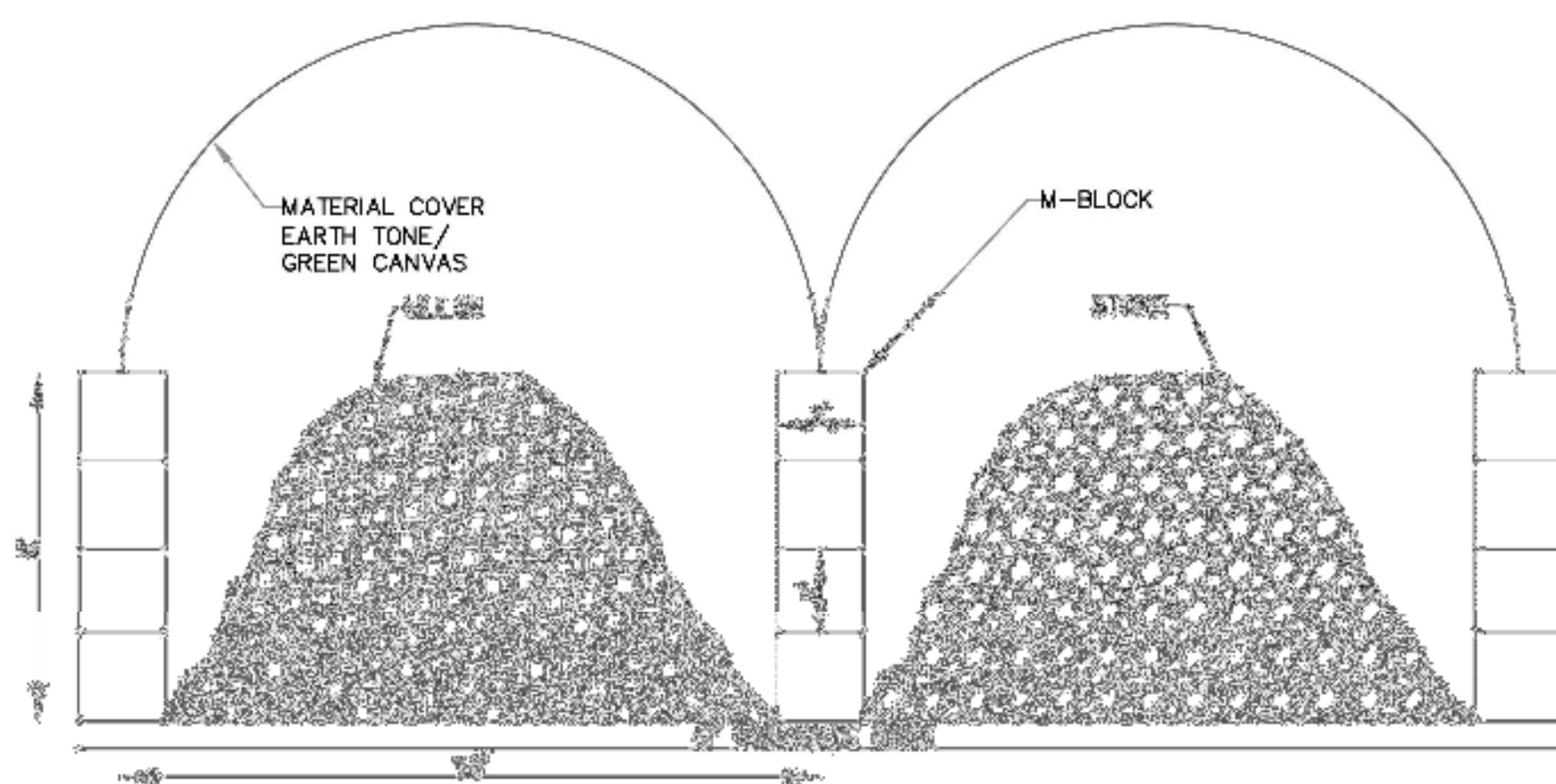
SCALE: N. T. S.



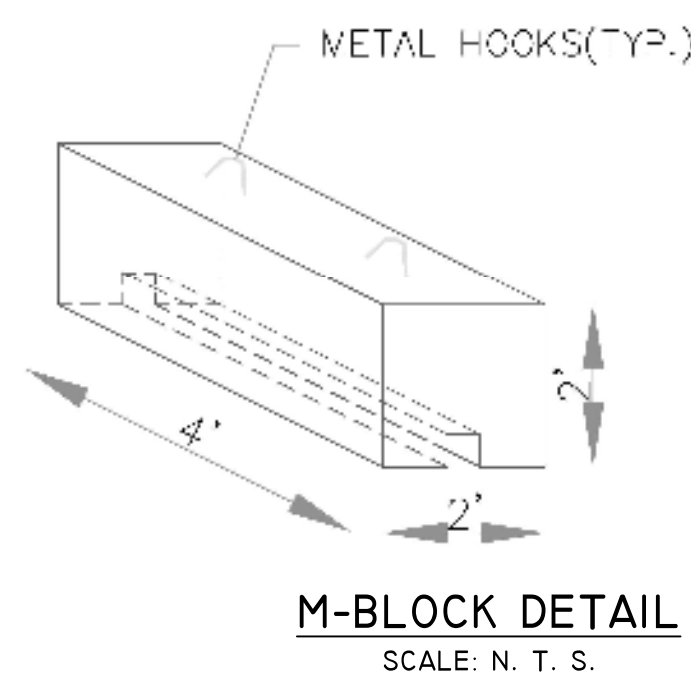
STABILIZED CONSTRUCTION ENTRANCE
N.T.S.



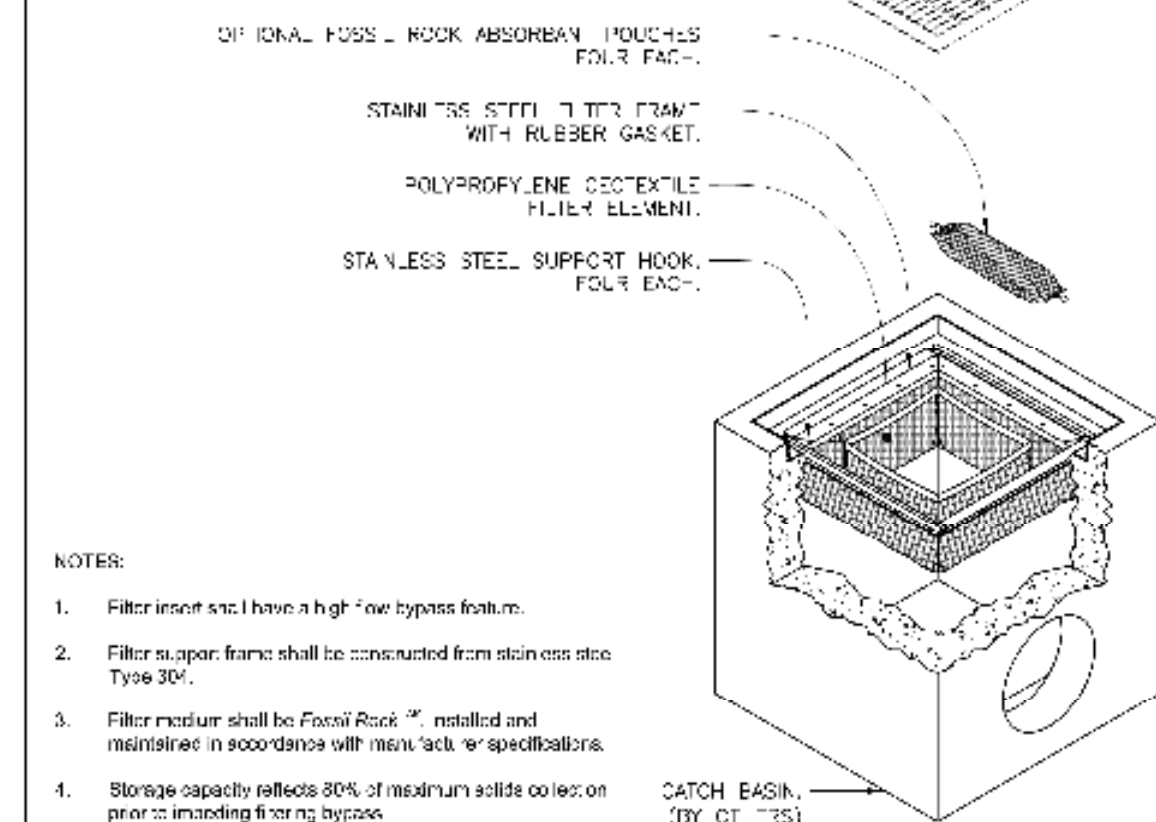
SHADOW BOX FENCE DETAIL
SCALE: N. T. S.



MATERIAL STORAGE DETAIL
SCALE: N. T. S.

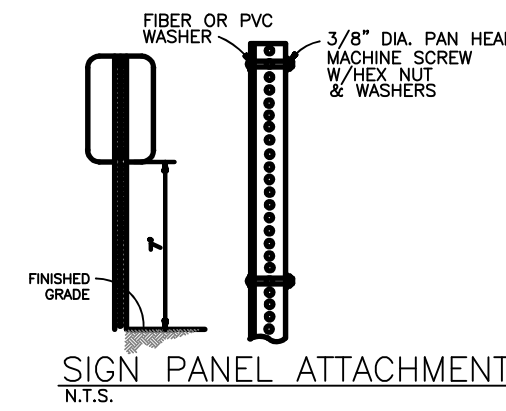
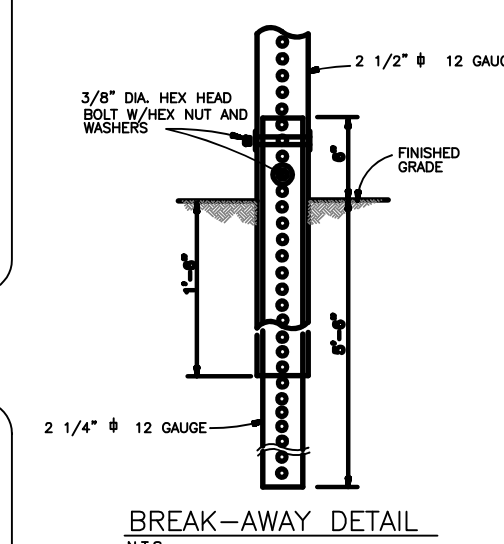


M-BLOCK DETAIL
SCALE: N. T. S.

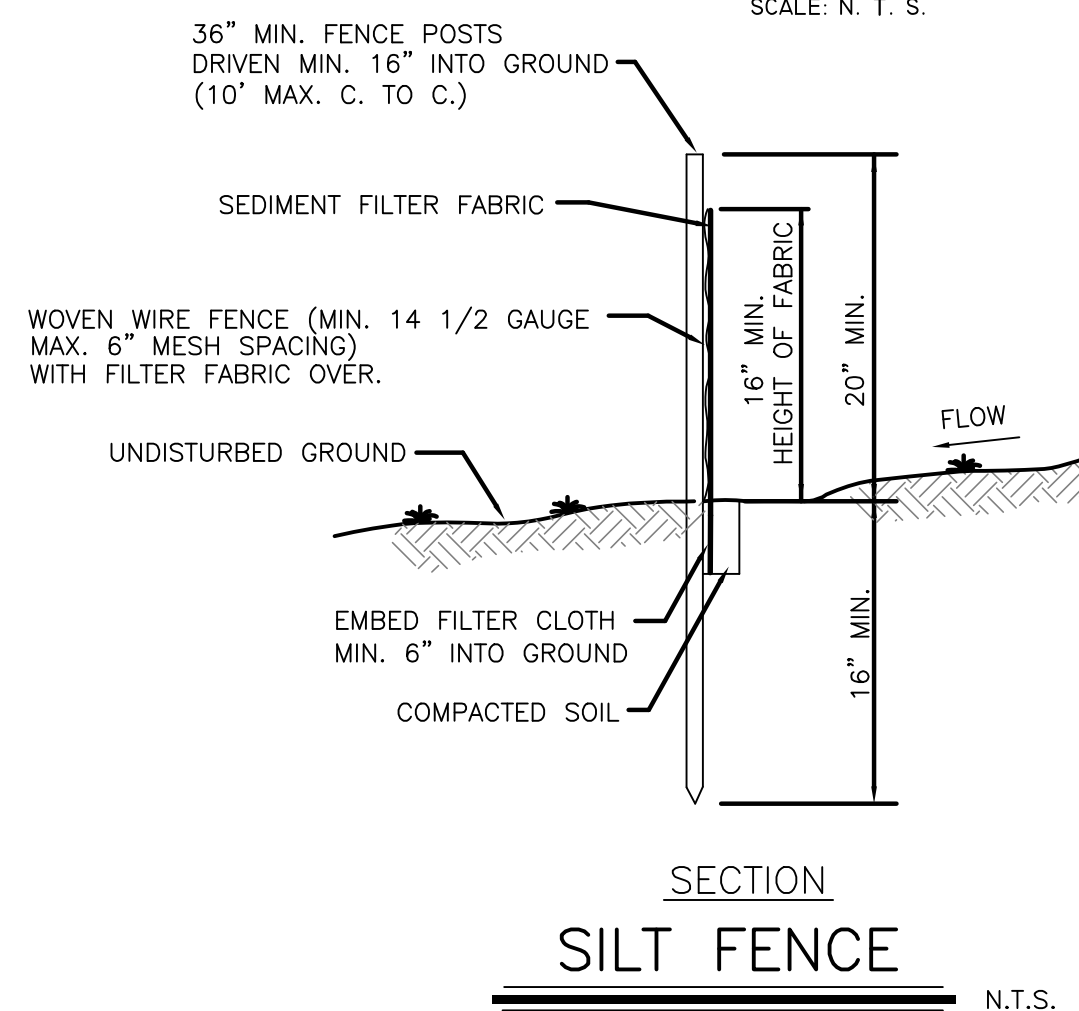
[illegible]

NOTES

1. Filter insert shall have a high efficiency bypass feature.
2. Filter support frame shall be constructed from stainless steel Type 304.
3. Filter medium shall be Fancoil RockTM installed and maintained in accordance with manufacturer specifications.
4. Storage capacity reflects 30% of maximum acidic cooled on prior to impending freezing bypass.



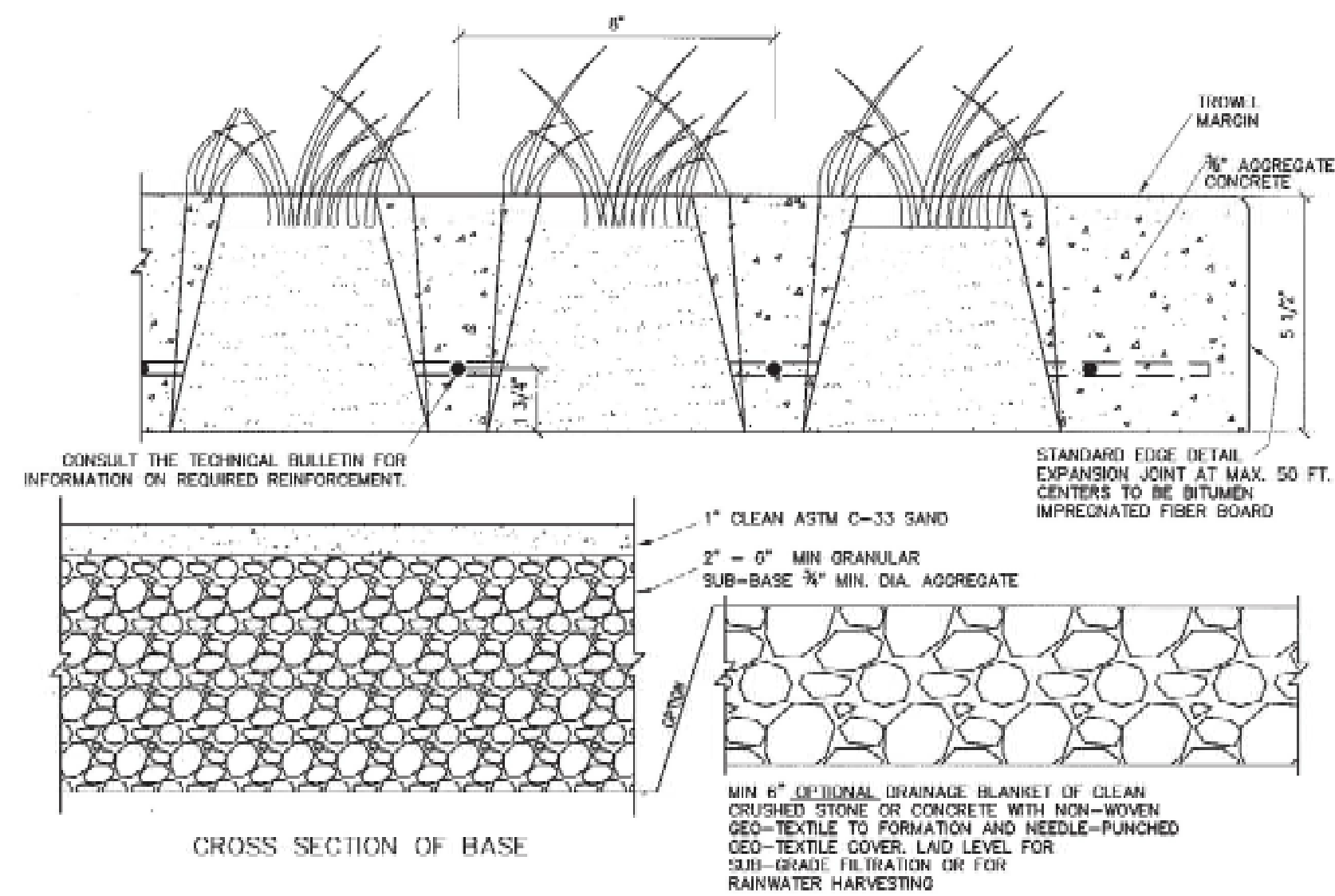
SIGN DETAIL
SCALE: N. T. S.



CONSTRUCTION NOTES FOR FABRICATED SILT FENCE

1. WOVEN WIRE FENCE TO BE FASTENED SECURELY TO FENCE POSTS WITH WOODEN TIES OR CABLES.
2. FILTER CLOTH TO BE FASTENED SECURELY TO WOVEN WIRE FENCE WITH TIES SPACED EVERY 24" AT TOP AND MID SECTION.
3. WHEN TWO SECTIONS OF FILTER CLOTH ADJOIN EACH OTHER THEY SHALL BE OVERLAPPED BY SIX INCHES AND FOLDED.
4. MAINTENANCE SHALL BE PERFORMED AS NEEDED AND MATERIAL REMOVED WHEN BULGES DEVELOP IN THE SILT FENCE.
5. POST TO BE STEEL EITHER "T" OR "U" TYPE OR 2" HARWOOD.
6. FILTER CLOTH TO BE MIRAFI 100X STABILINKA T140N OR APPROVED EQUAL.
7. PREFABRICATED UNIT - GEOFAB ENVIRONMENTAL OR APPROVED EQUAL.

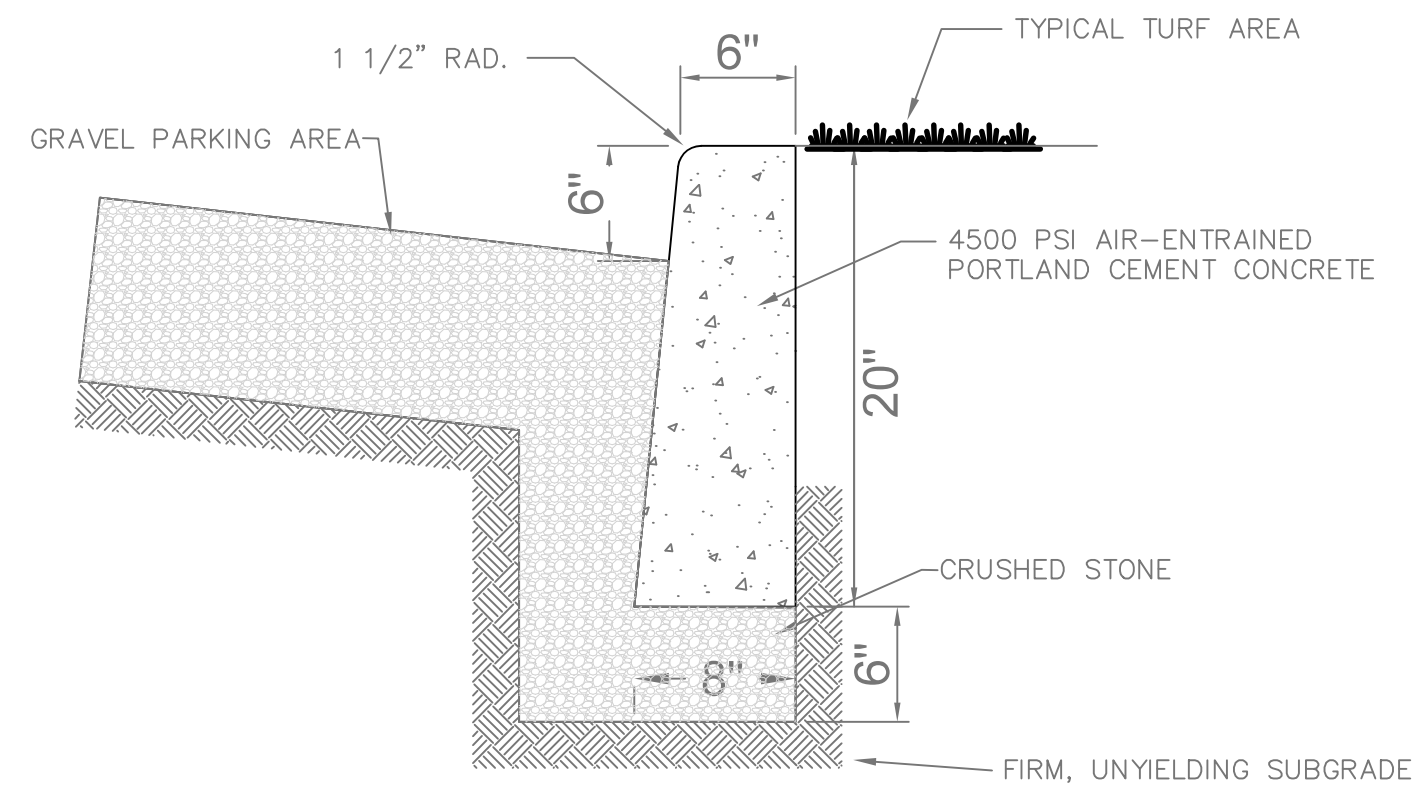
SINGLE USE 5 1/2" MOLDED PULP VOID GRASSED SYSTEM



DATE: 03/02/2007

GRASSCRETE PERVIOUS PAVEMENT DETAIL

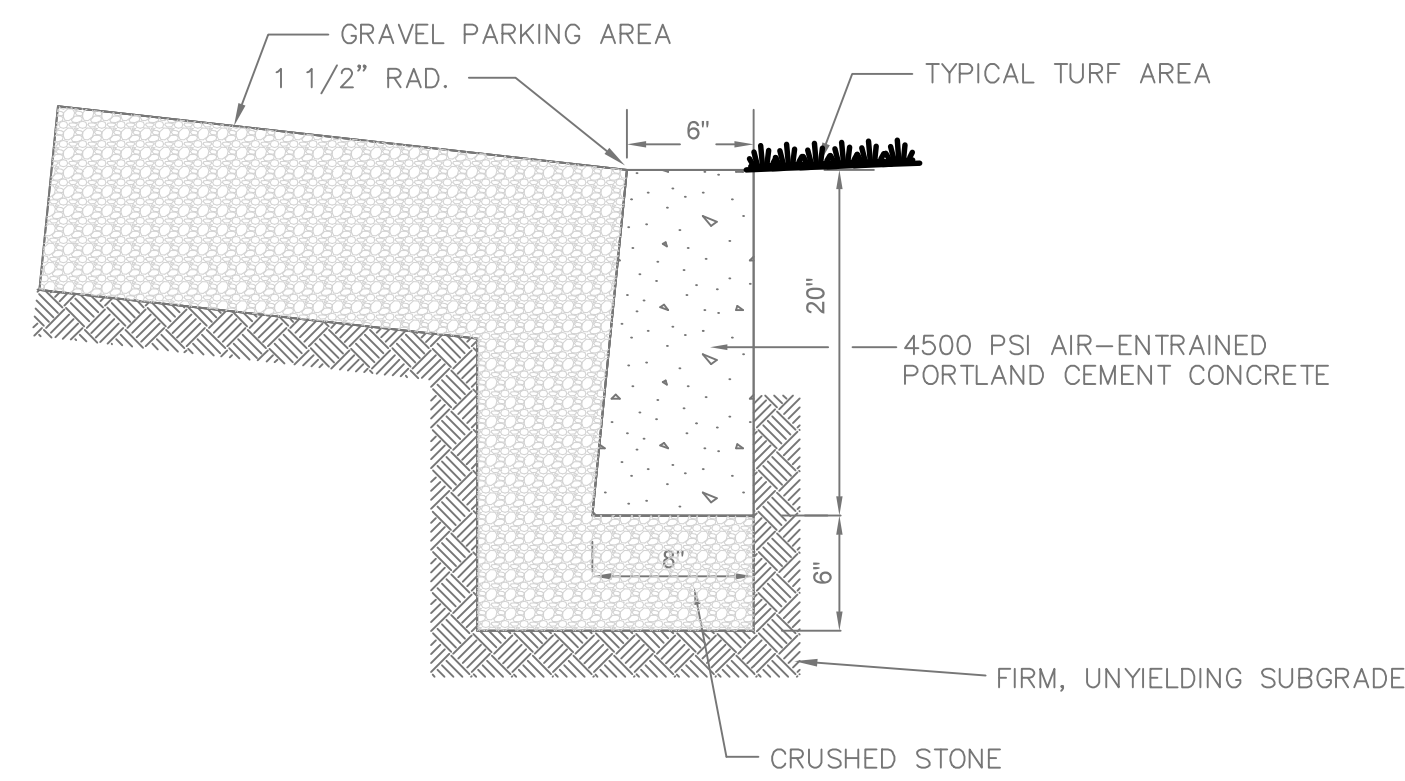
SCALE: N. T. S.



NOTE: PROVIDE EXPANSION JOINT AT 20'-0" MAX.

CONCRETE CURB DETAIL

NOT TO SCALE



CONCRETE DROP CURB DETAIL

NOT TO SCALE

DATE	ISSUE	DESCRIPTION	REVISIONS
S.B.L. 42.13 - 1 - 22			
DETAILS			
FOR			
IRA WICKES ARBORISTS			
VILLAGE OF WESLEY HILLS - ROCKLAND COUNTY - NEW YORK			
CIVIL TEC Engineering & Surveying PC			DATE: 01/03/24
139 Lafayette Avenue, 2nd Fl. Suffern, NY 10901 P 845.547.2241 - F 845.547.2243			DRAWN BY: RB/LT
55 Brookside Avenue Chester, NY 10918 845.610.3621			CHKD BY: RB/LT
Civil Engineering & Land Surveying Services that Build Confidence www.Civil-Tec.com			JOB No. 4131
Rachel B. Barese, P.E. N.Y. Lic. No. 90143			SCALE: 1"=20'
			DWG No. 6 OF 39





11 McNamara Rd

Designer
Rz
Date
10/11/2023
Scale
Not to Scale
Drawing No.
Summary



Schedule									
Symbol	Label	Image	QTY	Manufacturer	Catalog	Description	Number Lamps	Lamp Output	LLF
	A		1	American Electric Lighting	ACC P153 R3 3K	ACC P153 Performance package Roadway Type III distribution 3000K CCT	1	3652	0.5
	B		7	American Electric Lighting	ACC P153 R4 3K	ACC P153 Performance package Roadway Type IV distribution 3000K CCT	1	3547	0.9
	C		4	Holophane	HLWPC2 P10 30K XX T3M	Wallpack Full Cutoff LED, LED Performance Package P10, 3000 series CCT, Voltage, Type III Medium	1	2800	0.9
									28
									Max: 2747cd
									Max: 1961cd
									Max: 2109cd

Statistics

Description	Symbol	Avg	Max	Min	Max/Min	Avg/Min
Parking	+	0.59 fc	1.52 fc	0.02 fc	76.0:1	29.5:1



Memorandum

To: Village of Wesley Hills Planning Board

From: Jonathan T. Lockman, AICP

Re: IJJ, LLC, dba Ira Wickes, Arborist, 11 McNamara Road
 SBL# 42.14-1-22

Date: January 11, 2024

cc: Matthew Trainor, P.E., Village Engineer
 Frank Brown, Esq., Planning Board Attorney
 Alicia Schultz, Deputy Village Clerk
 John Layne, Building Inspector
 Ira Emanuel, Esq., for the Applicant
 Rachel Barese, P.E., for the Applicant

Received and reviewed for this memorandum:

- Responses to GML Review, Letter from Ira Emanuel, Esq., Emanuel Law P.C., to Planning Board, Application for Site Plan/Special Permit, for IJJ LLC, dated January 3, 2024.
- Responses to Brooker and NPV memoranda, Village of New Hempstead/John Lange, Wesley Hills Fire Inspector, RC Sewer District #1, RC Center for Environmental Health, and RC Highway Dept.; from CivilTec Engineering + Surveying, dated January 3, 2024.
- Site Plan Set, 7 Sheets, for Ira Wickes Arborists, stamped by Rachel Barese, P.E., Civil Tec Engineering and Surveying PC, dated December 7, 2022, with latest revision date of January 3, 2024, as follows:
 - o 1, Site Plan
 - o 2, Existing Condition Plan
 - o 3, Grading, Drainage & Utilities Plan
 - o 4, Landscaping & Erosion Control Plan
 - o 5, 6, Details
 - o 7, Lighting Plan (by Visual, dated October 11, 2023)

Project Summary

The subject application is for a site plan approval and special permit for an existing Arborist operation. The Village of Wesley Hills Planning Board approved a site plan and special permit in May of 2010. However, the project was subject to a legal challenge. The SC Appellate division, 2nd Department annulled the approvals on November 24, 2021. The Court annulled the approvals because of the lack of a practical access to a second major road, and impervious surfaces in excess of 0.25 (25%). The applicant's attorney has provided a comprehensive history of the case in the Narrative Summary, should the Board wish to understand further details.

The 2.21-acre (gross) subject lot is located in the R-35 District at the southwest corner of McNamara Road (C.R. 67) and Union Road (C.R. 80). The applicant is proposing to continue to use the existing two-story concrete block commercial building as well as the two-story frame dwelling that already exists on the property. In response to the Court's first objection to the 2010 approvals, a new proposed feature is a grasscrete emergency gated fire access drive off Union Road. In response to the Court's second objection to the 2010 approvals, the applicant will apply for a ZBA variance for the excess impervious surfaces. (In its 2010 approvals, the Planning Board relied upon the interpretation that the excess impervious surface was a legally nonconforming preexisting condition for which a variance was not required – and the Court did not agree.)

Zoning Comments

1. A ZBA variance will be required for impervious surface ratio as proposed at 0.46.

Planning Comments

2. Regarding comment 2 of our previous memorandum dated May 22, 2023, **we have no problem with the gated emergency access drive connecting the east parking area to Union Road.** We believe this would satisfy the condition of the Court decision without any undue adverse impact to Union Road. The grasscrete installation will provide a lawn appearance and will not add impervious surfaces to the site. **A comment letter was received from the Fire Inspector dated July 10, 2023, and the latest design on sheet 1 of the site plan set indicates it will be 26 feet in width as requested.**
3. Regarding comment 3 of our previous memorandum, we appreciate the gravel removal west of the main driveway and restoration of the stream bank with the installation of the "proposed landscape berm." As requested, the height and plant materials proposed for this berm feature are now indicated on the landscaping plan (sheet 4), and our comment has been resolved.
4. Regarding comment 4 of our previous memorandum, the tree removals required for the construction of the proposed rain garden are now shown, and our comment has been resolved.
5. Regarding comment 5 of our previous memorandum, the proposed removal of five trees to make way for two overnight truck parking spaces, remains on the plans, as requested by the Planning Board. Our comment has been resolved.

GML/SEQRA Comments

6. GML review of the project by the Rockland County Planning Department was required as the site fronts on two County roads. The project application was also circulated to the Village of New Hempstead for their review and comments per GML 239-nn.

A GML review letter was received, dated July 24, 2023. The applicant's attorney has provided responses to comments in a letter dated January 3, 2024. **The applicant has not requested the Planning Board to override any of the GML comments.**

A comment letter from the Village of New Hempstead was received, dated August 1, 2023, prepared by Village Planner John Lange. The applicant's engineer has provided responses to

comments in a letter dated January 3, 2024. **New Hempstead's comments have been addressed, except for the requested traffic study and percolation tests, which have not yet been conducted.**

7. Before the previous approval of this project, by resolution 10-16, the Planning Board granted a negative declaration of environmental significance for this unlisted action. At the last Planning Board meeting where this matter was discussed on July 26, 2023, the applicant promised an EAF Part III submittal reviewing the previous neg dec and its supporting background documents and updating any of the supporting documentation that needed new, refreshed information to reflect any changed conditions since 2016. The applicant indicated that a new traffic study will be undertaken, in response to comments from New Hempstead (see comment 6 above). **Please submit a part III SEQRA document as discussed.**

Please let me know if you have any questions or comments regarding this review.

Items Submitted on or about July 21, 2023

- Responses to RC Highway Dept., from Rhonda Smith, CivilTec Engineering + Surveying, dated July 13, 2023.
- Letter from Elizabeth Mello, P.E., Rockland County Center for Environmental Health, dated July 17, 2023.
- Site Plan Set (identical to those submitted in May 2023), 5 Sheets, for Ira Wickes Arborists, stamped by Rachel Barese, P.E., Civil Tec Engineering and Surveying PC, dated December 7, 2022, as follows:
 - o 1, Site Plan
 - o 2, Existing Condition Plan
 - o 3, Grading, Drainage & Utilities Plan
 - o 4, Landscaping & Erosion Control Plan
 - o 5, Details

Items Reviewed for our Previous Memorandum, dated May 22, 2023

- Application for Site Plan/Special Permit, for IJJ LLC, dated March 20, 2023.
- Narrative Summary, re: Rockland Tree Expert Co., Inc., by Ira Emanuel, Esq., Emanuel Law P.C., dated March 16, 2023.
- Water Quality Assessment, by Environmental Management Ltd., and Geovation Engineering, P.C., dated March 30, 2007.
- Document entitled "Copy of Best Management Plan for preparation and storage of plant health materials, Exhibit 4," with transmittal letter, submitted by James Wickes, dated August 3, 2006 (contains NYSDEC Publication DSHM-PES-05-03 Pesticide Storage Guidelines, with latest revisions August 11, 2005).
- Resolutions 10-16 Negative Declaration, 10-17 Special Permit, and 10-18 Site Plan, of the Planning Board of the Village of Wesley Hills
- Stipulation of Settlement, Justice Court, Village of Wesley Hills, in re: "People of the State of New York v. Ira Wickes Arborist/Ira F. Wickes Jr. and Esther Wickes, signed September 8, 2004.

- Supreme Court of the State of New York, Appellate Division: Second Judicial Department, In the Matter of Neil Marcus, appellant v. Planning Board of the Village of Wesley Hills, et al., Decision and Order, dated November 24, 2021.
- Site Plan Set, 5 Sheets, for Ira Wickes Arborists, stamped by Rachel Barese, P.E., Civil Tec Engineering and Surveying PC, dated December 7, 2022, as follows:
 - o 1, Site Plan
 - o 2, Existing Condition Plan
 - o 3, Grading, Drainage & Utilities Plan
 - o 4, Landscaping & Erosion Control Plan
 - o 5, Details



Memorandum

To: Village of Wesley Hills Planning Board

From: Jonathan T. Lockman, AICP

Re: IJJ, LLC, dba Ira Wickes, Arborist, 11 McNamara Road
SBL# 42.14-1-22

Date: May 22, 2023

cc: Matthew Trainor, P.E., Village Engineer
Frank Brown, Esq., Planning Board Attorney
Alicia Schultz, Deputy Village Clerk
John Layne, Building Inspector
Ira Emanuel, Esq., for the Applicant
Rachel Barese, P.E., for the Applicant

Received and reviewed for this memorandum:

- Application for Site Plan/Special Permit, for IJJ LLC, dated March 20, 2023.
- Narrative Summary, re: Rockland Tree Expert Co., Inc., by Ira Emanuel, Esq., Emanuel Law P.C., dated March 16, 2023.
- Water Quality Assessment, by Environmental Management Ltd., and Geovation Engineering, P.C., dated March 30, 2007.
- Document entitled "Copy of Best Management Plan for preparation and storage of plant health materials, Exhibit 4," with transmittal letter, submitted by James Wickes, dated August 3, 2006 (contains NYSDEC Publication DSHM-PES-05-03 Pesticide Storage Guidelines, with latest revisions August 11, 2005).
- Resolutions 10-16 Negative Declaration, 10-17 Special Permit, and 10-18 Site Plan, of the Planning Board of the Village of Wesley Hills
- Stipulation of Settlement, Justice Court, Village of Wesley Hills, in re: "People of the State of New York v. Ira Wickes Arborist/Ira F. Wickes Jr. and Esther Wickes, signed September 8, 2004.
- Supreme Court of the State of New York, Appellate Division: Second Judicial Department, In the Matter of Neil Marcus, appellant v. Planning Board of the Village of Wesley Hills, et al., Decision and Order, dated November 24, 2021.
- Site Plan Set, 5 Sheets, for Ira Wickes Arborists, stamped by Rachel Barese, P.E., Civil Tec Engineering and Surveying PC, dated December 7, 2022, as follows:
 - o 1, Site Plan
 - o 2, Existing Condition Plan
 - o 3, Grading, Drainage & Utilities Plan
 - o 4, Landscaping & Erosion Control Plan
 - o 5, Details

Project Summary

The subject application is for a site plan approval and special permit for an existing Arborist operation. The Village of Wesley Hills Planning Board approved a site plan and special permit in May of 2010. However, the project was subject to a legal challenge. The SC Appellate division, 2nd Department annulled the approvals on November 24, 2021. The Court annulled the approvals because of the lack of a practical access to a second major road, and impervious surfaces in excess of 0.25 (25%). The applicant's attorney has provided a comprehensive history of the case in the Narrative Summary, should the Board wish to understand further details.

The 2.21-acre subject lot is located in the R-35 District at the southwest corner of McNamara Road (C.R. 67) and Union Road (C.R. 80). The applicant is proposing to continue to use the existing two-story concrete block commercial building as well as the two-story frame dwelling that already existing on the property. In response to the Court's first objection to the 2010 approvals, a new proposed feature is a grasscrete emergency gated fire access drive off of Union Road. In response to the Court's second objection to the 2010 approvals, the applicant will apply for a ZBA variance for the excess impervious surfaces. (In its 2010 approvals, the Planning Board relied upon the interpretation that the excess impervious surface was a legally nonconforming preexisting condition for which a variance was not required – and the Court did not agree.)

A aerial photograph of the site (from Google Maps, 2023) is shown below for reference.



Zoning Comments

1. A ZBA variance will be required for impervious surface ratio as proposed at 0.46.

Planning Comments

2. We have no problem with the gated emergency access drive connecting the east parking area to Union Road. We believe this would satisfy the condition of the Court decision without any undue adverse impact to Union Road. The grasscrete installation will provide a lawn appearance and will not add impervious surfaces to the site.
3. We appreciate the gravel removal west of the main driveway and restoration of the stream bank with the installation of the "proposed landscape berm." Please provide details of the height and plant materials proposed for this berm feature as part of the landscape plan (which were not included on sheet 3).
4. We note that on sheet 3 a rain garden is proposed east of the main driveway. We note that on existing conditions sheet 4, about a dozen large trees (including one 24" and one 16") are located within this rain garden area but are not shown as "to be removed." Typically when a rain garden is constructed, and underdrain system must be installed, which would require the clearing of all existing vegetation. Please clarify what will happen to the large existing trees if a rain garden is installed in this area indicated.
5. We note that in the northeast area of the Arborist parking lot (closest to the existing dwelling), the removal of five trees (two are 14" diameter) is proposed, to make way for two overnight truck parking spaces. Could these not be placed on an already cleared and disturbed part of the site? Please provide additional information on the parking demand for the various types of vehicles proposed to be parked on the site. Are 29 automobile parking spaces needed? Are truck parking spaces needed? Please consider whether the gravel parking area expansion proposed, as compared to the existing gravel area, is necessary for the proposed operations. If proposed additional parking can be reduced, it will lessen the size of the ZBA variance need for the impervious surfaces ratio.

GML/SEQRA Comments

6. GML review of the project by the Rockland County Planning Department will be needed as the site fronts on two County roads. The project application must be circulated to the Village of New Hempstead for their review and comments per GML 239-nn.
7. Before the previous approval of this project, by resolution 10-16, the Planning Board granted a negative declaration of environmental significance for this unlisted action. We will defer to the opinion of the Planning Board Attorney regarding how re-affirming this Negative Declaration should be handled, given the Court's holding in this case.

Please let me know if you have any questions or comments regarding this review.

STATE ENVIRONMENTAL QUALITY REVIEW NOTICE OF INTENT TO BECOME LEAD AGENCY

This notice is issued pursuant to Part 617 of the implementing regulations pertaining to Article 8 (State Environmental Quality Review Act) of the Environmental Conservation Law.

The Planning Board of the Village of Wesley Hills hereby indicates its intent to assume Lead Agency status for the below-referenced project.

Involved Agencies objecting to the Village of Wesley Hills assuming Lead Agency status for this action must inform the Board in writing within 30 days at the address below:

Contact Person: Vera Brown, Chairman
Village Hall
432 Route 306
Wesley Hills, NY 10952
(845) 354-0400

Title of Action: IJJ LLC d/b/a Wickes/Arborists
Site Plan & Special Permit Application for Existing Operation

Date: July 26, 2023

SEQR Status: Unlisted

Description of Action:

The subject application is for a site plan approval and special permit for an existing Arborist operation. The Village of Wesley Hills Planning Board approved a site plan and special permit in May of 2010. However, the project was subject to a legal challenge. The SC Appellate division, 2nd Department annulled the approvals on November 24, 2021. The Court annulled the approvals because of the lack of a practical access to a second major road, and impervious surfaces in excess of 0.25 (25%).

The applicant is proposing to continue to use the existing two-story concrete block commercial building as well as the two-story frame dwelling that already exist on the property. In response to the Court's first objection to the 2010 approvals, a new proposed feature is a grasscrete emergency gated fire access drive off of Union Road. In response to the Court's second objection to the 2010 approvals, the applicant will apply for a ZBA variance for the excess impervious surfaces. (In its 2010 approvals, the Planning Board relied upon the interpretation that the excess impervious surface was a legally nonconforming preexisting condition for which a variance was not required – and the Court did not agree.)

Location: The 2.21-acre subject lot is located in the R-35 District at 11 McNamara Road, at the southwest corner of McNamara Road (C.R. 67) and Union Road (C.R. 80).

Application and Background Documents

The application and background documents may be found at this link:

<https://bit.ly/3qbx3XW>

If paper copies are preferred, please contact the Village of Wesley Hills Building Department, Alicia Schultz, at (845) 354-0400 or buildingdept@wesleyhills.org

Involved Agency Circulation: This notice is being sent to the following Involved Agencies:

Variances

Wesley Hills Zoning Board of Appeals
Village Hall
432 Route 306
Wesley Hills, NY 10952

Sewer Hookups, Water Hookups, Road Opening

Town of Ramapo DPW/Highway Department
16 Pioneer Avenue
Tallman, NY 10982

Sewer Hookups

Rockland County Sewer District #1
4 Route 340
Orangeburg, NY 10962

Sewer Extension, Mosquito Control

Rockland County Health Dept
Robert L. Yeager Health Center
50 Sanatorium Rd, Bldg D
Pomona, NY 10970

Driveway

Rockland County Highway Department
23 New Hempstead Road
New City, NY 10956

Interested Agency Circulation: This notice is being sent to the following Interested Agencies:

Rockland County Department of Planning
50 Sanatorium Road, Building T
Pomona, NY 10970

Rockland County Drainage Agency
23 New Hempstead Road
New City, New York 10956

Fire Inspector, Village of Wesley Hills
432 Route 306
Wesley Hills, New York 10952-1221



RECEIVED

AUG - 4 2023

The Village of New Hempstead **VILLAGE OF WESLEY HILLS**
The Planning Board

108 Old Schoolhouse Rd. • New City, NY 10956
• (845) 354-8100 • FAX (845) 354-7121 •

8/1/2023

VILLAGE OF WESLEY HILLS
432 ROUTE 306
WESLEY HILLS, NY 10952

RE: GML RESPONSE-11 MCNAMARA RD.-42.13-1-22

Dear Board Members,

The Village of New Hempstead has reviewed the above referenced proposal. Attached please find the comments provided by the Village Planner, John Lange with Lange Planning and Consulting.

Thank you for providing us with the opportunity to respond to this project. Please keep us informed of all developments in this project.

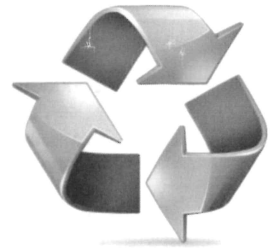
All the best,

Allison Weinraub
Village Clerk-Treasurer

108 Old Schoolhouse Rd. • New City, NY 10956
• (845) 354-8100 • FAX (845) 354-7121 •

Lange Planning and Consulting

Land Use, Environment, & Sustainability Planning



Date: July 31, 2023

To: Mayor Abe Sicker
 CC: Mr. Mel Poliakoff - Planning Board Chairman,
 Village of New Hempstead

Ref: Ira Wickes Arborist - Special Permit Application

Mayor and Chairman,

As requested, this office has reviewed the following documents as a basis for preparing this review letter. This is in response to the Rockland Count GML letter which noted that the Village should review the proposal for impacts to community character, traffic, water quality and quantity, drainage, stormwater and sanitary sewer service. The documents are:

1. July 24th 2023 GML review letter from the Rockland County Planning Department
2. Set of Plans dated July 18th 2023 consisting of 5 sheets from CivilTech Engineering
3. A short form EAF dated November 22, 2022 from CivilTech Engineering
4. A project narrative from Ira Emanuel dated March 16, 2023 consisting of 8 pages
5. A Stormwater Summary dated December 2022 prepared by CivilTec Engineering

General Comments:

The site is located on 2.2 acres in an R-35 zone. It borders two county roads, MacNamara Road and New Hempstead Road. The current application is the result of changes from existing law suits and Village changes to the Special Permit

Environmental Comments:

The narrative provided noted that a full EAF form was provided. However, only a short form (3 page) EAF was provided. Although the County GML asked for the Village of New Hempstead to review the impact of traffic, no traffic information was provided.

The narrative noted that this operation has been in existence since 1972. It noted that despite planning approval from the Town of Ramapo, the use has never been a legally permitted use. As such a stipulation agreement between the Wickes Family and the Village Board was created which the Village Board would "consider" the adoption of an amendment to the Zoning Law which permitted arborist services, landscape services and wholesale nurseries in the Village. The amendment, Local Law 3 of 2006 was adopted on June 13, 2006. The special permit conditions listed on the plans included the following:

Lange Planning and Consulting
 1511 Yellow Sand Lane, Odenton Md. 21113

SPECIAL PERMIT NOTES (CONDENSED):

1. OVERNIGHT PARKING LIMITED TO NOT MORE THAN
 7 LIGHT DUTY TRUCKS
 13 MEDIUM DUTY TRUCKS
 7 HEAVY DUTY TRUCKS
 1 VERY HEAVY DUTY TRUCK
 OF WHICH NO MORE THAN 13 CAN BE PARKED OUT OF DOORS
2. NOISE LEVELS SHALL CONFORM TO R.C. DEPT. OF HEALTH STANDARDS
3. NOT MORE THAN 400 CY OF MULCH AND/OR WOOD CHIPS SHALL BE STORED AT THE PREMISES
4. NOT MORE THAN 50 CY OF GRAVEL AND/OR STONE SHALL BE STORED AT THE PREMISES
5. OPERATING HOURS AT THE PREMISES SHALL NOT EXCEED THE FOLLOWING:
 WHOLESALE NURSERY: 7:00AM TO 6:30PM MONDAY THROUGH FRIDAY
 8:00AM TO 3:30PM SATURDAY
 CLOSED SUNDAY
 OFFICE: 7:00AM TO 8:30PM MONDAY THROUGH FRIDAY
 8:00AM TO 5:00PM SATURDAY
 CLOSED SUNDAY
6. COMMERCIAL TRUCKS AND OTHER EQUIPMENT MAY BE STARTED
 OUT OF DOORS BETWEEN NOV 1 AND APR 15 NOT BEFORE 7:30AM
 OUT OF DOORS BETWEEN APR 16 AND OCT 31 NOT BEFORE 8:00AM
 INDOORS ALL YEAR NOT BEFORE 7:00AM
 WARM UP TIMES SHALL NOT EXCEED 30 MINUTES
7. EXCEPTIONS TO NOTE 6 ARE PROVIDED IN THE STIP. OF SETTLEMENT.
 7 LIGHT DUTY TRUCKS

A review of the Rockland County GIS aerial and the Google Earth aerial of the site noted the following:

1. A large frontend loader
2. A second earth moving machine
3. Fourteen other trucks of various sizes
4. Existing site has no hard surface pavement
5. Existing site has no curbs
6. Existing site has access only to McNamara Road.

Evidence of these conditions is presented below:

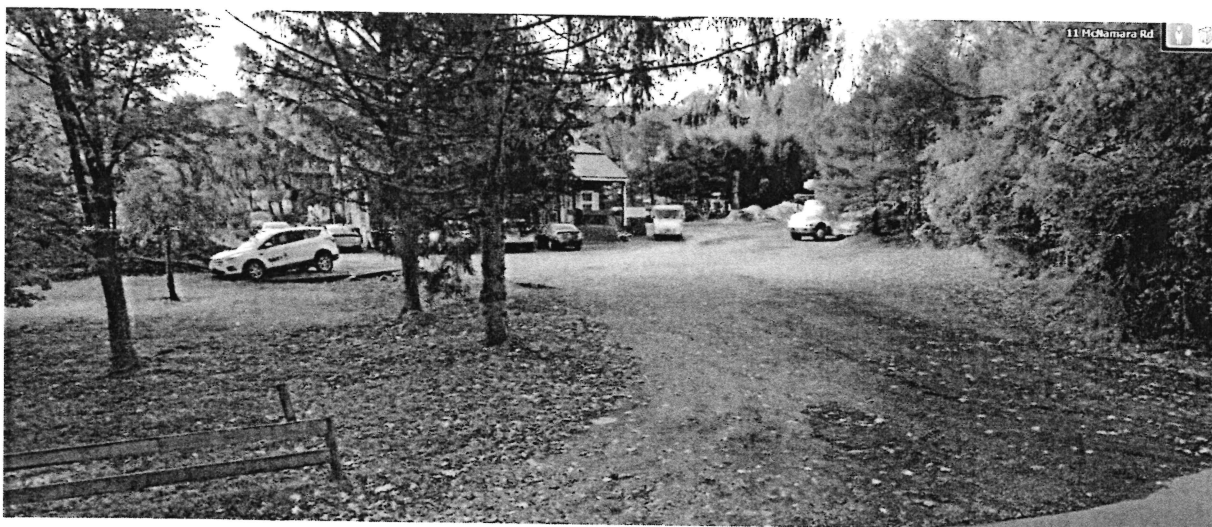


Figure 1 - Site entrance on McNamara Road



Figure 2 - Existing Conditions Google Earth Aerial

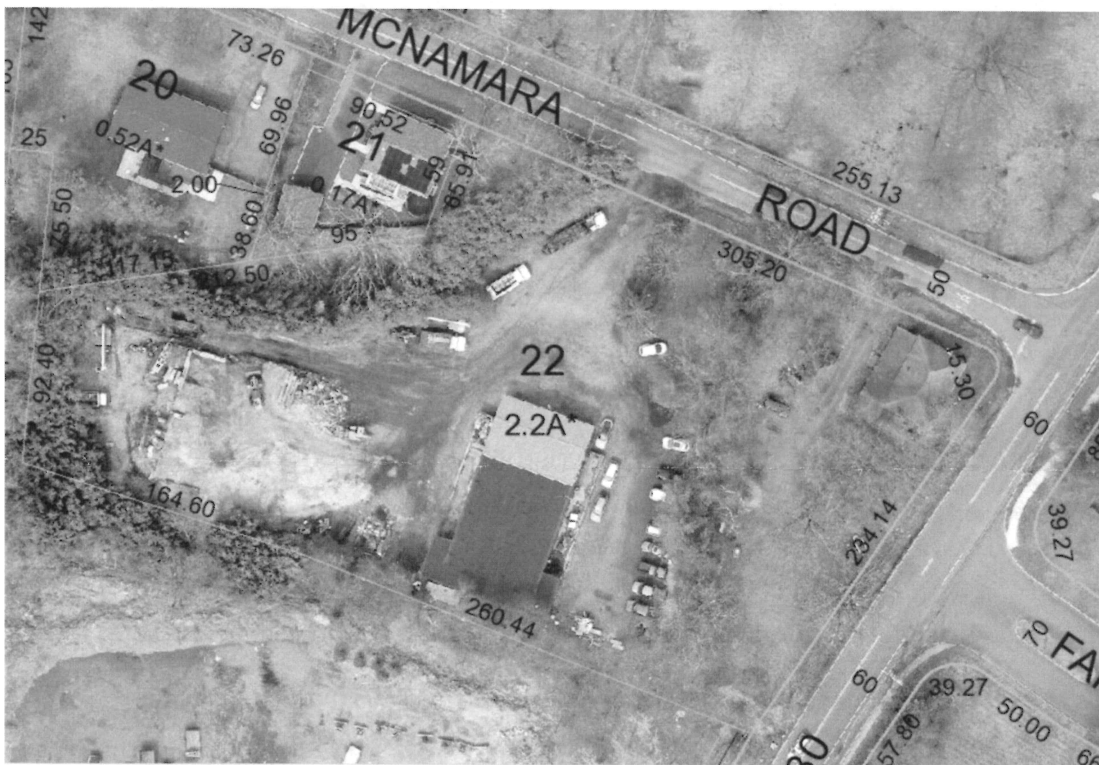


Figure 3 - RCPD Aerial showing heavy earth moving equipment

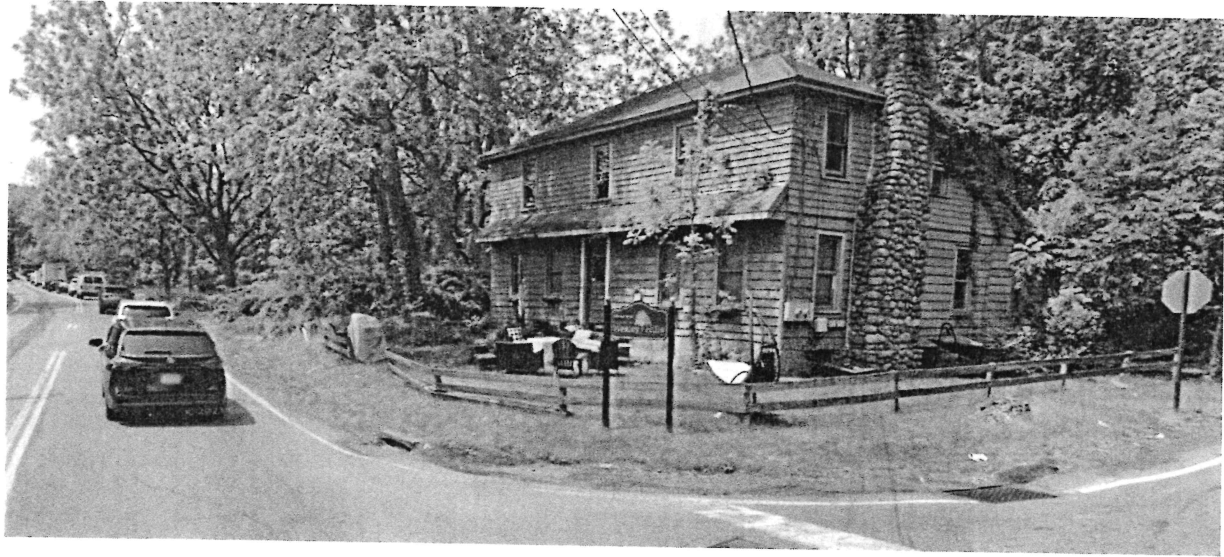


Figure 4 - Intersection of New Hempstead Road and McNamara Road – Note heavy traffic on New Hempstead

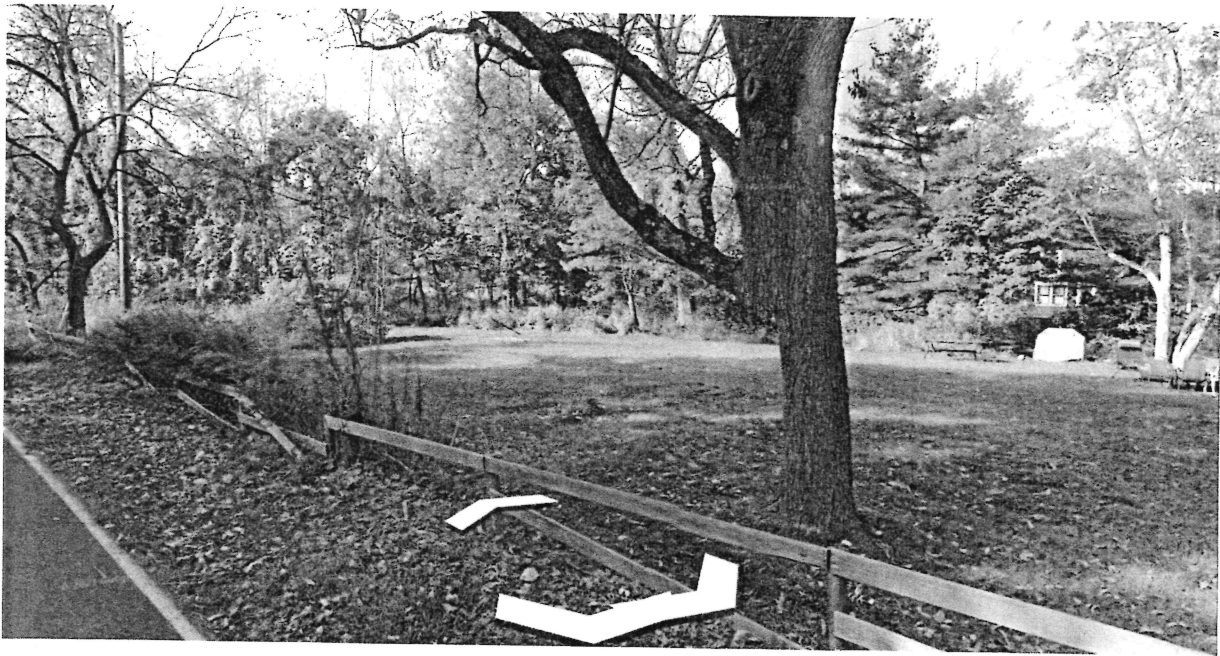


Figure 5 - No access from New Hempstead Road

Based upon this office's review of all of the documents provided LPC offers the following comments:

1. Traffic needs to be assessed with the number of daily vehicles projected and the impacts on the county roads determined. I could not find any information regarding ingress and egress trips or peak rates.
2. Did the design for the rain garden include percolation tests or was it based on theoretical constructs. I would recommend percolation tests to be completed

3. The emergency access should align with Fairway Oval on New Hempstead Road for better traffic flow.
4. Did Rockland County Department of Highways comment on the emergency access connection?
5. Although the plans show lines demarking parking spaces, gravel surfaces will not preserve the lines. How will the spaces be maintained?
6. The concept of gravel as the travel way surface is not ideal. Did the Village consider more permanent paving? Permanent curbs are proposed.
7. The use of gravel as the surface for mixing and moving materials seems inappropriate as it will not last, nor will it maintain drainage under active conditions.
8. It appears that the rain garden will be draining a significant area as the elevation for the property all show a slope forward to the rain garden. The distance exceeds 100 linear feet or runoff. Will this small rain garden be sufficient?
9. No details were provided for the proposed landscaping berm; the elevation is lower than the nearby 486 contour line.
10. As mentioned in the narrative, granting of this special permit will travel with the property. Is this what the Village of Wesley Hills desires as the long term (forever) use of the property? It appears to me that an interim solution rather than a permanent solution might be a better alternative.

Should you have any questions regarding any of these comments, please do not hesitate to contact me.

Kind regards,



John F. Lange

Village Planning Consultant



EMANUEL LAW P.C.

Ira M. Emanuel, Esq. | Amy Mele, Esq. *Of Counsel*
Counsel to Freeman & Loftus, RLLP

Four Laurel Road
 New City, NY 10956

Info@EmanuelLaw.com

www.EmanuelLaw.com

Tel: 845-634-4141

January 3, 2024

Planning Board, Village of Wesley Hills
 432 Route 306
 Wesley Hills, NY 10952

Re: Rockland Tree Experts Co., Inc., d/b/a Ira Wickes/Arborists

Dear Members:

We represent the applicant in the above matter, which seeks approval of a site plan and special permit to continue an arborist/landscaping service at the subject site. The Rockland County Planning Department issued a GML review dated July 24, 2023, which recommended modifications to the project. The review was triggered by the site's proximity to two County roads (Union Rd/New Hempstead Rd and McNamara Rd) and the Village of New Hempstead.

The applicant's responses follow.

1 Special permit uses are, by definition, subject to a higher standard of review than as-of-right uses. The Village shall be satisfied that the arborist service, landscape surface, and wholesale nursery complies with the general standards for special permit uses outlined in Section 230-22, as well as the individual standards and requirements listed in Section 230-26N.

The applicant's narrative addresses the special permit requirements.

2 Section 230-26N(2) requires the proposed use to have frontage on, and practical access to, two major roads. Standard access to the site is via McNamara road and emergency access will be provided from Union Road. Since "practical access" is not defined in the Village Code, the Planning Board shall be assured that this requirement is met for the site.

Comment noted.

3 Section 230-26N(12) prohibits the grinding or chipping of trees, branches, and stumps; preparation of mulch or other material resulting from the decomposition of organic material; storage of mulch produced elsewhere except in compartments and areas expressly designated for such storage and in amounts in compliance with Subsection N(6); and the on-site retail sale of plants or other materials. The project narrative states

the site complies with the first three restrictions, but does not address the retail sale of plants and other materials. The Planning Board shall be assured that no on-site sales of these materials will occur.

There will be no on-site retail sales.

4 Section 230-26N(13) states that the applicant must demonstrate that the proposed activities will not result in a degradation of surface water or groundwater quality by the submission of a water quality assessment. The project narrative indicates the assessment was prepared in January 2005. The Planning Board shall determine whether this is sufficient, or if a new one must be prepared since over 15 years have passed since the previous assessment was prepared.

Comment noted.

5 The applicant shall satisfactorily address the comments made by the Rockland County Highway Department in their letter dated June 13, 2023.

The applicant responded to the Rockland County Highway Department by letter dated July 17, 2023 (copy attached). The applicant will continue to work with the Department to resolve differences.

6 As per their letter dated July 17, 2023, application is to be made to the Rockland County Department of Health for review of the stormwater management system to ensure compliance with the County Mosquito Code.

Agreed.

7 The Village of New Hempstead is one of the reasons this proposal was referred to this department for review. The municipal boundary is along the northern and eastern property lines of the site. New York State General Municipal Law states that the purposes of Sections 239-I, 239-m and 239-n shall be to bring pertinent inter-community and county-wide planning, zoning, site plan and subdivision considerations to the attention of neighboring municipalities and agencies having jurisdiction. Such review may include inter-community and county-wide considerations with respect to the compatibility of various land uses with one another; traffic generating characteristics of various land uses in relation to the effect of such traffic on other land uses and to the adequacy of existing and proposed thoroughfare facilities; and the protection of community character as regards to predominant land uses, population density, and the relation between residential and nonresidential areas. In addition, Section 239-nn was enacted to encourage the coordination of land use development and regulation among adjacent municipalities, and as a result development occurs in a manner which is supportive of the goals and objectives of the general area.

The Village of New Hempstead must be given the opportunity to review the proposal and its impact on community character, traffic, water quantity and quality, drainage,

stormwater runoff and sanitary sewer service. The areas of countywide concern noted above that directly impact the Village of New Hempstead must be considered and satisfactorily addressed, as well as any additional concerns about the proposal.

Comment noted. The Village of New Hempstead submitted comments in a letter dated August 1, 2023.

8 Section 230-26N(7) of the Village's zoning regulations states "The preparation of all plant health materials shall be conducted in an environmentally safe manner on the premises in accordance with all other relevant laws and regulations." The application, storage, or sale of pesticides requires licenses from the New York State Department of Environmental Conservation (NYSDEC). More information can be found at <https://www.dec.ny.gov/permits/96354.html> and <https://www.dec.ny.gov/regulations/8527.html>. The Village must be assured that all necessary licenses from the NYSDEC have been obtained if any pesticides are to be used, stored, or sold on the site.

The applicant possesses all necessary NYSDEC licenses for storage of pesticides on-site (copies attached). No pesticides are sold or applied on-site.

9 Prior to the start of construction or grading, all soil and erosion control measures must be in place for the site. These measures must meet the latest edition (November 2016) of the New York State Standards for Erosion and Sediment Control.

Comment noted.

10 There shall be no net increase in the peak rate of discharge from the site at all design points.

The applicant has submitted drainage calculations showing compliance with this standard.

11 A total of 28 standard parking spaces are proposed, with one accessible space included. As required by the Americans with Disabilities Act (ADA), parking areas with 26 - 50 spaces must provide at least two accessible spaces, one of which must be van-accessible. An additional accessible space must be provided to comply with ADA standards.

An additional accessible parking space has been added to the right of the existing proposed space near the southwestern corner of the building.

12 Areas designated for snow removal must be clearly delineated on the site plan and in the field so that the plow drivers will know where to place the snow piles. Providing specific locations on the site for the snow piles will reduce the loss of available parking spaces meant to be used by employees. In addition, this will help to protect the proposed landscaping from damage due to the weight of the snow and salt intrusion.

Snow storage has been shown in three locations: in the western portion of the site, adjacent to the materials storage bins and opposite the building entrance, and at the southeastern corner of the site.

13 The garbage enclosure to the west of the accessible space appears to encroach into the southernmost truck space. The enclosure must be relocated, or the truck spaces redesigned, so that there are no conflicts.

The garbage enclosure has been redesigned to eliminate any conflicts.

14 No SEQRA documentation was provided with this application. When our department reviewed the site plan and special permit in February 2010, a Full Environmental Assessment Form was submitted. Updated SEQRA documents must be submitted.

A short EAF was submitted with the initial application materials. As the action is an Unlisted action under SEQRA, a short EAF is acceptable.

15 The project narrative references several sections of the Village Zoning Code, such as Sections 4.3.7 and 6.9.16. This is a former version of the Code and it is no longer structured in this manner. The Zoning Code is now Chapter 230 of the Village Code. The project narrative must be corrected to reference the current Code.

Subsequent versions of the narrative will refer to new code numbers. The substance of the code sections cited has not changed.

16 No lighting plan was provided. If any new lighting is proposed, a lighting plan shall be submitted that demonstrate that the intensity of the candle lumens is less than 0.1 at the property line.

No new lighting is proposed.

17 If any new signage is proposed, it must be shown on the site plan and conform to Section 230-26N(11). If any variances are required for the signage, we request the opportunity to review them, as required by New York State General Municipal Law, Section 239-m (3)(a)(v).

Comment noted.

18 We request the opportunity to review any variances that may be needed to implement the proposed site plan, as required by New York State General Municipal Law, Section 239-m (3)(a)(v).

Comment noted.

19 Pursuant to General Municipal Law (GML) Section 239-m and 239-n, if any of the conditions of this GML review are overridden by the board, then the local land use board must file a report with the County Commissioner of Planning of the final action taken. If the final action is contrary to the recommendation of the Commissioner, the local land use board must state the reasons for such action.

Comment noted.

20 In addition, pursuant to Executive Order 01-2017 signed by County Executive Day on May 22, 2017, County departments are prohibited from issuing a County permit, license, or approval until the report is filed with the County Commissioner of Planning. The applicant must provide to any County agency which has jurisdiction of the project: 1) a copy of the Commissioner report approving the proposed action; or 2) a copy of the Commissioner of Planning recommendations to modify or disapprove the proposed action, and a certified copy of the land use board statement overriding the recommendations to modify or disapprove, and the stated reasons for the land use board's override.

Comment noted.

21 The following additional comment is offered strictly as an observation and is not part of our General Municipal Law (GML) review. The board may have already addressed this point or may disregard it without any formal vote under the GML process:

21.1 Section 230-17B of the Village Code, as posted online at ecode360.com, indicates arborist services, landscape services, and/or wholesale nurseries are a permitted special permit use in the R-50, R-20, and R-15 zoning districts, but not the R-35 zoning district. This shall be corrected.

The applicant has no control over the content of online code postings by or on behalf of the Village. This is an internal Village administration matter.

Very truly yours,
EMANUEL LAW P.C.



By: _____
Ira M. Emanuel, Esq.

Cc: Client

PLANNING BOARD
 Village of Wesley Hills
 Rockland County, New York

Resolution# 23-30

WICKES ARBORISTS SPECIAL PERMIT & SITE PLAN

WHEREAS, Rockland Tree Expert, Inc. d/b/a Ira Wickes, Arborist made application 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 in or about 2006; and

WHEREAS, on May 26, 2010, this Board granted said application; and

WHEREAS, judicial review of this Board's grant of approvals was sought, resulting in a decision by the Appellate Division, Second Department annulling the said approvals (Matter of Marcus v. Plannina Board of the Villaae of Wesley Hills, Case Nos. 2017-05963 and 2017-12184); and

WHEREAS, the Appellate Division in said decision remitted the matter to this Board with a directive to issue new determinations denying the said applications for the reasons set forth in its decision;

NOW, THEREFORE, BE IT RESOLVED, that such previous application of Rockland Tree Expert, Inc. d/b/a Ira Wickes, Arborist for approval *Of* a special permit and site plan heretofore made as set forth above is hereby denied for the following reasons, as determined by the Appellate Division: (1) failure to provide actual access to a second major road as a consequence of incorrectly deciding that potential practical access to a second major road was sufficient to satisfy the requirement of the Zoning Law for practical access thereto, and (2) having an impervious surface ratio greater than the maximum ratio permitted by the Zoning Law; and

BE IT FURTHER RESOLVED, that nothing herein shall be deemed to prevent the applicant from reapplying for said approvals of

revised plans that are consistent with the decision of the Appellate Division.

Dated: August 30, 2023



BUILDING DEPT.

DEC 29 2023

VILLAGE OF WESLEY HILLS

28 powder Horn exterior spec for new construction single family home

Roofing

GAF Camelot 2 in antique slate color.

Stucco Siding

Sto Synergy hard coat stucco in white color SW 7006

Stone facade

Glen Gery stone veneer in cashmere limestone color

Soffit

Royal building products triple 4 smooth finish solid vinyl soffits in White color.

Leaders and Gutters

Clinton seamless K style gutters in White 6-inch aluminum leaders and gutters in .032 gauge.

Windows

Sierra Pacific H3 in black exterior aluminum clad with 5/8 simulated divided lite horizontal grills.

Front exterior door

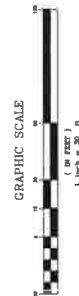
Glenview wood door with black stain exterior

Garage door

Clopay canyon ridge carriage house 5-layer doors in black exterior paint colors

VILLAGE OF WESLEY HILLS

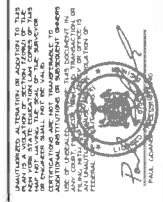
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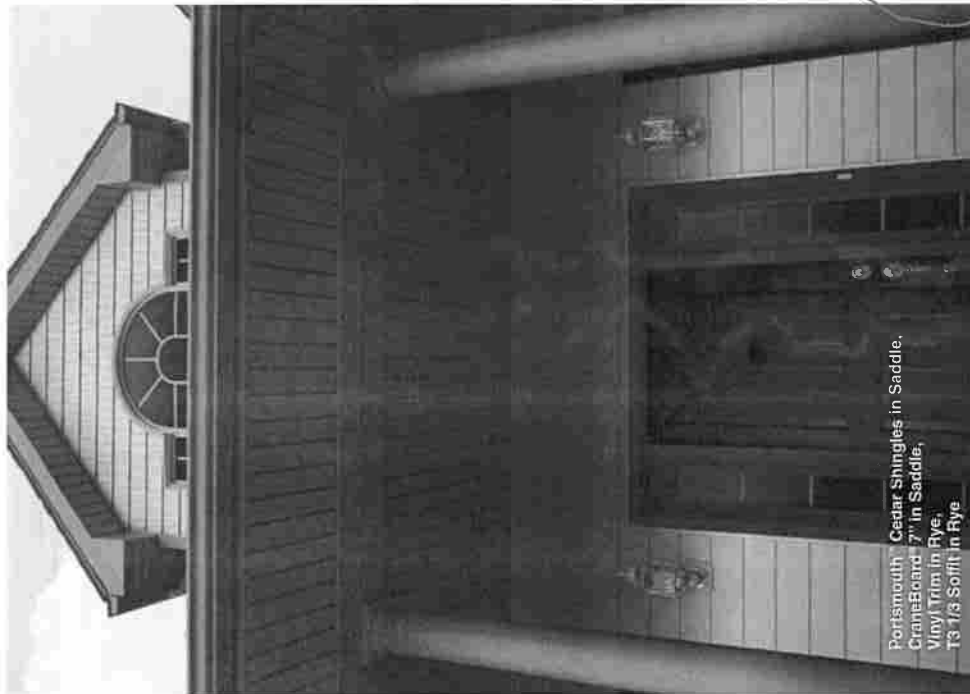
REVISIONS

TEST SITE LOCATION
 28 POWDER LORN RD
 3219 2-44
 VILLAGE OF HESLEY HILLS
 ROCKLAND COUNTY NEW YORK

PAUL CDANSKI PE PLLC
 633 WOODMONT LANE
 SUITE 200
 TEL: 914 416 0999



Item 3.



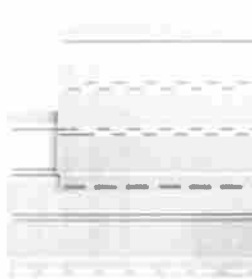
A fine finishing touch starts here.

Our soffits do more than mesh seamlessly with your roof overhangs—much more. In addition to making flakes and chips in the hard-to-paint rafter areas a thing of the past, they help prevent mold and mildew from moving in. The increased ventilation they provide keeps pests away while increasing your roof's lifespan. All so you can spend less time tackling maintenance chores and more time admiring our soffit's neutral, universally flattering woodgrain finish.



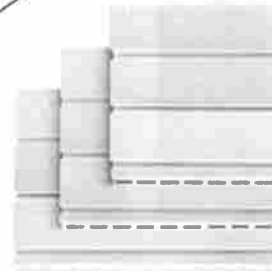
Triple 3 1/3

.044"
Natural Smooth Finish
Solid and Hidden Vent
T3 1/3 = 10 sq in / lin ft



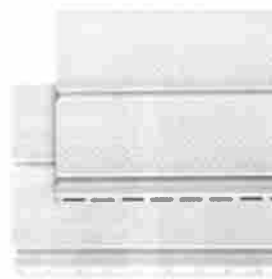
Beaded

.040"
Natural Smooth Finish
Solid and Vented
Beaded = 2.4 sq in / lin ft



Triple 4

.040"
Natural Smooth Finish
Solid, Fully Vented,
Center Vented
T4 = 7.7 sq in / lin ft
T4 Center Vented = 2.55 sq in / lin ft



Double 5

.038"
Natural Smooth Finish
Solid and Fully Vented
D5 = 7.7 sq in / lin ft

Painting is easy.
Choosing a color, less so.

Smart Styles™ Expressions

Espresso	Regatta	Lighthouse Red	Graphite
Olive	Slate	Carbon	Indigo
Peppercorn	Musket Brown		

Smart Styles™ Premium

Polaris	Clayport	Oceanvalde	Nantuxet
Albino	Metropolitan Gray		

Smart Styles™

Country Beige	Wheat	Aspen White	Cypress
Pearl	Mocha	Saddle	Clay
Bone	Driftwood	Rye	Driftwood

T3 1/3 - available in all colors
Beaded - available in Aspen White, Country Beige and Clay
T4 solid and fully vented - available in all Smart Styles colors, plus Polaris and Musket Brown
4 center vented - available in Aspen White, Country Beige, Clay and Musket Brown
D5 - available in Aspen White, Country Beige, Clay, Pearl, Saddle, Bone, Graystone, Driftwood and Musket Brown
Musket Brown is not recommended for sidewall use and does not contain Chromatix™ technology

On Cover: CraneBoard® D7 in Graphite, T3 1/3 Soffit in Aspen White,
Exterior Portfolio® Vinyl Trim in Aspen White

Item 3.

GAF Camelot® II
Designer Lifetime Shingles

Item 3.



Camelot® II Shingles

Camelot® II Shingles complete a home with their classic, artisan-crafted look — at a surprisingly affordable price. Now with GAF Time-Release Algae-Fighting Technology for long-lasting algae-fighting power so strong it allows us to offer a 25-year StainGuard Plus™ Algae Protection Limited Warranty against blue-green algae discoloration.⁴

Specification Sheet

.032 x 15" – Aluminum Gutter Coil 6K Aluminum Gutter

Listed below are the specifications on the paint, metal preparation, and finished coating for aluminum gutter coil.

- The aluminum used is alloy 3105-H24 which meets the specifications set forth in the "Aluminum Standards and Data 1988" published by the Aluminum Association. The gauge of the aluminum for the gutter is .032, plus or minus .002.
- The surface of the aluminum sheet is thoroughly cleaned and dried to remove residual oils and impurities using a 140°F-160°F hot water solution of potassium hydroxide provided by Henkel Surface Technologies and then applying a chromate or titanium base conversion coating, 1402W or 1455SF by Henkel Surface Technologies.
- A thermo setting polyester enamel is roller coated and baked at high temperatures for the outside coating. The reverse side of the coil, or wash coat, is a thermo setting polyester enamel applied to help resist corrosion and promote formability.
- The color range of the applied finish is .8 mils, plus or minus .1 mils (.7-.9)
- Made in the USA
- The physical test used on our coated panels includes:

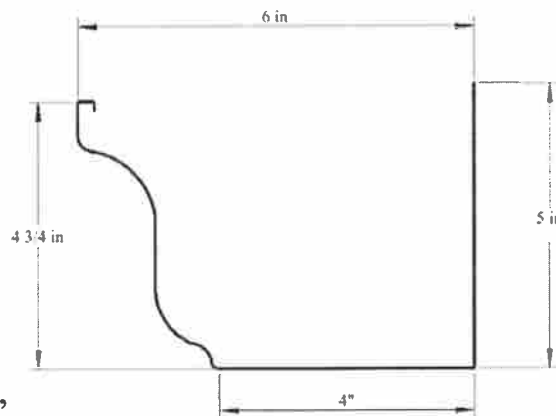
180 degree-2T bend flex test no tape off using Scotch Brand #610 tape (ASTM D-4145-83)

Reverse impact –2 lbs./mil no tape off in positive direction using Scotch Brand #610 tape (ASTM D-4146-83)

Pencil Hardness-F minimum using Eagle Turquoise Brand pencil (ASTM D-3363-92A)

M.E.K. resistance - 100 double rubs using cheesecloth-mesh size 28 x 24 (ASTM D-5402-92)

Dry Heat flexibility – no tape off on 2T bend after 2minutes at 160 degrees F 180 degree-2T tale, Scotch Brand #610



Profile 6"

K style gutter



Letter of Certification

3" x 4" Aluminum Elbow .019 Gauge Aluminum

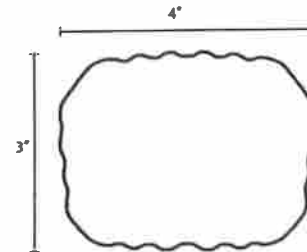
Spectra Metal Sales, Inc. is a member of the National Coil Coating Association and uses the NCCA's standards as guidelines for physical testing.

- The Aluminum used is alloy 3105-H15 or 3105-H25 which meets the specifications set forth in the "Aluminum Standards and Data 2017" published by the Aluminum Association. The gauge of the Aluminum for this coil is .019, +/- .002.
- The Aluminum's inside and outside coating is a thermo polyester paint which is roll coated and baked per manufactures specifications.
- The paint specifications used for our smooth polyester coated coil are as follows:

Dry Film Thickness:	.17 +/- .05 mils
Gloss (60°):	10 +/- 2 Units
Solvent Resistance:	100 Double rubs (M.E.K.)
Flexibility:	.019 (+/- .003) 2 T Bend minimum
Impact (N.T.O.):	1-1/2 Times metal thickness in Inch-Lbs (ASTM D 2794)
Pencil Hardness:	F - 2H
Humidity Resistance:	No blistering, loss of adhesion after 1,000 hours exposure to 100% relative humidity. (ASTM D 2247)
Salt Spray Resistance:	No field blistering and no more than 1/16" creep from a score line after neutral salt spray testing for 1,000 Hours (ASTM B 117)
Weathering Resistance:	Will withstand ten years outdoor southern exposure in South Florida, without cracking, blistering, splitting or peeling.

Specifications & Features of the finished Product

- Overall Length is 13" standard.
- The elbow opening is 3 x 4 inches.
- The finished of this product is covered by a 20 year limited warranty.
- Made in the USA, using 97% post consumer material.





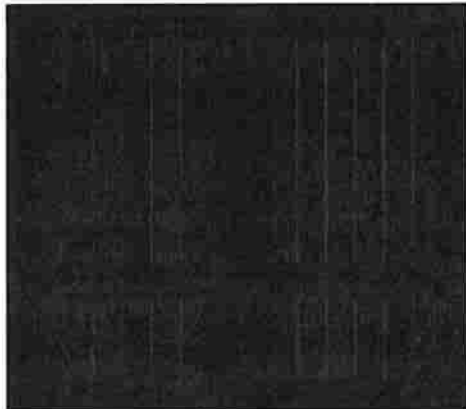


America's Favorite Doors®

Clopaydoor.com

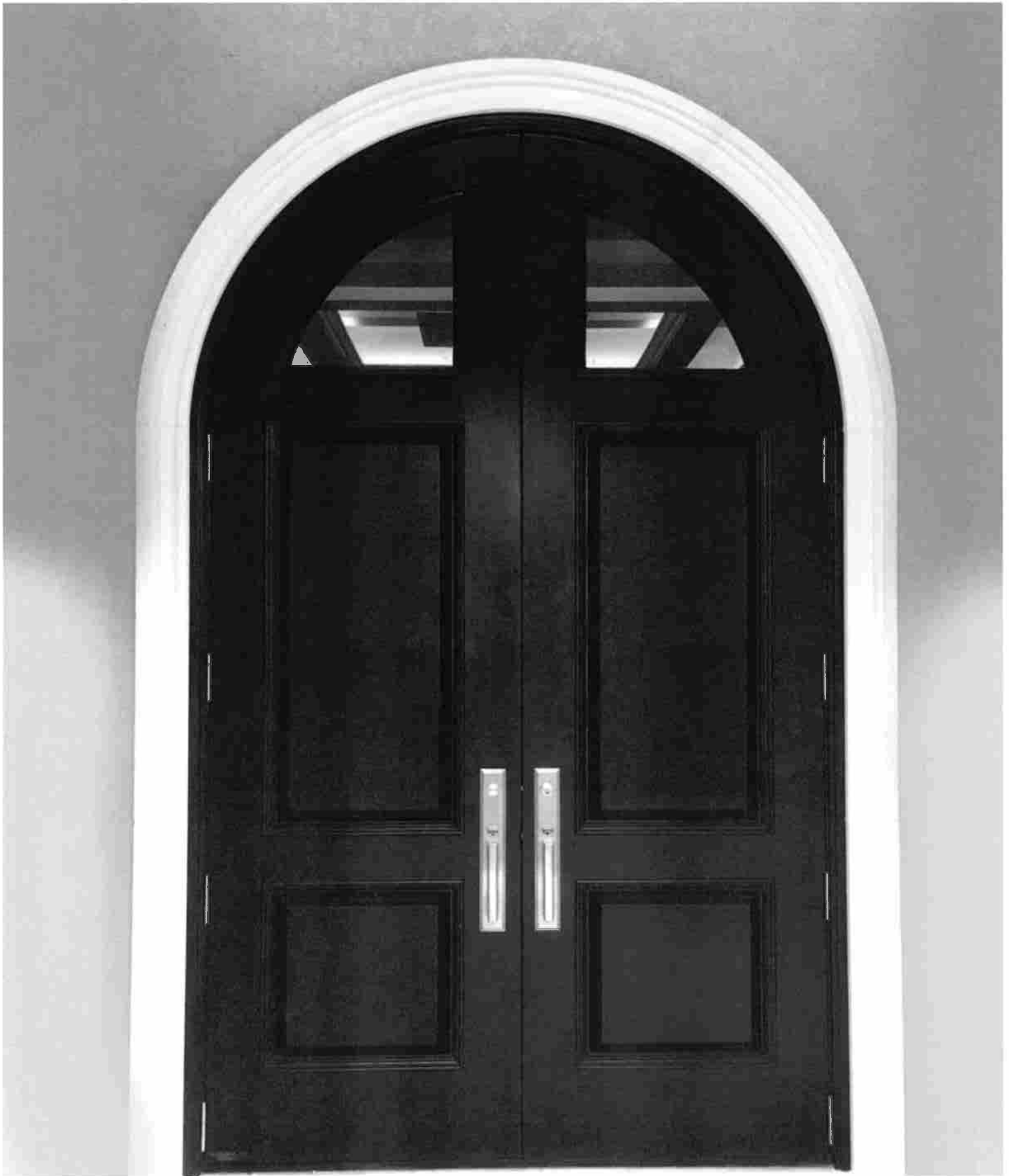
Your Completed Doors

1 Garage Door



Canyon Ridge® Carriage House 5-Layer

Size:	Top Section:
9' 0" X 7' 0"	TOP11 Solid
Style:	Handle:
CAN2-Design31	Standard Handles Included x 1
Construction:	StepPlate:
5-Layer 2" Intellicore® Insulation R-Value 20.4	Standard Step Plate Included x 1
Base Color:	Hinges:
Black Finish	No Hinge
Overlay Color:	
Black Finish	
Material :	
Mahogany with Mahogany Overlay	



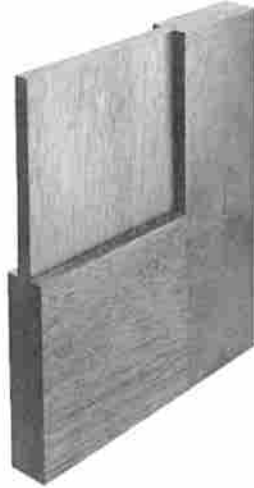
Glenview
DOORS®

Superior Craftsmanship

FRONT DOORS CATALOG



Standard



- 1-3/4" Thick
- Pine Core
- Unfinished
- Frequent Maintenance
- Multi-Point Lock System Required

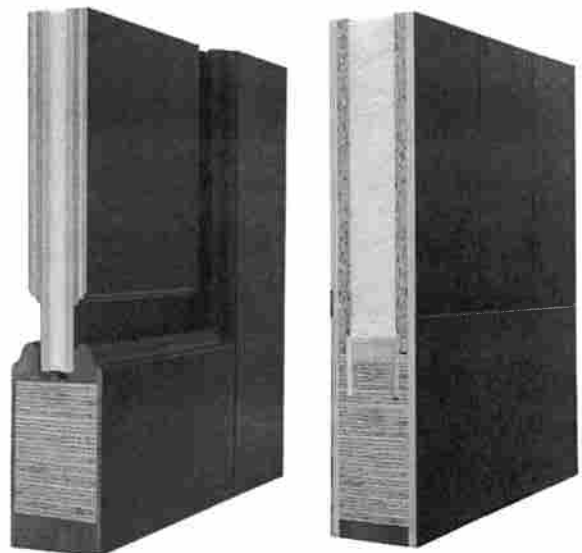
Glenview Doors

Due to our innovative **Euro Technology**, our doors deliver exceptional product durability, thermal performance and a warranty that does not require multipoint lock.

Unlike traditional doors, Glenview Doors made with **Euro Technology**, resist common door issues like warping, splitting, and cracking.



- 2-3/4" Thick
- Mahogany & Composite Core
- Prefinished (Water-Based Euro Finish)
- Low Maintenance
- Eco Friendly
- Multi-Point Lock System Not Required





Included with Entry Systems

All entry systems featured in this catalog are packaged complete with all components needed with exception of exterior hardware (locks).

Each entry system includes:

- 4 9/16" Pre-Finished mahogany jamb/frame with a 2" Extension for 6 9/16" Walls
- Aluminum Adjustable Oil Rubbed Bronze Sill (Threshold)
- Pre Finished (Available Stains shown)
- Tubular Lock Preparation (Mortise & Multipoint available)
- Exterior Brick Molding stained to match
- Maintenance Kit
- Shipping



Brickmold



Threshold / Sill



Hinge



Care & Maintenance Kit

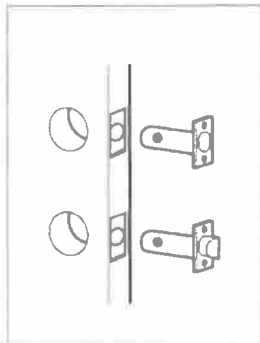
In addition to the standard tubular lock preparation that is included we can prep for most other lock systems. Two of the most common being mortise and multi point.

Mortise:

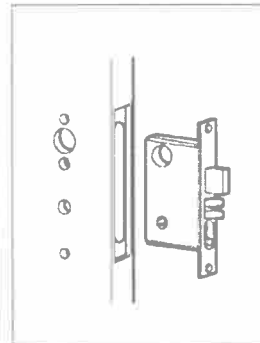
Large deadbolt with soft close bi-directional latches with optional function to allow the door to lock upon close.

Multi Point:

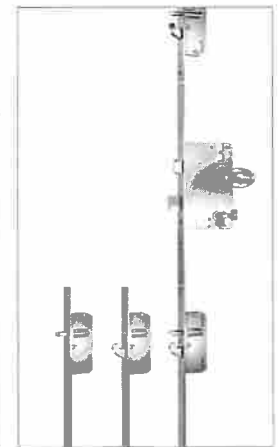
Used on taller doors this lock has 3 points of contact from the top to the bottom of the door slab. Used often with large pull bars and simple lever systems.



Tubular Lock Prep
Included



Mortise Lock Prep
Available Option



Multi Point Lock Prep
Available Option





UPGRADE YOUR EXPECTATIONS WITHOUT UPGRADING YOUR BUDGET



High Tech Fusion Technology

Item 3.

STILL “THE MOST INNOVATIVE WINDOW OF THE YEAR.”





When we introduced our advanced H3 window, Window & Door magazine gave it the Crystal Achievement Award for innovation.

Since then, all we've done is make it even better.

At the core of the H3 is our patented Fusion Technology™. It integrates three perfect materials – extruded aluminum, vinyl and wood – into one perfect window. This unique fusion results in improved energy efficiency & performance, noticeably enhanced aesthetics, an extreme seal, and easier installation.

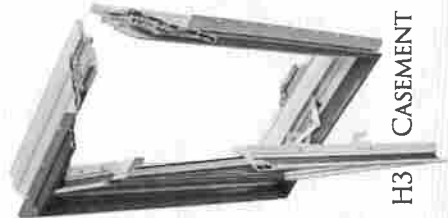
MORE IMPROVEMENTS FOR AN INDUSTRY LEADER.

The past few years have seen some incredible improvements to an already over-achieving window line. We recently introduced our H3 exterior trim profile system with four available looks.

You'll also find our H3 FeelSafe product line making a name for itself in Zone III impact-prone locations. Add the continuous head and sill offered on all of our H3 products, and you'll see why our H3 Series remains a game changer.



H3 DOUBLE HUNG



H3 CASEMENT



H3 HORIZONTAL SLIDER



H3 AWNING



H3 DIRECT SET

NOBODY'S EVER BUILT A CASEMENT LIKE THIS BEFORE

H3



H3 AWNING WINDOW

Like all our products, Sierra Pacific awning windows are custom made, by hand, to your exact specifications. We think you'll notice the difference in how they look and how they perform.

Awning windows are a great choice when you want the fresh air of an open window even if it's raining. Our awning windows are commonly used alone or combined underneath a large picture window to provide ventilation.

Item 3.

Now available in our
FeelSafe impact line. 11/11

Wood interior for warmth, beauty and thermal insulation with 4-9/16" standard jamb depth. Not just a veneer like some windows. Select ponderosa pine is standard. Available natural, primed, or factory finished, and in 7 other wood species.

Seamless factory mull system stops water with integral continuous head and sill mulls.

Proprietary patented Fusion Technology™ integrates 3 perfect materials into 1 perfect window.

Extra-strong 0.078" vinyl base frame for superior rigidity, tight corners, total protection against rot, and enhanced resistance to air or water leaks. No vinyl components are visible when window is closed.

Thicker, stronger extruded aluminum cladding. Ours is at least twice as thick as competitors' roll-form cladding for greater durability and dent resistance.

Premium weathershipping.

Custom sizing to 1/8" available.

Integral rigid nailing fin for greater structural integrity, improved water barrier and easy installation. The H3 virtually eliminates racking problems.

Choose from eight species of interior wood.

Innovative snap-lock design means no unsightly screws or fasteners on the interior. Only minor nail holes to fill in the screen track.

Protected to the core against water with our exclusive patented CoreGuard Plus™ wood treatment for superior rot resistance.

Top of the line Encore handle and operating hardware are standard.

Available with simulated divided line grilles or our grilles between the glass.

Mix and match the H3 with our premium line to help stay within budget.

Sash has sealed and mitered corners outside, non-mitered inside. Architectural sash setback of 7/8".

Item 3.

NOBODY'S EVER BUILT A DOUBLE HUNG LIKE THIS BEFORE

H3



Item 3.

Now available in our
FeelSafe Impact line. /14/

Wood interior for warmth, beauty and thermal insulation with 4-9/16" standard jamb depth. Not just a veneer like other mid-priced windows. Select ponderosa pine is standard. Available natural, primed, or factory finished, and in 8 other wood species.

Extra-strong 0.078" vinyl base frame for superior rigidity, tight corners, total protection against rot and enhanced resistance to air or water leaks.

Protected to the core against water with our exclusive patented CoreGuard Plus™ wood treatment for superior rot resistance.

Proprietary patented Fusion Technology™ Integrates 3 perfect materials into 1 perfect window.

Innovative snap-lock design means no unsightly screws or fasteners on the interior.

Low profile surface mounted lock with easy to operate lever.

Constant force balance for smooth, easy operation.

Integral rigid nailing fin for greater structural integrity, improved water barrier and easy installation. The H3 virtually eliminates racking problems.

Available for new construction applications with an integral nailing fin or as an insert or pocketing window for replacement applications.

Choose from eight species of interior wood.

Concealed jambliner just like on our custom built, high end windows.

Easy-tilt sash for easy cleaning.

Premium weathersstripping.

Custom sizing to 1/8" available.

Available with simulated divided lite grilles or our grilles between the glass.

Sash are sealed and mitered corners outside, non-mitered inside.

Seamless factory mull system stops water with integral continuous head and sill mulls.

Thicker, stronger extruded aluminum cladding. Ours is at least twice as thick as competitors' roll-form cladding for greater durability and theft resistance.

Mix and match the H3 with our premium line to help stay within budget.

NOBODY'S EVER BUILT A SLIDER LIKE THIS BEFORE

H3



Our H3 easy-glide slider is a welcome addition to our option-rich, easy-tilt double hung, and our casement and awning windows. Depending on design and operational preference, each is an exceptionally smart choice for new construction or window replacement.

Item 3.

Our H3 horizontal slider comes with solid performance, plenty of glass & accessory options. Available in larger sizes.

Protected to the core against water with our exclusive patented CoreGuard Plus™ wood treatment for superior rot resistance.

Wood interior for warmth, beauty and thermal insulation. Not just a veneer like some windows.

Single or triple configurations.

Proprietary patented Fusion Technology™ integrates 3 perfect materials into 1 perfect window.

Innovative snap-lock design means no unsightly screws or fasteners on the interior. Only minor nail holes to fill in the screen track.

Up to a 1" glass thickness for more glazing options, including triple IG.

Available with simulated divided lite grilles or our grilles between the glass.

Mitered corners and narrow sash stiles & rails for a full vista view.

Select ponderosa pine is standard. Available natural, primed, or factory finished, and in seven other wood species.

Interior vinyl track mechanism is available in beige or white to blend seamlessly with a painted white interior.

Thicker, stronger 0.055" extruded aluminum cladding. It's at least twice as thick as competitors' roll-form cladding for greater durability and dent resistance.

Extra-strong 0.078" vinyl base frame for superior rigidity, tight corners, total protection against rot, and enhanced resistance to air or water leaks.

Integral rigid nailing fin for greater structural integrity, improved water barrier and easy installation. The H3 virtually eliminates racking problems.

Jamb depth options up to 8-1/8".

Precision stainless steel rollers are standard.



Kelly & Stone Architect | VINEYARD CUSTOM HOMES
KTG Design | Kai Aves Photography

EXPAND YOUR DESIGN CHOICES WITH DIRECT SETS

H3

Get ready to widen your views with the H3 Direct Set. Up to 50 square feet of glass as a single unit or in combination, with future configurations going even larger. The slim frame design and narrow sight lines make its contemporary profile the perfect match for our H3 Casement, Sliding and Double Hung windows. It's a look that's opening up new possibilities in H3 design.



Item 3.

Choose from eight species of interior wood.

Premium weatherstripping.

Protected to the core against water with our exclusive patented CoreGuard Plus™ wood treatment for superior rot resistance.

Thicker, stronger extruded aluminum cladding. Ours is at least twice as thick as competitors' roll-form cladding for greater durability and dent resistance.

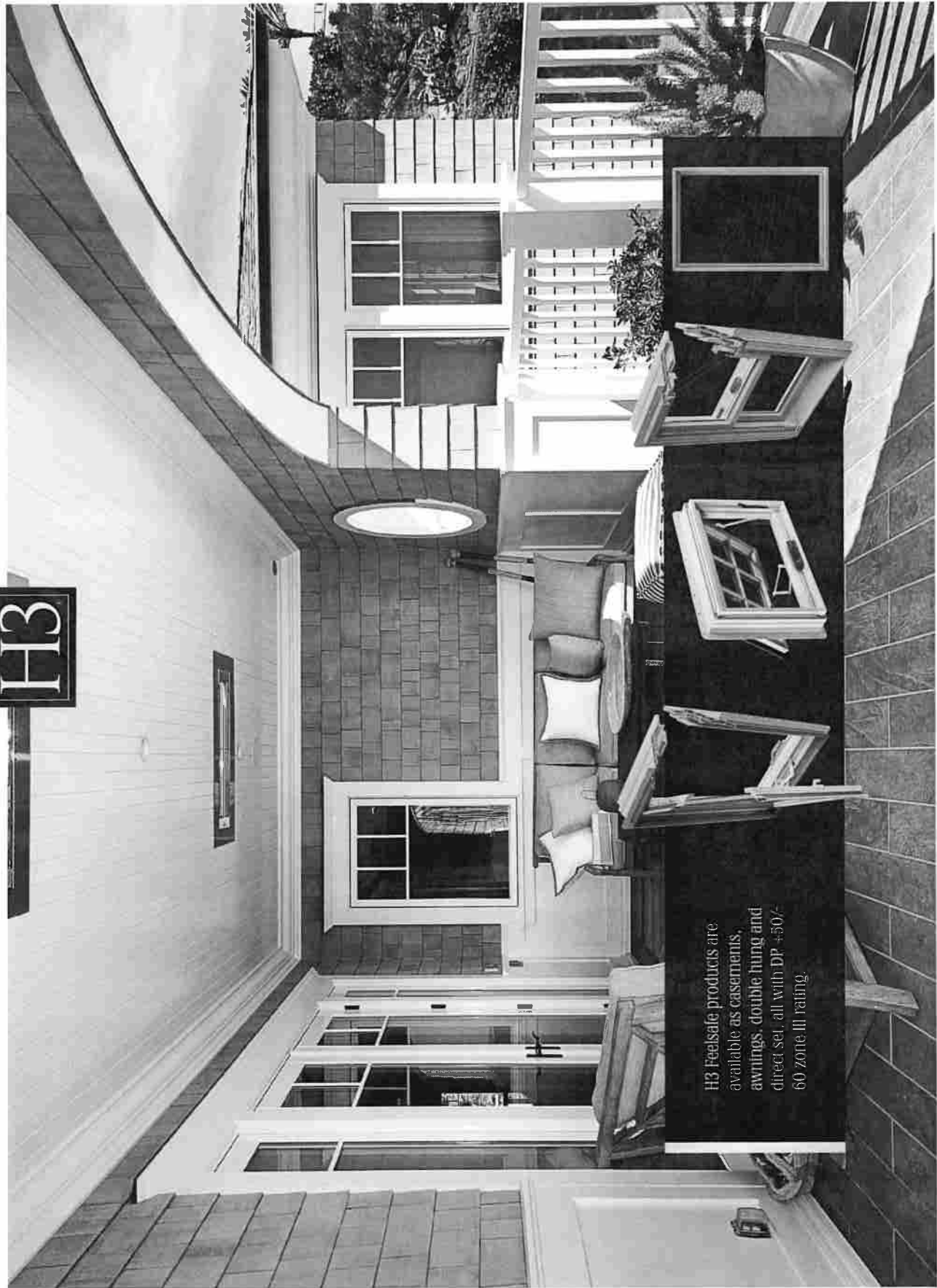
Integral rigid nailing fin for greater structural integrity, improved water barrier and easy installation.

Wood interior for warmth, beauty and thermal insulation. Not just a veneer like some windows.

Available with simulated divided lite or our grilles between the glass.

A TOP PERFORMER IN ZONE III AREAS

H3



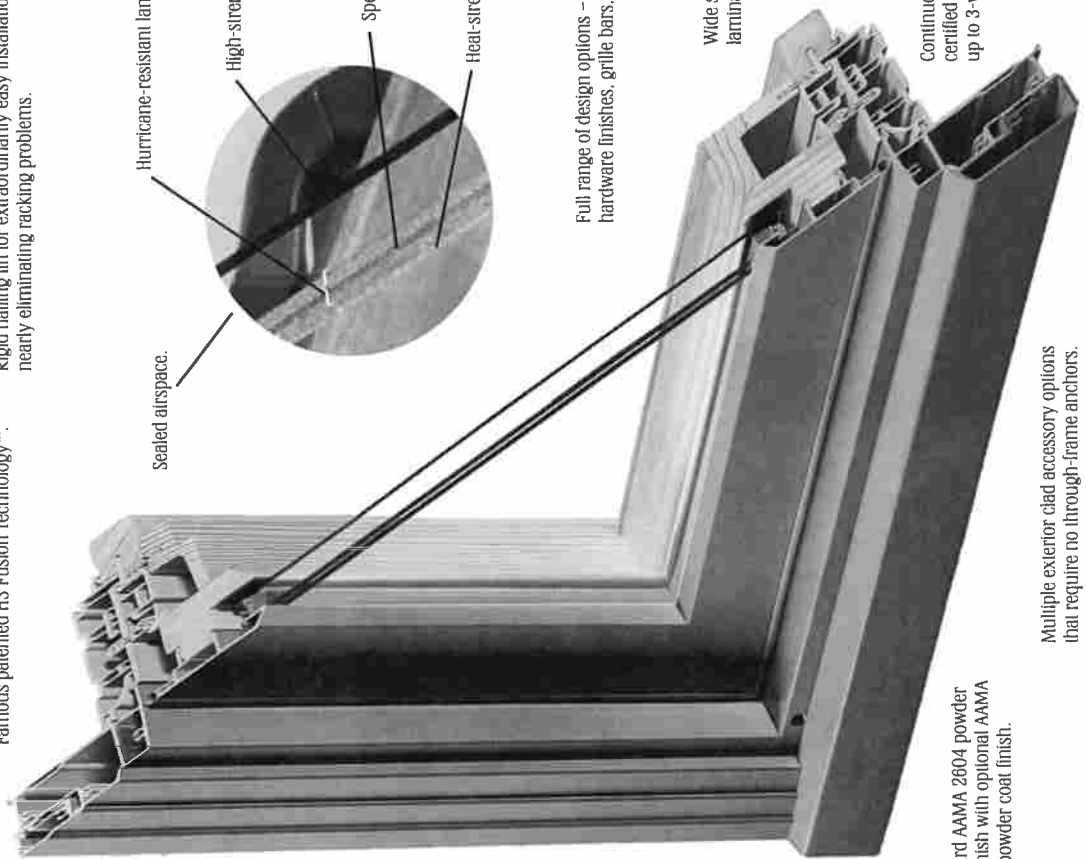
H3 Feelsale products are available as casements, awnings, double hung and direct set, all with DP +50/-60 zone III rating.



H3 has long been a favorite with architects, builders and homeowners. With the addition of our hurricane resistant FeelSafe glazing, H3 FeelSafe is an amazing and often necessary choice for zone III homeowners. Exceptionally easy to install and extremely energy efficient, choose from casement, awning, double hung and direct set. Our full H3 FeelSafe line is perfect for coastal building challenges.

Famous patented H3 Fusion Technology™.

Rigid nailing fin for extraordinarily easy installation, nearly eliminating racking problems.



Sealed airspace.

Hurricane-resistant laminated glass.

High-strength tempered or annealed glass.

Special polyvinyl butyral bonding.

Heat-strengthened or annealed glass.

Full range of design options – exterior clad colors, hardware finishes, grille bars, and more.

Wide selection of hurricane-resistant laminated FeelSafe impact glazing.

Continuous head and sill, certified with combinations up to 3-wide and 2-high.

Standard AAMA 2604 powder coat finish with optional AAMA 2605 powder coat finish.

Multiple exterior clad accessory options that require no through-frame anchors.

Item 3.

Jesh Photography | Pinediss + Balance + Wickling Architects

HIGH PERFORMANCE GLAZING OPTIONS



FINE TUNE YOUR WINDOWS FOR OPTIMAL PERFORMANCE.

What's the best glazing for your windows and patio doors?

Obviously, what's best for a freezing northern winter is not necessarily right for a hot southern summer. We have the answer. With one of the broadest selections of glazing options in the window industry, Sterra Pacific lets you choose exactly the right performance glass for your exact weather and environmental conditions.

You can choose glazing to improve your energy efficiency and lower your energy bills. You can capture the sun's heat, or reflect it. You can also reduce outside noise, block the sun's damaging UV rays, or even enhance your privacy.

Manditory Homes

Item 3.

Acrylic barrier
Polymer
structural
foam

No-Metal
TrueWarm®
Edge Spacer.

THE ADVANTAGE OF NO-METAL SPACERS.

One of the technological advances that make our H3 windows perform so well is our patented No-Metal TrueWarm® Edge spacers.

Many window manufacturers use aluminum spacers between their panes of glass. These conduct cold and heat, and that's not good for thermal performance.

Our no-metal warm edge spacers are 100% polymer structural foam, for excellent thermal performance and a superior seal.

Low-E 366



Cardinal's triple layer silver product with their exclusive XL Edge Spacer for superior performance. 95% UV protection. Solar heat gain coefficient of 0.27*. Also available with Preserve® protective film or with Preserve and Neat® coating for a naturally cleaner glass.***

Low-E 366 with i89 Coating**



The same superior performance as regular Low-E 366 (above), but with the addition of i89 coating on the interior surface to increase insulating value and reduce solar heat gain. Meets even the most extreme requirements in the majority of the Canadian Energy Star zones. Also available with Preserve protective film or with Preserve and Neat coating.***

Low-E 340



Cardinal's newest glazing innovation. It has an amazingly low 0.18* solar heat gain coefficient to keep out the heat even in the blazing sun. Slightly tinted. Blocks 98% of UV rays. Less heat gain when it's hot, less heat loss when it's cold, and maximum glare control. Also available with Preserve protective film or with Preserve and Neat coating.***

Low-E 180 Passive Solar



A very high (0.70*) coefficient for capturing solar heat gain. Ideal for reducing your heating bills in colder climates. Superior insulation value blocks cold and keeps in the heat. Also available with Preserve protective film or with Preserve and Neat coating.***

Low-E 180 Passive Solar with i89 Coating**



The same superior performance as regular Low-E 180 (above), but with the addition of i89 coating on the interior surface to increase insulating value. Meets even the most extreme requirements in the majority of the Canadian Energy Star zones. Also available with Preserve protective film or with Preserve and Neat coating for a naturally cleaner glass.***

Dual or Triple Pane Low-E



Insulated for improved energy efficiency. Single surface low-E coating to reduce solar heat gain and block UV rays.

Insulated Glass



For moderate climates. Basic glazing with basic performance.

Sound Control



Reduces outside noise by as much as 50% while blocking 99% of damaging UV rays. Laminated for shatter resistance. Available insulated or non-insulated.

FeelSafe® Insulated Low-E with or without Sea Turtle Glazing



Protect your home and our sea turtle population. FeelSafe windows and patio doors are engineered inside and out to resist hurricane-force winds, pounding rain, wind-borne debris, and rapid pressure changes that could implode your home or literally blow off the roof. Available in low-E, low-E 366 or low-E 340.

FeelSafe® Laminated with or without Sea Turtle Glazing



For moderate climates, our non-insulated, shatter-resistant FeelSafe glass provides the utmost security—whether your concern is severe storms or intruders. Also available in low-E 366 or low-E 340.

*All values shown are center of glass. **Interior surface coatings, also known as surface #4, are applied to the interior (room-side surface) of a dual pane IG unit, resulting in improved thermal performance and lower heating costs. Because the coating reflects heat back into the room, the room-side pane of glass will be slightly colder in winter, causing a higher potential for interior condensation. ***Available when selecting XL Edge Spacer.



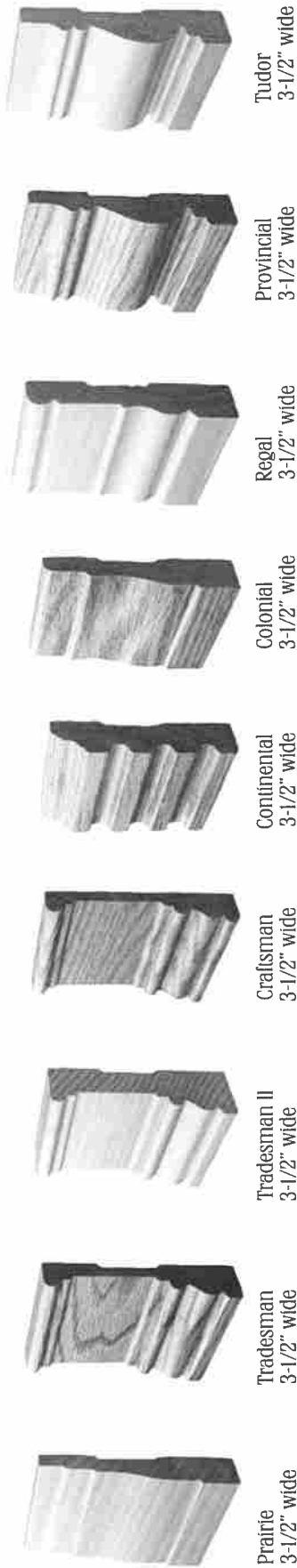
THE WARMTH & BEAUTY OF SELECT WOODS



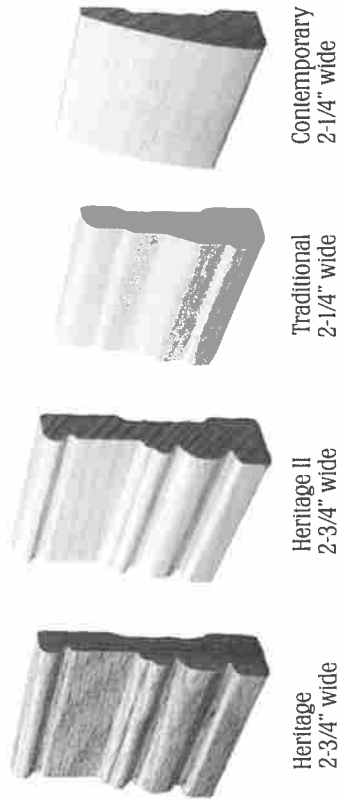
We happen to think that your windows should match your cabinets perfectly. So whether it's your den or your kitchen, or throughout the whole house, Sierra Pacific lets you choose from eight beautiful woods for your windows, patio doors and trim.



See your local representative for actual wood samples. Wood is a natural material with character, color, and grain patterns with varying densities. Wood veneer wrap may be used on select components of various species.



Available in 2.5" or 3.5" sizes in matching wood species.



— ROSETTES

A PREMIUM FACTORY FINISH

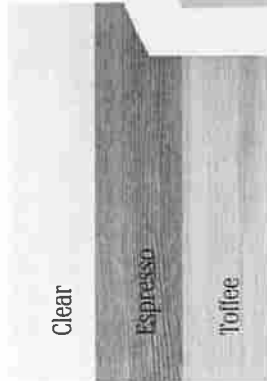
Nothing beats a factory finish performed with state-of-the-art equipment under rigorously controlled, ultra-clean conditions.

Sierra Pacific gives you two premium options: Ultra Stain and Ultra Coat.

Ultra Stain is an advanced, multi-step process that brings out all the beauty of your wood interior. Ultra Coat is a white or black durable interior paint.

Both Ultra Stain and Ultra Coat are so tough, they resist scratching and marring and so superior, they provide advanced protection against moisture.

ULTRA STAIN

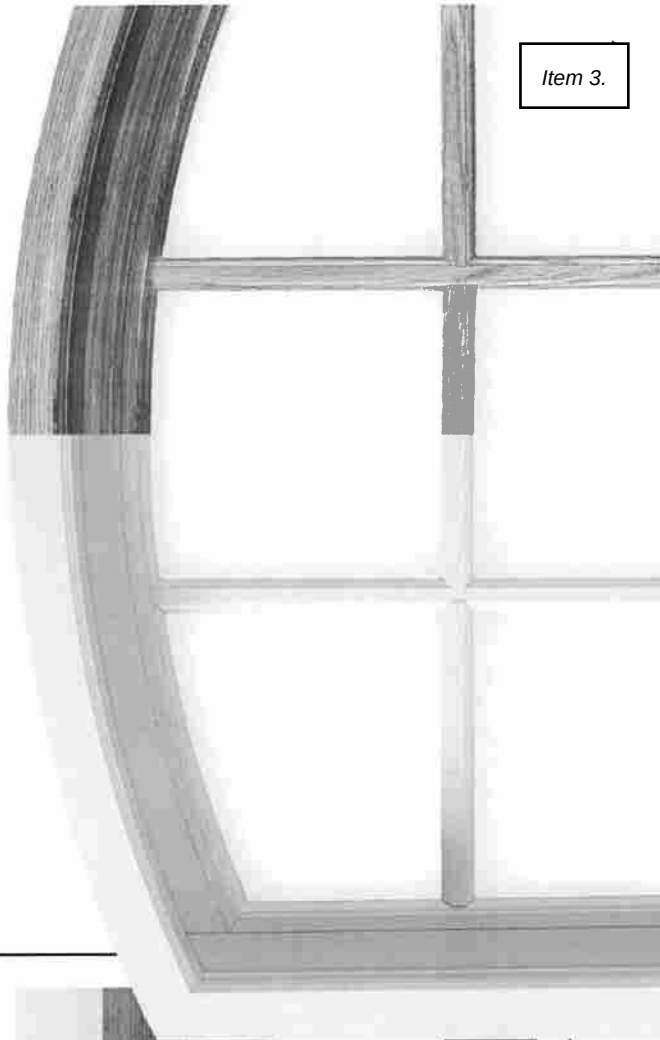


ULTRA COAT

White



Black



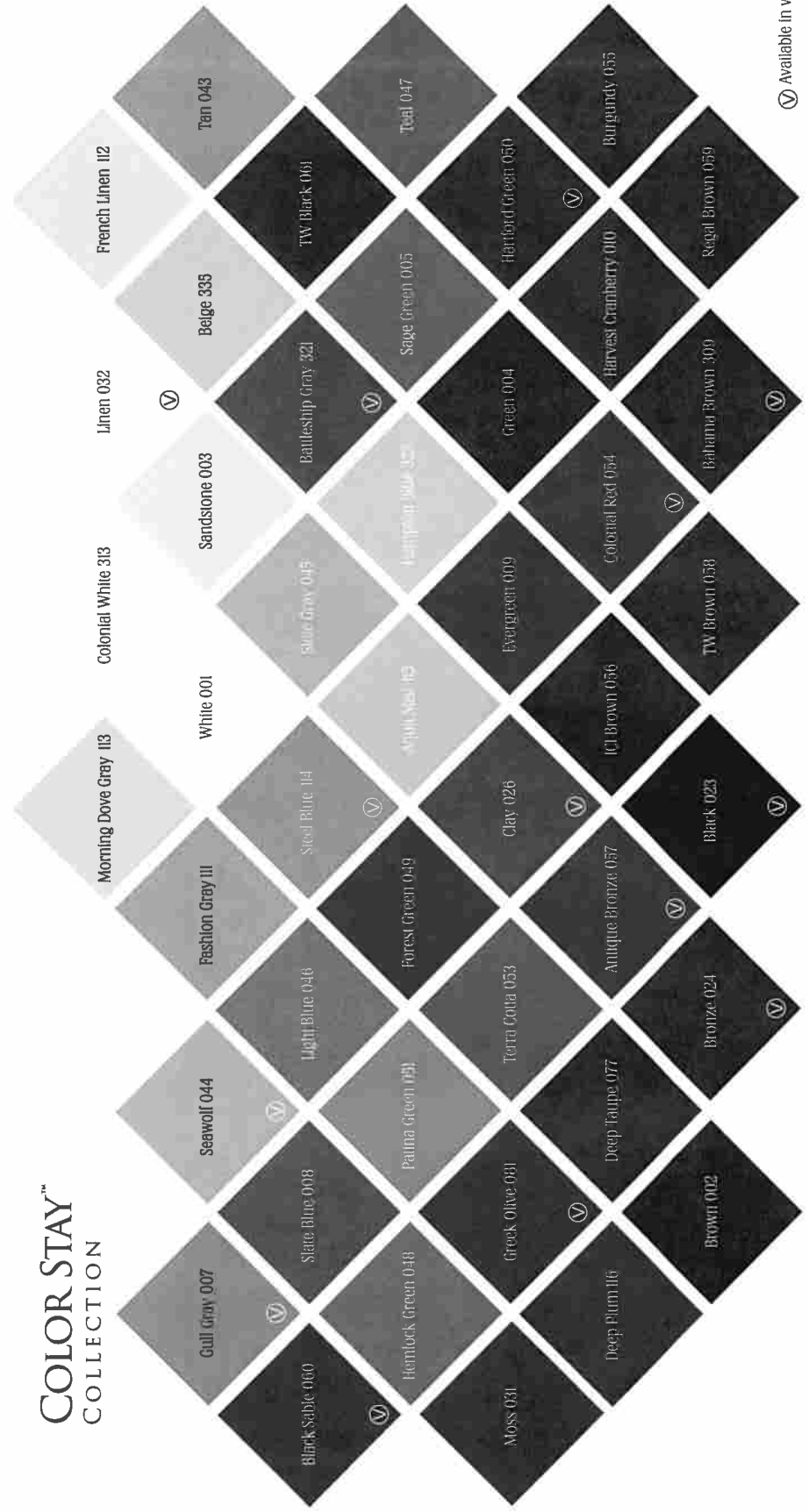
CHOOSE CAREFULLY THESE COLORS STAY
A LONG, LONG, LONG TIME

The exterior of Sierra Pacific H3 windows is fully encased in low maintenance, heavy-duty, extruded aluminum. Ours is at least twice as thick as our competitors' roll-form cladding.

What's more, our finishing process leads the industry in durability and environmental safety. Non-hazardous AAMA 2604 and 2605 powder-coatings have the color retention, surface hardness and scratch resistance necessary to withstand even the harshest conditions.

As for colors? Nobody gives you more choices than Sierra Pacific. 70 colors and some sensational textures allow you to add warmth, a splash of cheerfulness or a new statement to your designs. We'll also custom match any color you choose.

COLOR STAY™
COLLECTION



Ⓟ Available in vinyl.

Item 3.



Meray Kappan Photography / Credit: Sy Architecture

WEATHERED COLLECTION

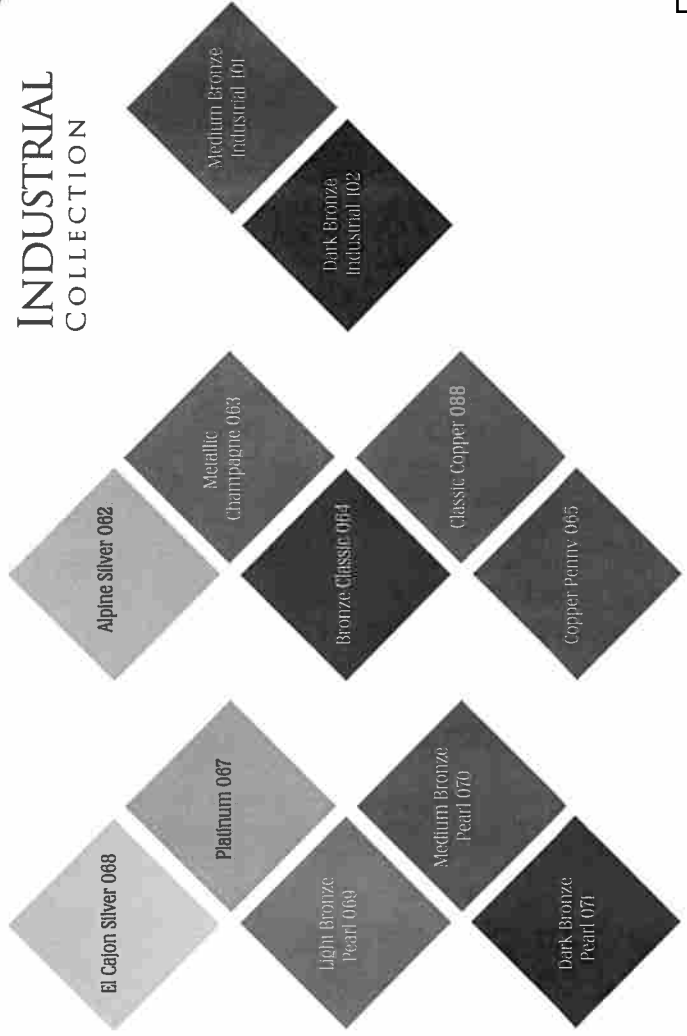
TEXTURED COLLECTION

Available AIAA 2004 only



PEARL METALLIC COLLECTION

METALLIC COLLECTION



Pricing may vary by collection.

Item 3.

MAKE OUR WINDOWS UNIQUELY YOURS

With our grille and hardware design options, you can make the look of your H3 windows truly complement your home—whether your décor is traditional, contemporary, or something in between.

CASEMENT HARDWARE

Our standard handle is the Encore from Truth. It's the same high-end handle as on our premium casements. It folds out of the way of window treatments, and comes in beautiful hardware finishes.



BEAUTIFUL FINISHES

*Special order. Extended lead-time.



Matte Black

White

Oil Rubbed
Forever
Bronze

Chestnut
Bronze

Bronze

Champagne

Satin
Nickel

Brushed
Chrome

Polished
Chrome*

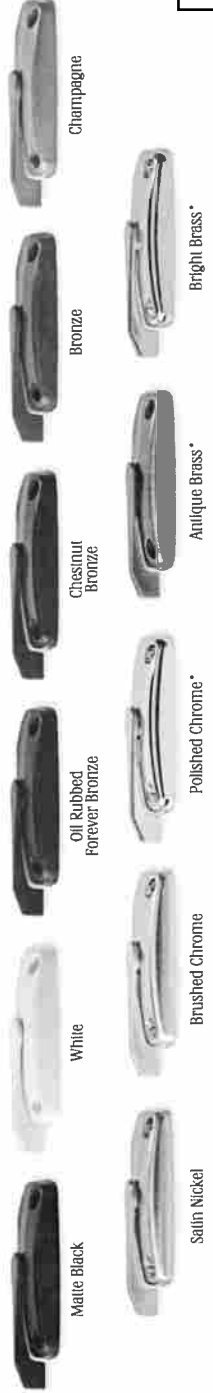
Antique
Brass*

Bright
Brass*

DOUBLE HUNG HARDWARE

Easy-tilt latches make window cleaning a breeze. Available in multiple finishes.

*Special order. Extended lead-time.



Matte Black

White

Oil Rubbed
Forever
Bronze

Chestnut
Bronze

Bronze

Champagne

Satin Nickel

Brushed Chrome

Polished Chrome*

Antique Brass*

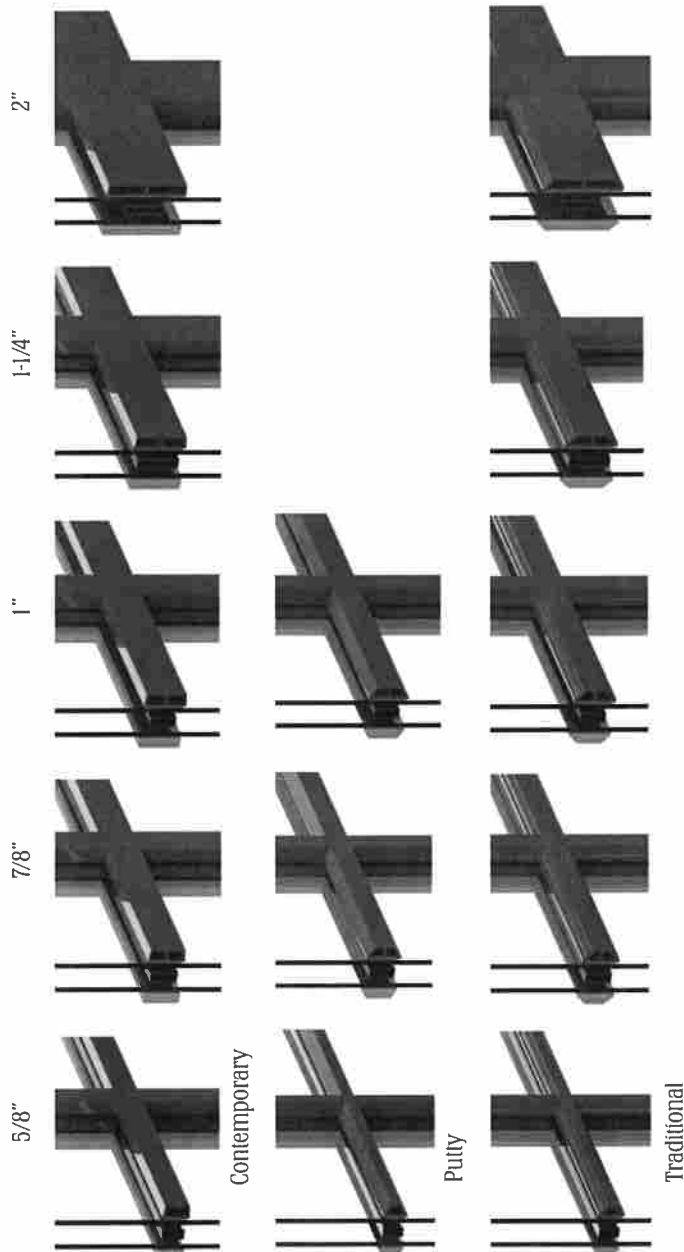
Bright Brass*

Item 3.

CLASSIC APPEAL, MODERN EASE

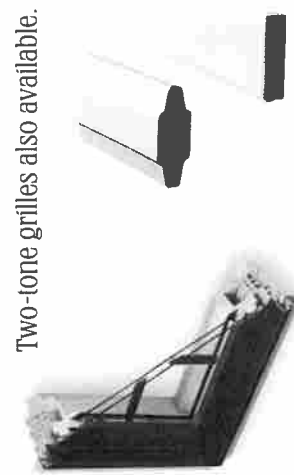
Sierra Pacific offers two ways to achieve the classic appeal of traditional divided lights. Our newly expanded selection of simulated divided light profiles, with optional aluminum spacers between the glass, and our grilles between the glass, giving you the visual appeal you want without the grille ever getting in your way.

SIMULATED DIVIDED LITE PROFILES



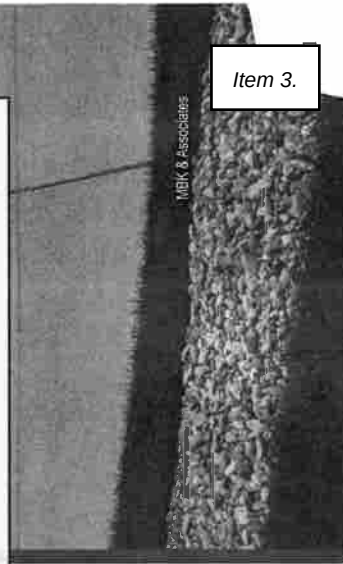
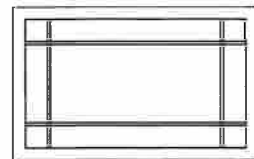
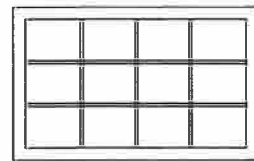
GRILLES BETWEEN THE GLASS

Grilles between the glass come in your choice of profiles: 11/16" or 1" contour or 5/8" flat. Available in 8 colors.



GRILLE CONFIGURATIONS

Your grilles can be as traditional or as unique as you choose. Our standard configurations include equal and prairie. But with our custom configurations, we're ready to transform your inspiration into reality.



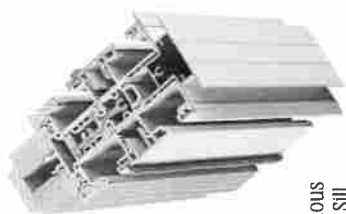
Item 3.

MORE CUSTOMIZATION MADE REMARKABLY EASY

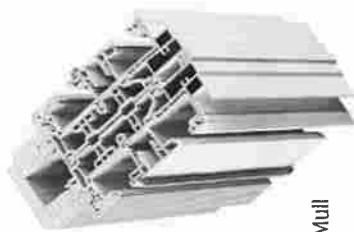
— CONTINUOUS HEAD & SILL ADVANTAGE

The continuous head & sill of our H3 windows makes installing multi-wide units much simpler. It also improves structural integrity and dramatically increases performance with a water-tight mull joint certified up to three-wide and two-high.

MULLING OPTIONS



Continuous
Head & Sill
Mull Post



Tight Mull

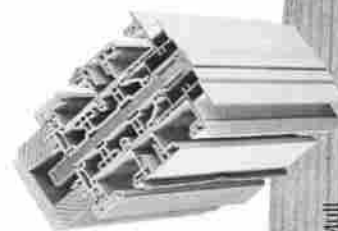
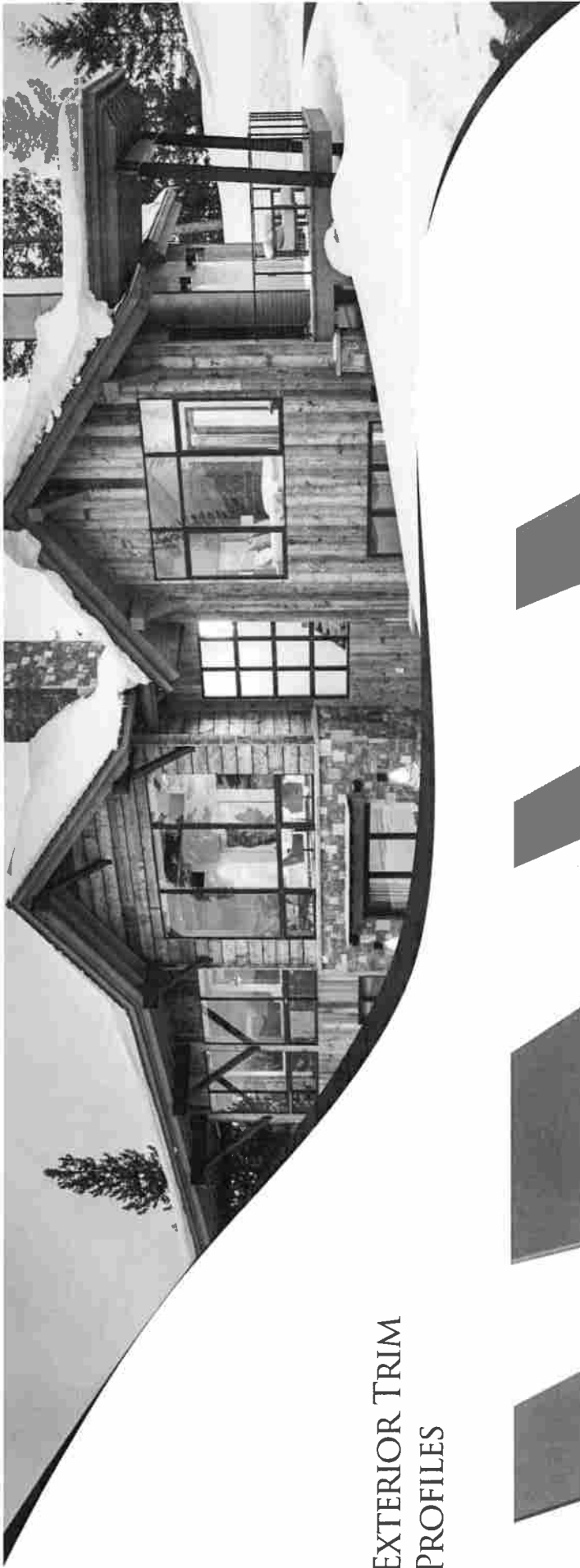


Plate Mull



Item 3.



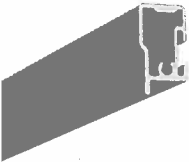
EXTERIOR TRIM PROFILES



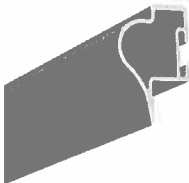
2" Flat Casing



3.5" Flat Casing



2" Brickmould



2" Ovalo



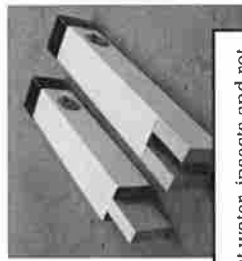
One of the industry's top performers keeps getting design improvements to make it even easier to install, more efficient to own and more beautiful to look at.

Add-on clad profile gives homeowners the flexibility to choose the aesthetic they want.



INDUSTRY-LEADING PROTECTION FOR WOOD

COREGUARD PLUS™ WOOD PRESERVATIVE.

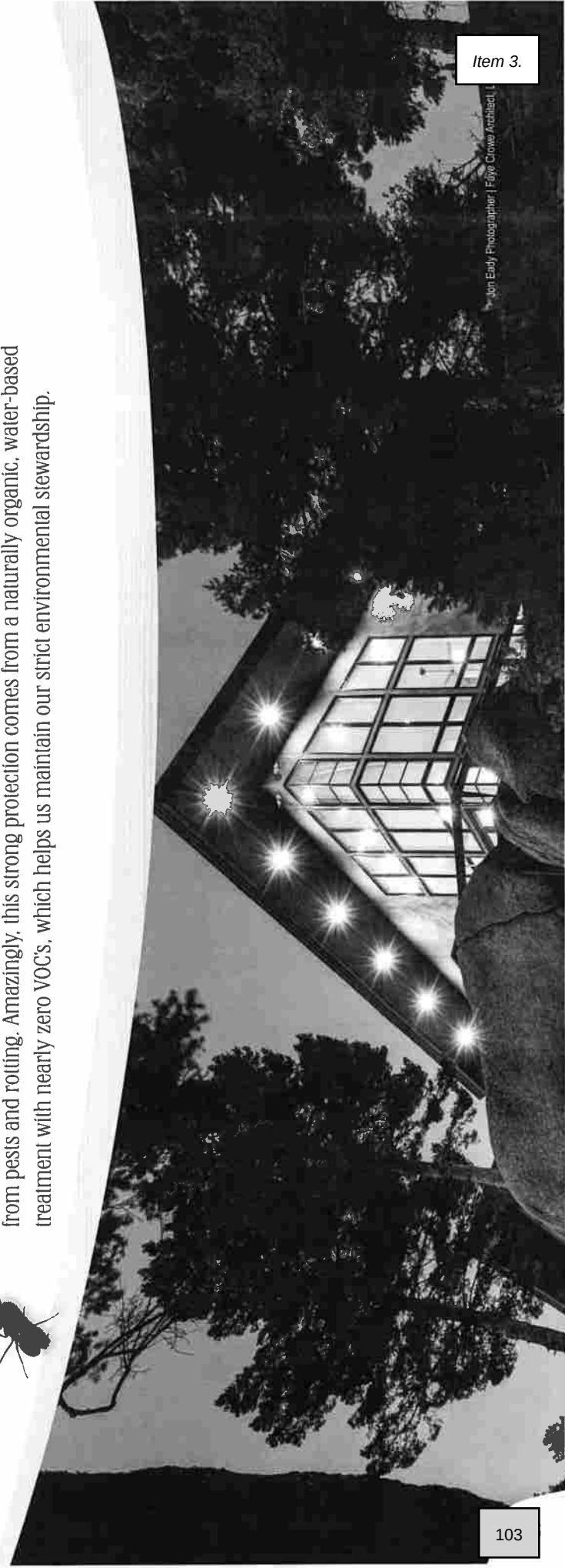


Thoroughly tested in Hawaiian rain forests against water, insects and rot.



Sierra Pacific wood windows and doors are protected by CoreGuard Plus™ wood treatment, a patented process that, when needed, penetrates wood right to the core to repel water, so our windows and patio doors are less likely to warp or swell and have superior dimensional stability.

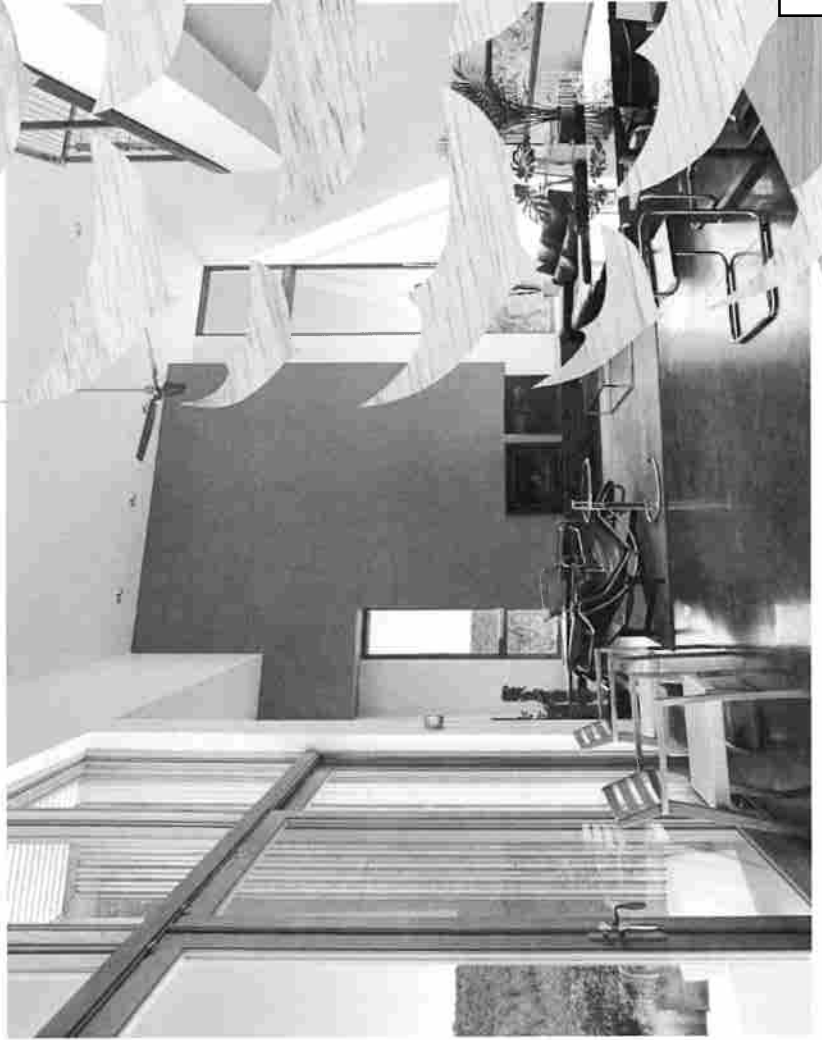
In addition, CoreGuard Plus contains fungicides and insecticides to deeply protect all wood species from pests and rotting. Amazingly, this strong protection comes from a naturally organic, water-based treatment with nearly zero VOC's, which helps us maintain our strict environmental stewardship.



INDUSTRY-LEADING WARRANTY

— A WARRANTY AS TOUGH AS THE PRODUCTS IT GUARANTEES

Sierra Pacific Windows and Doors are backed by our fully transferable 30/20 Limited Warranty (20/10 for commercial products). It provides 30 year residential AAMA 2605 clad exterior coating coverage, 20 year insulated glass coverage, 10 year parts coverage, 2 year labor coverage, and 10 year AAMA 2604 clad exterior coating coverage. For warranty specifics, please refer to SierraPacificWindows.com.



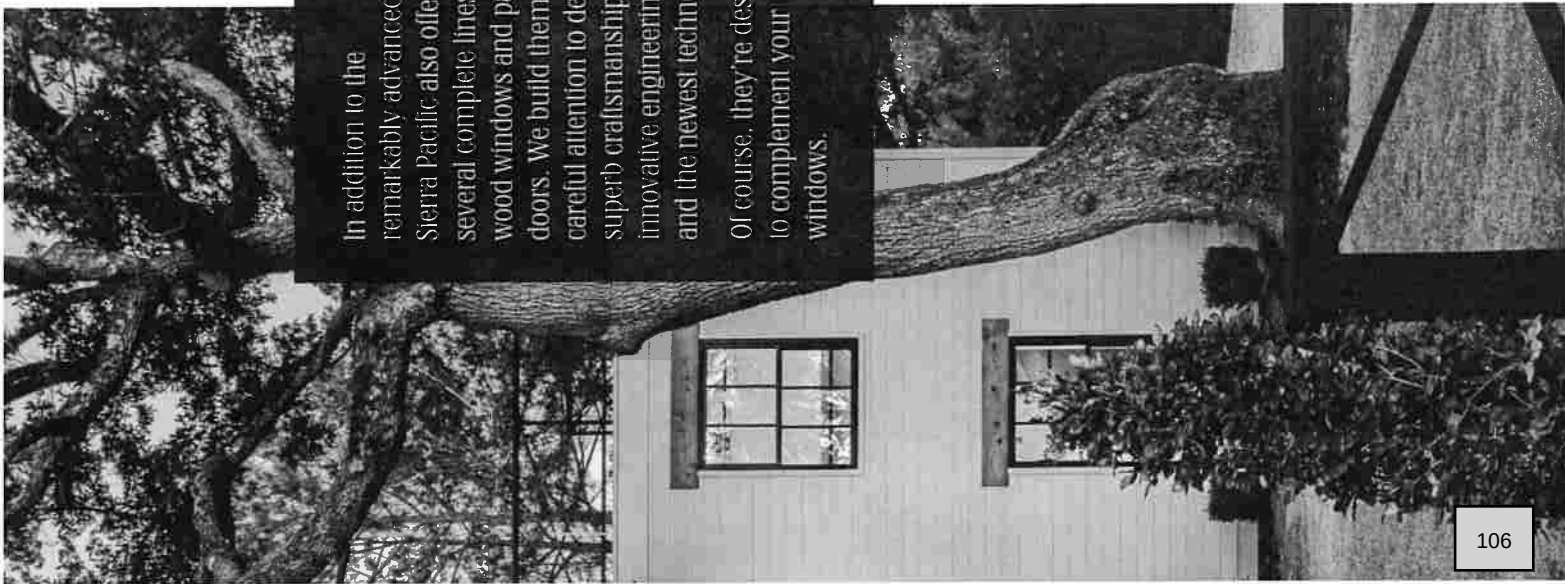
Item 3.

OUR INSTALLATION SECRET: TIME IS MONEY

The H3 isn't just remarkably advanced. It's also remarkably easy to install and finish. A rigid nailing fin is integral to H3 windows. It produces greater structural integrity, an improved water barrier and the virtual elimination of racking problems. Plus, our innovative snap-lock design also means no unsightly screws or fasteners on the interior and fewer nail holes to fill. In fact, the only nail holes on the casement are in the screen track.

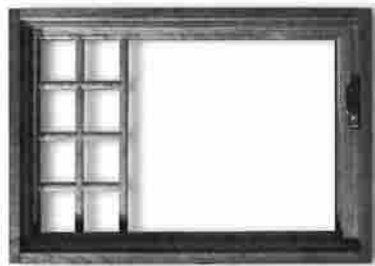
The bottom line is that you save time. And time is money.

Item 3.



In addition to the remarkably advanced H3, Sierra Pacific also offers several complete lines of wood windows and patio doors. We build them with careful attention to detail, superb craftsmanship, innovative engineering, and the newest technology. Of course, they're designed to complement your H3 windows.

THE PERFECT COMPLEMENT TO YOUR H3 WINDOWS.



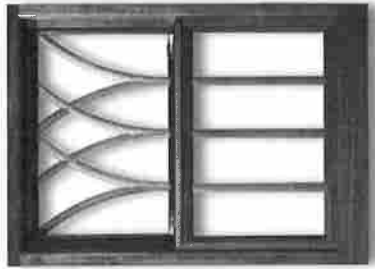
Casement Window



Awning Window



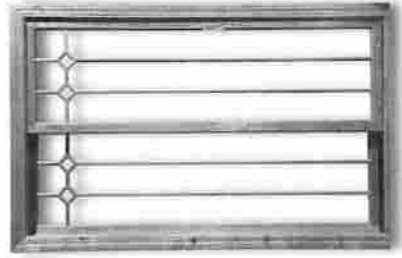
Swinging Patio Door



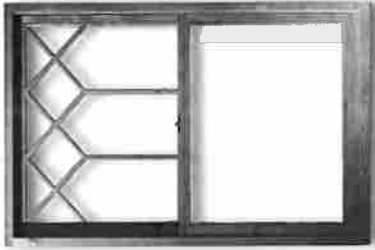
Double Hung Window



Horizontal Sliding Window



Sliding Patio Door



Single Hung Window



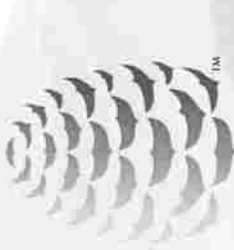
Bay or Bow Window



Geometric Shape Window

For support and answers to any questions, call 800-824-7744,
or visit SierraPacificWindows.com

Instagram Follow us @SierraPacificWindows



SIERRA
PACIFIC
WINDOWS

Your Sierra Pacific product may contain Inert gas. Intended to improve thermal performance. Even the best manufacturing techniques cannot guarantee that the initial fill rate of the inert gas will be maintained during the product's lifetime, and Sierra Pacific makes no such guarantee. If the product is filled with a breather or capillary tube system, it must be treated as if it is entirely air filled. Sierra Pacific does not guarantee the presence of inert gas or any thermal performance related to inert gas. See actual warranty for complete details.

We reserve the right to change product specifications without notice. Photography used may not represent current product features and options.
Sierra Pacific windows and doors are successful thanks in part to our unique patents. Visit spi-ind.com/ip to learn more.



We're the company building the most uncompromising windows
and doors possible for clients with the highest expectations, a fact
we're proving one beautiful project
at a time.

SCAN THE QR CODE TO SEE FOR YOURSELF.

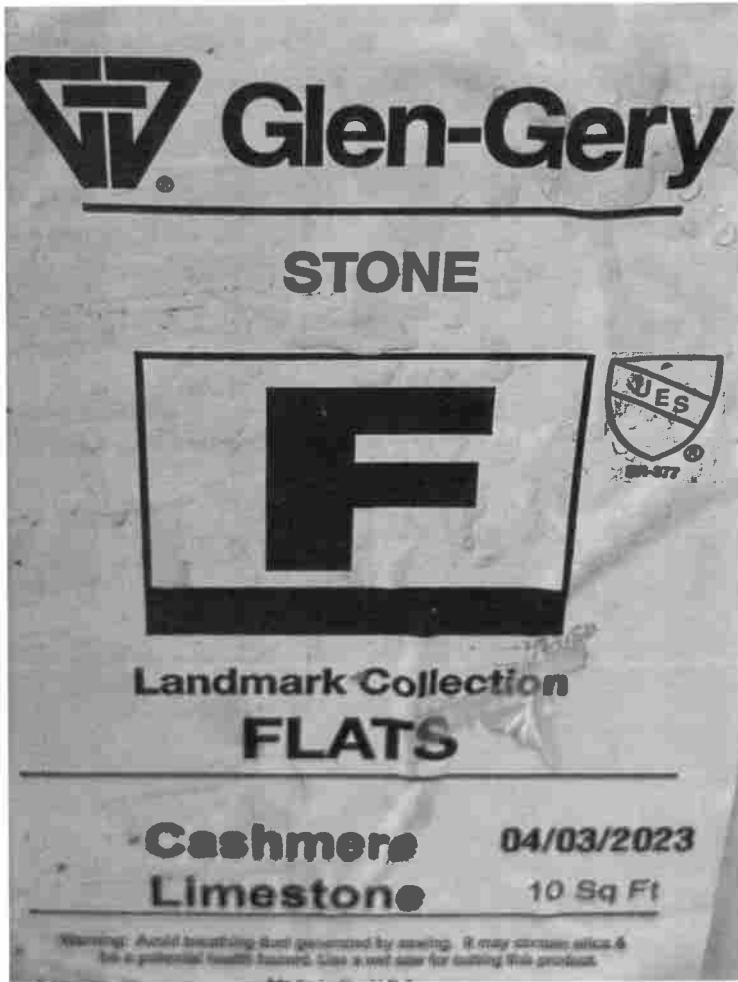


SierraPacificWindows.com | P.O. Box 8488, Red Bluff, CA 96080 | 800-824-7744 | A Division of

Item 3.

#940267-172

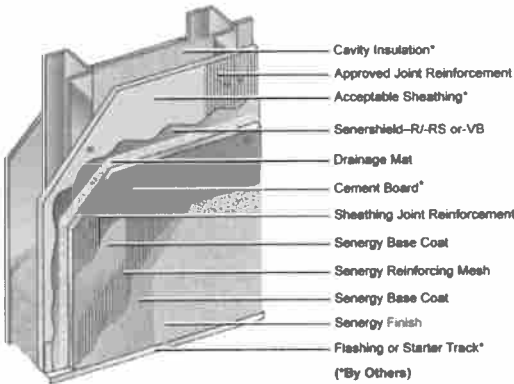






Cement Board Stucco 1000 System

A high-impact resistant water-managed wall system incorporating a cement-board core, reinforced base coat and 100% acrylic polymer exterior finish.



FEATURES	BENEFITS
Cement board core (e.g. PermaBase™ or other ASTM C1325 Type A Exterior approved cement boards)	Reinforces impact and puncture resistance, provides moisture resistance, increases dimensional stability
Rapid, mechanical attachment directly to framing	Speeds application; reduces labor cost; closes in structure quickly
Unlimited colors, textures and architectural details	Support design freedom, create details that would be impossible or cost prohibitive with other claddings
100% Acrylic, reinforced base coats	Produce a weather-resistant barrier; provide crack resistance
100% Acrylic finish coats	Resist fading and abrasion; options available for added dirt/mildew resistance

Uses



Cement-Board Stucco 1000

Highly impact and puncture resistant, water-drainage wall system incorporating a cement board core, reinforced base coat and 100% acrylic polymer exterior finish.

System Description

Senergy Cement-Board Stucco 1000 is a high-impact, water-drainage wall cladding system that incorporates a water-resistant barrier and features a cement board (ASTM C1325) core installed with a polymer-modified base coat, fiberglass reinforcing mesh, and finishes. Cement-Board Stucco System 1000 provides extremely high impact and puncture resistance and increased dimensional stability without sacrificing design freedom.

Design Considerations

Maximum substrate design deflection is L/360. Substrate must be level within 1/4" in 10' (6 mm in 3 m).

Locate control joints approximately every 600 ft² (56 m²) of wall surface area with maximum uncontrolled length or width of 24 in. (1 m) and a maximum uncontrolled length-to-width ratio of 2:1 or 1.

Cement board must satisfy ASTM C1325 Type A Exterior, minimum 1/2"

Exposure joints are required in the system where they exist in the substrate, where the system adopts dissimilar construction, at changes in substrate, at floor lines in multilevel wood frame construction, and where movement is anticipated.

Uses

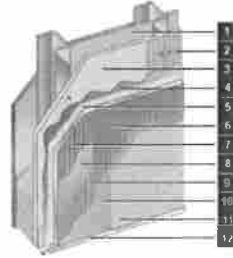
For exterior walls in new or retrofit commercial, institutional and residential construction such as hotels, hospitals, retail, schools, multi-family apartments and condominiums, and government facilities.

Material Substitution

Material substitution will adversely affect system performance and will void all warranty coverage unless approved in writing by Master Builders Solutions Wall Systems.

Warranty

Refer to the Senergy Warranty Schedule for specific information about this product/system.



1. Cavity Insulation*
2. Approved Joint Reinforcement
3. Acceptable Sheathing*
4. SenergyShield-RV-FS or-VB
5. Drainage Mat
6. Cement Board*
7. Sheathing Joint Reinforcement
8. Senergy Base Coat
9. Senergy Reinforcing Mesh
10. Senergy Base Coat
11. Senergy Finish
12. Flashing or Starter Track*
(*By Others)

A brand of
MASTER BUILDERS
SOLUTIONS

Cement Board Stucco 1000 System Overview



Additional Downloads



Featured Project

The Cartee in Boise, Idaho incorporates Senergy's Cement Board Stucco (CBS) 1000 system.



Submittal Assembly

Conveniently assemble the relevant system and product support documents you need. Plus, easily save, print and email the submittal package in PDF format.





Memorandum

To: Village of Wesley Hills Planning Board

From: Jonathan T. Lockman, AICP
 Aaron M. Kardon AICP

Re: Holzberg Residence, 28 Powderhorn Drive – Planning Board Review
 SBL# 32.19-2-45

Date: January 11, 2024

cc: Matthew Trainor, P.E., Village Engineer
 Frank Brown, Esq., Planning Board Attorney
 Camille Guido-Downey, Village Clerk
 John Layne, Building Inspector
 Karen Arent, Landscape Architect for the Applicant
 Paul Gdanski, Engineer for the Applicant

We are in receipt of the following materials for a Planning Board Clearing, Filling or Excavation permit application for the proposed Holzberg Residence at 28 Powderhorn Drive:

Received and reviewed for this memorandum:

- Listing of Exterior Building Material specifications and colors, from Silber Construction, unstamped and undated, received the Village of Wesley Hills, December 29, 2023.
- Architectural Plan, 1 sheet, Front Elevation, unstamped and unsigned with no company name, received by the Village of Wesley Hills, December 29, 2023.
- Drainage Plan, 2 sheets, stamped by Paul Gdanski, dated May 30, 2023, with the latest revision date of August 21, 2023.
- Test Pit Location Plan, 1 sheet, stamped by Paul Gdanski, dated August 1, 2023.
- Architectural material specifications sheets from various vendors, undated:
 - Royal Building Products, Exterior Portfolio Soffits
 - Camelot II Shingles
 - Clinton Seamless Gutting, Spectra Metal Sales
 - Clopay (Garage Doors)
 - Glenview (Entry Doors)
 - Sierra Pacific H3 Windows
 - Photo of brick facing – Glen-Gery Stone F
 - Senergy Cement Board Stucco System

Comments

1. Pursuant to §230-36.E.(5), the applicant has submitted an architectural review package to the Planning Board, which shows the front elevation of the proposed house on 28 Powder Horn Drive, with samples of finish materials which will be utilized.

2. The requirements of subsection (a) include submission of a rendering. A "rendering" is defined "as an eye-level, front-view, three-dimensional perspective drawing or sketch, made to approximate scale, of the structure and driveway as it will be situated on the site with such landscaping as the applicant intends to provide." **The Planning Board may wish to require submission of a rendering.**
3. The standards for the Planning Board's architectural review are found in subsection (e). **The Planning Board should review the information provided, and it should determine if the proposed house is either "excessively similar," or "excessively dissimilar" in relation to any of the structures which are within 500 feet.**
4. In addition, **the Planning Board should determine if the proposed house will be incompatible our compatible with surrounding properties, "with respect to the amount of grading required, the treatment of the exposed foundations and loss of existing vegetation."**

Please let me know if you have any questions or comments regarding this review.

Items Previously Reviewed

The following items were reviewed for our previous memorandum, dated July 12, 2023

- Letter from Karen Arent, RLA, to Planning Board, re: Responses to Brooker & NPV Comments, dated July 5, 2023.
- Letter from Paul Gdanski, P.E., to Planning Board, re: Responses to Brooker Comments, dated July 3, 2023.
- Acknowledgement of Notice of Intent for Coverage Under SPDES General Permit, from NYS DEC to Basya Holzberg, for 28 Powder Horn Drive, signed by David Gasper, dated June 1, 2023.
- Site Plan, 6 Sheets, for The Holzberg Residence, stamped by Karen Arent Landscape Architect, dated May 31, 2023, with latest revision date of July 5, 2023, as follows:
 - L1: Village Zoning Sheet
 - L2: Site, Grading, Erosion Control and Depth to Bedrock Plan
 - L3: Test Pit Imagery, Erosion Control & Planting Notes and Details
 - L4: Planting Plan
 - L5 & L6: Landscape Sections and Details 1 & 2
- Drainage Plan, 2 sheets, for 28 Powder Horn Rd., stamped by Paul Gdanski PE, PLLC and dated May 30, 2023.

The following Items were reviewed for our previous memorandum, dated June 23, 2023:

- Letter from Karen Arent, RLA, to the Planning Board dated May 31, 2023.
- Site Plan, 6 Sheets, for The Holzberg Residence, stamped by Karen Arent Landscape Architect, dated May 31, 2023, with sheets as follows:
 - L1: Village Zoning Sheet
 - L2: Site, Grading, Erosion Control and Depth to Bedrock Plan
 - L3: Test Pit Imagery, Erosion Control & Planting Notes and Details
 - L4: Planting Plan
 - L5 & L6: Landscape Sections
- Topographical Survey of 28 Powderhorn Drive, 1 Sheet, stamped by William D. Youngblood, L.S., Sparaco & Youngblood, PLLC, dated March 18, 2020.

- Drainage Plan, stamped by Paul Gdanski PE, PLLC and dated May 30, 2023

The following Items were reviewed for our previous memorandum, dated April 28, 2023:

- Letter from Karen Arent, RLA, to TAC Committee, dated April 5, 2023.
- Preliminary Site and Grading Plan, 1 Sheet, for the Holzberg Residence, unstamped, by Karen Arent Landscape Architect, dated February 14, 2023, with the latest revision date of April 3, 2023.
- Topographical Survey of 28 Powderhorn Drive, 1 Sheet, stamped by William D. Youngblood, L.S., Sparaco & Youngblood, PLLC, dated March 18, 2020.
- Subdivision Plat – Average Density, for Wesley Hills Estates, 1 sheet, stamped by A.R. Sparaco Jr, P.L.S., dated March 31, 1999, with the latest revision dated of 11/11/99, and filed at the Rockland County Clerk's Office on June 13, 2000 (Map 7358, Book 120, Page 90).

received (✓) 1/3/2024
PB meeting

Item 4.

Zahav Group Inc.

Phone: 845-596-4471

Email: kamranamona@gmail.com

Village of Wesley Hills Planning Board
432 Route 306
Wesley Hills, NY

January 3, 2024

Dear Chair and Members of Planning Board,

As per the site plan for 89b/91 Spook Rock Road, I need to plant ten 8-10 foot trees, with spacing of 12 feet, on the adjacent property.

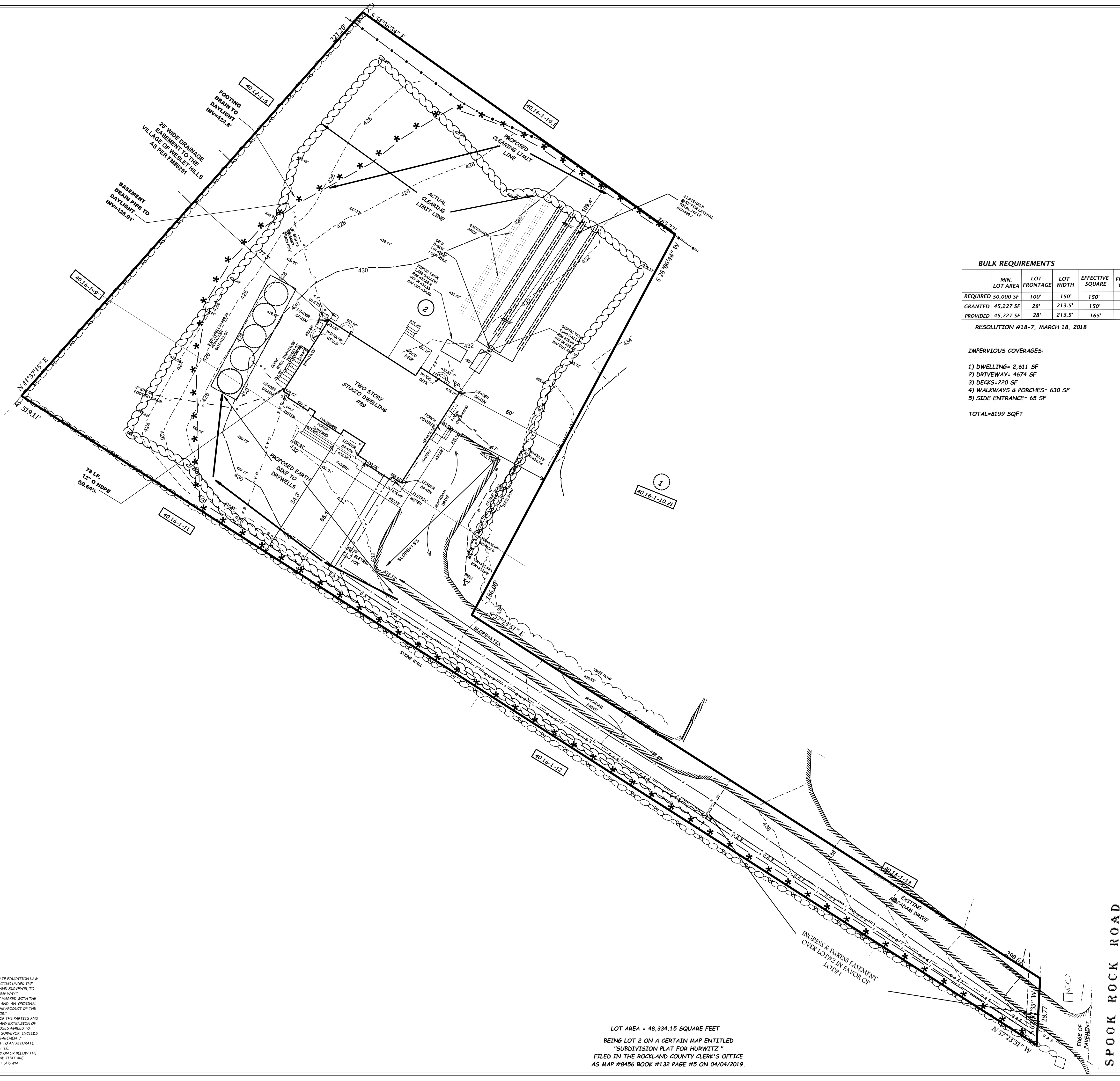
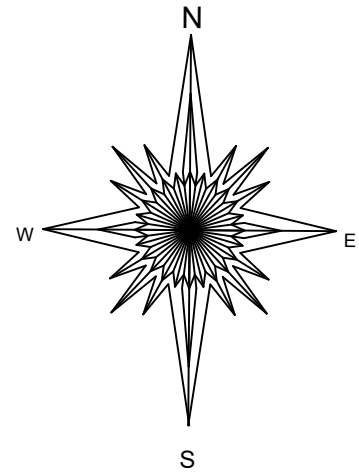
Adjacent to the location where I need to plant these trees, a row of existing trees occupies one side, while the other side has a playground. The available space between the existing trees and the playground measures 63 feet. Considering the prescribed spacing of 10-12 feet, the maximal number of trees that can be accommodated in this section is estimated to be between 6-7.

At the time that I had planned to plant those trees, it was conveyed to me by the Village of Wesley Hills that the owner of property does not want those trees and he wants to replace them with five 20-foot-long trees. The property owner has expressed willingness to cover the associated costs and the price differential.

Adapting the plan to include 20-foot-long trees necessitates the use of heavy equipment for digging, potentially causing damage to the existing aged driveway and landscaping. Moreover, due to the substantial weight of these trees, a crane may be required, incurring additional expenses.

Sincerely,

Kamran Amona



BULK REQUIREMENTS

ZONE: R-50 SINGLE FAMILY RESIDENTIAL

	MIN. LOT AREA	LOT FRONTAGE	LOT WIDTH	EFFECTIVE SQUARE	FRONT YARD	SIDE YARD	TOTAL SIDE YARDS	REAR YARD	MAXIMUM IMPERVIOUS SURFACE	FRONT YARD IMPERVIOUS	BUILDING COVERAGE	MAXIMUM BUILDING HEIGHT FEET	MAXIMUM EXPOSED BUILDING HEIGHT
REQUIRED	50,000 SF	100'	150'	150'	50'	30'	75'	50'	0.20	0.15	0.10	2-1/2	25'
GRANTED	45,227 SF	28'	213.5'	150'	50'	55'	174.3'	83'	0.20	0.38	0.10	2-1/2	<25'
PROVIDED	45,227 SF	28'	213.5'	165'	54.3'	47'	124.3'	109.4'	0.18	0.15	0.06	2	<25'

RESOLUTION #18-7, MARCH 18, 2018

IMPERVIOUS COVERAGES:

FRONT YARD IMPERVIOUS = 1596 SF / 10,615 SF= 0.15

- 1) DWELLING= 2,611 SF
- 2) DRIVEWAY= 4674 SF
- 3) DECKS=220 SF
- 4) WALKWAYS & PORCHES= 630 SF
- 5) SIDE ENTRANCE= 65 SF

BUILDING COVERAGE = (104+2,611 SF) / 45,227 SF= 0.06

TOTAL=8199 SQFT

NOTE:
"IT IS A VIOLATION OF THE STATE EDUCATION LAW FOR ANY PERSON UNLESS ACTING UNDER THE DIRECTION OF A LICENSED LAND SURVEYOR, TO ALTER ANY ITEM IN ANY WAY."
"ONLY COPIES OF THIS SURVEY MARKED WITH THE LAND SURVEYOR'S SIGNATURE AND AN ORIGINAL EMBOSSED OR INK SEAL ARE THE PRODUCT OF THE LAND SURVEYOR."
"THIS SURVEY WAS PREPARED FOR THE PARTIES AND PURPOSE INDICATED HEREON. ANY EXTENSION OF THE USE BEYOND THE PURPOSES AGREED TO BETWEEN THE CLIENT AND THE SURVEYOR, EXCEEDS THE SCOPE OF THE ENGAGEMENT."
THIS SURVEY MAP IS SUBJECT TO AN ACCURATE ABSTRACT OF TITLE.
EASEMENTS OR RIGHTS OF WAY ON OR BELOW THE SURFACE OF THE GROUND THAT ARE NOT VISIBLE ARE NOT SHOWN.

LOT AREA = 48,334.15 SQUARE FEET
BEING LOT 2 ON A CERTAIN MAP ENTITLED
"SUBDIVISION PLAT FOR HURWITZ"
FILED IN THE ROCKLAND COUNTY CLERK'S OFFICE
AS MAP #8456 BOOK #132 PAGE #5 ON 04/04/2019.

FINAL SURVEY FOR
91 SPOOCK
ROCK RD

TOWN OF RAMAPO, ROCKLAND COUNTY
REV 11/8/23
SUFFERN, NEW YORK

OCTOBER 4, 2023 SCALE: 1" = 20'

ANTHONY R. CELENTANO P.L.S.
31 ROSMAN ROAD
THIELLS, N.Y. 10984
845 429 5290 FAX 429 5974

Anthony R. Celentano LIC#50633

**Village of Wesley Hills
Planning Board – March 28, 2018**

The meeting was called to order by Vera Brown, Chairman, at 7:33 p.m.

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

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

Absent: Uri Kirschner, Alexandra Wren

PUBLIC HEARING ON THE FINAL PLAT APPLICATION OF BASSIE HURWITZ FOR A TWO-LOT SUBDIVISION. Affecting property located on the west side of Spook Rock Road approximately 700 feet north of Grandview Avenue. Designated on the Town of Ramapo Tax Map as Parcel ID#40.16-1-10.2

Vera Brown confirmed with Janice Golda that the public hearing notice was published, posted and mailed.

Mark Kurzmann, Esq. and Steve Sparaco of Sparaco Engineering appeared on behalf of the applicant. Mr. Kurzmann reviewed the proposed two-lot subdivision and the issue of screening to increase privacy for the next-door neighbor located at 87 Spook Rock Road. Mr. Kurzmann explained that the next-door neighbors, Mr. & Mrs. Lovi, approved their screening proposal plan last revised 3/28/18 that includes planting of 20 Norway Spruce trees approximately 8' to 10' high spaced approximately 12 feet apart on center with half of the trees on Lot #2 of the Hurwitz Subdivision and half on the Lovi's property. The trees will be maintained by the applicant for the first year, and afterwards the maintenance responsibility for the trees on the Lovi's property will pass to them. Mr. Kurzmann also explained that the request of the Rockland County Highway Department in its letter dated 11/30/17 concerning the dedication of a road widening strip is in progress. The deed had previously been done by the predecessor owner but apparently that deed was not filed by the County.

Jeff Osterman confirmed that the neighbor is in agreement with the proposed planting plan and is aware of the grading plan and elevation of the proposed dwelling.

The Board discussed installing the trees after the new dwelling is constructed and before a certificate of occupancy is issued. The Board also informed the applicant's representative that permission will be needed to work on the Lovi property when planting is scheduled.

Vera Brown asked if anyone from the public wished to speak. No one wished to speak.

Vera Brown motioned to close the public hearing. Rachel Taub seconded.

Vote: Vera Brown-Yes, Rachel Taub-Yes, Israel Shenker-Yes, Joe Moskowitz-Yes, Marilyn Blocker-Yes.

Motion approved and public hearing closed.

Marilyn Blocker motioned to adopt the following resolution. Joe Moskowitz seconded.

Resolution #18-7

WHEREAS, a formal application from Bassie Hurwitz for approval of a final plat entitled “Subdivision Plat for Hurwitz Located in the Village of Wesley Hills, Town of Ramapo, Rockland County, New York”, dated November 28, 2016 and last revised January 16, 2018, prepared by Sparaco & Youngblood, PLLC, affecting property on the westerly side of Spook Rock Road, designated on the Town of Ramapo Tax Map as Section 40.16, Block 1, Lot 10.2, in an R-50 District, was received by the Planning Board on January 16, 2018, 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 March 28, 2018, at 7:30 P.M., at which time all interested parties present were given an opportunity to be heard, and

WHEREAS, on November 15, 2017, the Zoning Board of Appeals of the Village of Wesley Hills granted variances for such subdivision subject to conditions set forth therein, all of which have been satisfied or are required to be satisfied by the conditions of this Resolution, and

WHEREAS, said final plat was referred to the Rockland County Department of Planning for review pursuant to General Municipal Law section 239-n, and by letter report dated December 11, 2017, the Rockland County Department of Planning notified this Planning Board that it had approved the final plat for such subdivision subject to recommended modifications set forth therein, and

WHEREAS, heretofore on January 24, 2018, by Resolution #18-3, this Planning Board determined that the proposed subdivision will not have a significant impact on the environment as defined in the New York 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 Planting & Erosion Control Plan shall incorporate all changes depicted on the revised plan dated March 28, 2018.
- b. The plat and the Planting & Erosion Control Plan shall both be revised to add a note stating that a certificate of occupancy for the house to be constructed on Lot 2 shall not be issued until implementation of all of the plantings shown on the Planting & Erosion Control Plan.
- c. The plat and construction plans shall comply with all conditions imposed by the Zoning Board of Appeals in connection with the granting of such variances.

2. Compliance with Conditions of Rockland County Department of Planning – The developer shall comply with all recommended modifications set forth in the letter report of the Rockland County Department of Planning dated December 11, 2017, a copy of which letter report 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 November 12, 2017, a copy of which letter is attached to this Resolution and made a part hereof.

4. 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 November 28, 2017, a copy of which letter is attached to this Resolution and made a part hereof.

5. 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 December 1, 2017, a copy of which letter is attached to this Resolution and made a part hereof.

6. Covenant – An executed covenant shall be prepared, in form satisfactory to the Village Attorney, providing for the maintenance of the common driveway equally by the owners of Lots 1 and 2. Such covenant shall be recorded in the Rockland County Clerk's Office simultaneously with the filing of the plat.

7. Letter of Credit Waived – Because there are no required public improvements, no letter of credit shall be required to be filed prior to the signing of the plat by the Chairman of the Planning Board.

8. Waiver – The Planning Board hereby waives the following requirements of the

Subdivision Regulations: the provision of sidewalks, due to the lack of connecting facilities adjacent to or in proximity of the subdivision.

Vote: Vera Brown-Yes, Israel Shenker-Yes, Joe Moskowitz-Yes, Marilyn Blocker-Yes, Rachel Taub-Abstain

Motion Approved

WETLANDS PERMIT APPLICATION OF BASHIE WAINHAUS TO CONSTRUCT A POOL, PATIO AND POOL FENCE WITHIN THE 100-foot BUFFER. Affecting property located on the west side of Skylark Drive approximately 945 feet from the intersection of Ridgeway Terrace. Designated on the Town of Ramapo Tax Map as Parcel ID#41.16-1-87.

Robert Ball, president of Westrock Pools, appeared on behalf of the applicant. Mr. Ball explained to the Board that he received a building permit in November 2017. When he began to excavate he was notified that there was a Wetlands issue and he had to stop construction. He explained that Torgerson Environmental Sciences, landscape engineers, submitted an updated Wetlands plan which showed that the proposed project is within the 100 foot buffer of the wetlands.

Brian Brooker, Village Engineer, explained that the pool is not within the wetlands but rather within the Village's regulated 100 foot buffer area.

Jeff Osterman, Village Planner, recommended looking at the area beyond the active area of the pool and identifying any delineation needed with grading due to the wetlands. He suggested a Board site visit prior to the public hearing. The Board decided to do a site visit on Sunday, April 15 at 11 a.m.

Vera Brown motioned to adopt the following resolution. Rachel Taub seconded.

Resolution #18-8

RESOLVED, that a public hearing on a Wetlands Permit application by Bassie Wainhaus for property located on the northerly side of Skylark Drive, known as 42 Skylark Drive and designated on the Town of Ramapo Tax Maps as Section 41.16, Block 1, Lot 87, for authorization to construct a swimming pool, patio, and pool fence within 100 feet of the boundary of a freshwater wetland, will be held before the Planning Board of the Village of Wesley Hills on the 25th day of April, 2018 at 7:30 P.M., at the Village Hall, located at 432 Route 306 in the Village of Wesley Hills.

Vote: Vera Brown-Yes, Rachel Taub-Yes, Joe Moskowitz-Yes, Marilyn Blocker-Yes, Israel Shenker-Abstain

Motion Approved

December 1, 2023

Village of Wesley Hills
432 Route 306
Wesley Hills, New York 10952



BROOKER ENGINEERING
a division of Weston & SampsonSM

74 Lafayette Avenue, Suite 501, Suffern, NY 10901
Tel: 845.357.4411

Attn: Alicia Schultz, Building Department

Re: 91 Spook Rock Road
As-built Review (x2)

Dear Ms. Schultz,

Our office has reviewed the "Final Survey for 91 Spook Rock Rd.", prepared by Anthony Celentano, P.L.S. last revised November 8, 2023 and additional documentation provided by the Applicant. A site visit was last performed on November 27, 2023. At this time, we do not recommend the issuance of a Certificate of Occupancy. We offer the following comments:

1. Front yard, side yard, and rear yard to be designated as they were in the approved Plot Plan. As-built survey to designate the same yards as approved. Front yard, side yard, and total side yard to be reviewed and corrected in the Bulk Table. The covered porch on the eastern face of the dwelling appears to encroach into the front yard setback. The Applicant has indicated that the cover over this porch can be easily removed. If the Applicant chooses to keep the covered porch, this non-conformance requires a variance and is referred to the Zoning Board of Appeals for further consideration.
2. Our approximate calculations indicate a greater area for the macadam driveway within the front yard. Front yard impervious ratio and maximum impervious surface calculations to be revised/confirmed to include the macadam driveway/front yard area as it was for the approved Plot Plans. A variance may now be required.
3. The macadam drive shown on the survey appears to encroach the property to the north, Tax Lot #40.16-1-10.21. Approved subdivision plans also included partial removal of pavement on Lot#1. It is noted that a letter from the neighboring property has been provided indicating that they agree to have a portion of the driveway for the subject property remain on their property. However, the driveway has been constructed differently than that of which is shown on the approved "Subdivision Plat for Hurwitz". Our office believes that the driveway should be reconstructed as it was proposed, or the project return to the Planning Board to record any necessary easements for the driveway encroachment. Our office defers to the Village Attorney regarding the appropriate course of action.
4. As requested in our final approval letter dated November 22nd, 2021:
 - a. All the plantings shown on the Planting and Erosion Control Plan from the approved planting plan for "Subdivision Plat for Hurwitz" shall be installed. Our site visit noted insufficient landscaping in regards to quantity, species, and sizes.

It appears that there has been disturbance beyond the approved clearing limit line near the northwest corner of the property. It appears that approximately twelve (12) trees that were proposed to remain appear to have been removed. The Applicant has indicated that the trees removed were dead prior to construction and other trees on the property (originally proposed to be removed) were protected due to field changes. Our office recommends an as-built tree survey be provided once the final landscaping and planting are implemented to determine if sufficient screening is provided to neighboring properties. A reappearance before the Planning Board may be necessary for revised plans and consideration for additional landscaping. Our office defers to the Village regarding the appropriate course of action.

5. As-built survey to be updated to reflect only installed drainage items. The survey appears to have carry-over from the proposed footing/basement drainpipe location and inverts.
6. Earthen berm to be installed with positive conveyance of runoff from the installed driveway to the drywell. As-built survey to be updated with installed location of berm and additional/updated topography to demonstrate positive conveyance and as-built conditions once installed.

- 7. Please note that Certificate of Approvals for individual sewage disposal systems for Tax Lot #40.16-1-10.21 and Tax Lot #40.16-1-10.22 prepared by Rockland County Department of Health dated November 2, 2023 have been provided to our office; however, signed copies of the original were not included. Please provide signed copies of the original document for our records.
- 8. Final landscaping including topsoil, seeding and fine grading to be completed. The drywell grate plug is to remain and all erosion control measures to remain/be installed and maintained until final landscaping is completed.
- 9. Silt fence has been installed immediately along the downslope perimeter of the site. Silt fence to be maintained until final stabilization is achieved.
- 10. Please note that a Certificate of Compliance for Water Well Permit WW-21-049 prepared by Jeremy Erlich of Rockland County Department of Health dated November 7, 2023 has been provided to our office.
- 11. Please note that a drainage certification letter prepared by Anthony Celentano, P.E., dated November 8, 2023 has been provided to our office.

Devon Palmieri

Should the Applicant wish to seek a front yard variance and modification to the driveway, they should do so as soon as possible with applications to the appropriate Board (Items #1 & 2 noted below). Should the Building Department be prepared to issue a Temporary Certificate of Occupancy at this time, we recommend that the applicant first be required to post the following escrow:

1. Macadam Driveway Relocation or Planning Board Approval	\$5,000
2. Front Yard Setback Variance or Removal of Cover Above Porch	\$2,500
3. Plantings as per Approved Subdivision Planting Plan or Planning Board Approval	\$15,500
4. Final landscaping, including topsoil, seeding, fine grading. Installation of earthen berm along south of property.	\$5,500
5. Revised As-built Survey	<u>\$4,000</u>
Total	\$32,500

We recommend that the weather dependent work (Item #3 & 4 noted above) be completed by May 30, 2023. Once the work is completed, applicable documentation provided, and revised as-built is submitted, our office will verify compliance.

Sincerely,

Devon Palmieri

WESTON & SAMPSON, PE, LS, LA, Architects, PC
Devon Palmieri, EIT
Engineer III

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December 11, 2023

Village of Wesley Hills
432 Route 306
Wesley Hills, New York 10952



Attn: Alicia Schultz, Building Department

Re: 91 Spook Rock Road
Revised As-built Review (x2)

Dear Ms. Schultz,

Our office has reviewed the "Final Survey for 91 Spook Rock Rd.", prepared by Anthony Celentano, P.L.S. last revised November 8, 2023 and additional documentation provided by the Applicant. A site visit was last performed on November 27, 2023. At this time, we do not recommend the issuance of a Certificate of Occupancy. We offer the following comments:

1. Front yard, side yard, and rear yard to be designated as they were in the approved Plot Plan. As-built survey to designate the same yards as approved. Front yard, side yard, and total side yard to be reviewed and corrected in the Bulk Table.
2. Our approximate calculations indicate a greater area for the macadam driveway within the front yard. Front yard impervious ratio and maximum impervious surface calculations to be revised/confirmed to include the macadam driveway/front yard area as it was for the approved Plot Plans. A variance may now be required.
3. The macadam drive shown on the survey appears to encroach the property to the north, Tax Lot #40.16-1-10.21. Approved subdivision plans also included partial removal of pavement on Lot#1. It is noted that a letter from the neighboring property has been provided indicating that they agree to have a portion of the driveway for the subject property remain on their property. However, the driveway has been constructed differently than that of which is shown on the approved "Subdivision Plat for Hurwitz". Our office believes that the driveway should be reconstructed as it was proposed, or the project return to the Planning Board to record any necessary easements for the driveway encroachment. Our office defers to the Village Attorney regarding the appropriate course of action.
4. As requested in our final approval letter dated November 22nd, 2021:
 - a. All the plantings shown on the Planting and Erosion Control Plan from the approved planting plan for "Subdivision Plat for Hurwitz" shall be installed. Our site visit noted insufficient landscaping in regards to quantity, species, and sizes.

It appears that there has been disturbance beyond the approved clearing limit line near the northwest corner of the property. It appears that approximately twelve (12) trees that were proposed to remain appear to have been removed. The Applicant has indicated that the trees removed were dead prior to construction and other trees on the property (originally proposed to be removed) were protected due to field changes. Our office recommends an as-built tree survey be provided once the final landscaping and planting are implemented to determine if sufficient screening is provided to neighboring properties. A reappearance before the Planning Board may be necessary for revised plans and consideration for additional landscaping. Our office defers to the Village regarding the appropriate course of action.

5. As-built survey to be updated to reflect only installed drainage items. The survey appears to have carry-over from the proposed footing/basement drainpipe location and inverts.
6. Earthen berm to be installed with positive conveyance of runoff from the installed driveway to the drywell. As-built survey to be updated with installed location of berm and additional/updated topography to demonstrate positive conveyance and as-built conditions once installed.
7. Please note that Certificate of Approvals for individual sewage disposal systems for Tax Lot #40.16-1-10.21 and Tax Lot #40.16-1-10.22 prepared by Rockland County Department of Health dated November

- 2, 2023 have been provided to our office; however, signed copies of the original were not included. Please provide signed copies of the original document for our records.
8. Final landscaping including topsoil, seeding and fine grading to be completed. The drywell grate plug is to remain and all erosion control measures to remain/be installed and maintained until final landscaping is completed.
 9. Silt fence has been installed immediately along the downslope perimeter of the site. Silt fence to be maintained until final stabilization is achieved.
 10. Please note that a Certificate of Compliance for Water Well Permit WW-21-049 prepared by Jeremy Erlich of Rockland County Department of Health dated November 7, 2023 has been provided to our office.
 11. Please note that a drainage certification letter prepared by Anthony Celentano, P.E., dated November 8, 2023 has been provided to our office.

Should the Applicant wish to seek a modification to the driveway, they should do so as soon as possible with applications to the appropriate Board (Item #1 noted below). Should the Building Department be prepared to issue a Temporary Certificate of Occupancy at this time, we recommend that the applicant first be required to post the following escrow:

1. Macadam Driveway Relocation or Planning Board Approval	\$5,000
2. Plantings as per Approved Subdivision Planting Plan or Planning Board Approval	\$15,500
3. Final landscaping, including topsoil, seeding, fine grading. Installation of earthen berm along south of property.	\$5,500
4. Revised As-built Survey	<u>\$4,000</u>
Total	\$30,000

We recommend that the weather dependent work (Item #2 & 3 noted above) be completed by May 30, 2023. Once the work is completed, applicable documentation provided, and revised as-built is submitted, our office will verify compliance.

Sincerely,

Devon Palmieri

WESTON & SAMPSON, PE, LS, LA, Architects, PC
 Devon Palmieri, EIT
 Engineer III

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PLANNING BOARD MEETING MINUTES

January 3, 2024 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, Lon Lieberman, Vanessa Caren, Joshua Scheinberg- First Alternate, Joseph Zupnik- Second Alternate

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

Absent: Neal Wasserman

PUBLIC HEARING ON 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 opened the public hearing and confirmed with the Deputy Village Clerk that the Notice of Public Hearing had been properly published and posted. Chairwoman Brown confirmed with the Deputy Village Clerk that Construction Expediting, the applicant's representative, phoned the Village Hall and sent an email to the Village to adjourn the public hearing to the January 24, 2024 Planning Board meeting, as none of the professionals would be able to attend the meeting. Mrs. Wieder, the applicant's wife, was present and unaware that the item was to be adjourned to the January 24, 2024 meeting. Mrs. Wieder stated that earlier in the day her husband told her she needed to attend the meeting and was unaware that their professionals would not be at the meeting.

Chairwoman Brown made a motion to adjourn the public hearing until the January 24, 2024 meeting, seconded by Vanessa Caren. Upon vote, this motion was carried unanimously.

APPLICATION OF ZAHAV GROUP FOR REVISION OF THE FINAL PLAT KNOWN AS THE HURWITZ SUBDIVISION. Affecting property located on the westerly side of Spook Rock Road, approximately 750 feet north of the intersection of Grandview Avenue. Designated on the Town of Ramapo Tax Map as Parcel ID #40.16-1-10.2. Subject property is located at 89 Spook Rock Road.

Chairwoman Brown read this item into the record. Kamran Amona, the developer, handed out a copy of the approved site plan, photos and letters to the Board and the Village professionals.

Frank Brown gave a brief history regarding the subdivision and stated that the reason they are in front of the Planning Board is because they have two changes that need to be made to their final plat from March 2018. The erosion & planting plan needs to be changed regarding the plantings on the north side of the property that adjoins Mr. Abraham Ruttner at 87 Spook Rock Road and the common driveway must be moved to the flag lot and off Mrs. Bassie Hurwitz's lot at 89 Spook Rock Road and revise note #32 on the approved plat from March 28, 2018. The pavement shown to be removed on the final plat will be dealt with by the ZBA.

Bassie Hurwitz, 89 Spook Rock Road, was present and stated that even though she agreed to changing the driveway almost 6 years ago, she has decided over time that she does not want to change her driveway and would like to leave it the way it has been since she purchased the home. Mr. Brown explained that it is legally impossible to leave the driveway as is. Mrs. Hurwitz would have to grant an easement to the owner of the flag lot at 91 Spook Rock Road, which would make her lot even more undersized than it already is, when she was previously granted a variance for maximum impervious surface of 0.26 when .20 is allowed, in order to subdivide her property. Mr. Brown added that if she would like to keep the driveway as it is, she would need another variance granted by the ZBA.

Mr. Amona stated that the owner of the neighboring property at 87 Spook Rock Road is not the owner who originally agreed to the plantings on the property when the final plat was approved March 28, 2018. Mr. Amona stated that the new neighbor originally verbally agreed to the plantings the way they were demonstrated on the final plat and has now stated that they would like to change the plantings on the final plat and will not allow him onto the property to do the plantings. Mr. Amona added that he has planted the trees on his side of the property at 91 Spook Rock Road.

Abraham Ruttner, 87 Spook Rock Road (LATE), requested that the Planning Board come out to the property to see that the trees that have been planted have been planted incorrectly, and there is not a lot of room to plant the trees as displayed on the final plat since they placed a playset in the backyard. Mr. Ruttner stated if they have to do any plantings, he wanted larger trees than proposed. Albert Tew explained to Mr. Ruttner that larger more mature trees do not have longevity.

The Planning Board scheduled a site visit for Sunday January 14, 2024 @ 3:00PM and will continue discussion on this matter at the January 24, 2024 Planning Board meeting.

CONSIDERATION OF REQUEST FOR EXTENSION OF TIME FOR FINAL PLAT APPROVAL FOR A FOUR-LOT SUBDIVISION FOR SARELCO, LLC. Affecting property located on the westerly 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.

Frank Brown stated that he was contacted by the applicant requesting an extension of their final plat approval to allow additional time for the necessary legal documents to be submitted. Lon Lieberman made a motion to approve the following resolution, seconded by Albert Tew:

Resolution# 24-1**231 McNAMARA ROAD SUBDIVISION**

WHEREAS, on January 4, 2023, by Resolution# 23-2, the Planning Board approved the final plat entitled "Final Plat for 231 McNamara Road, Village of Wesley Hills, Town of Ramapo, Rockland County, New York", which period of conditional subdivision approval was previously extended until December 29, 2023, and

WHEREAS, the filing of the said plat could not be accomplished by that expiration date,

NOW, THEREFORE, BE IT RESOLVED, that the period of conditional subdivision approval heretofore granted to the said subdivision is hereby further extended, *nunc pro tunc*, until March 27, 2024.

Upon vote, this motion was carried unanimously.

APPROVAL OF MINUTES- 11/29/2023

Albert Tew made a motion to approve the November 29, 2023 minutes, seconded by Vanessa Caren. 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