



PLANNING BOARD MEETING AGENDA

January 03, 2024 at 7:30 PM

432 Route 306, Wesley Hills, NY 10952

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

CALL TO ORDER

PUBLIC HEARING

- 1. 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.

DISCUSSIONS

- 2. 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.
- 3. 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.

APPROVAL OF MINUTES

- 4.** November 29, 2023

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.

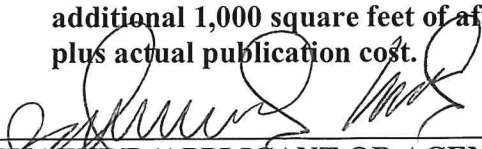
Addition to a single family dwelling

(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



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

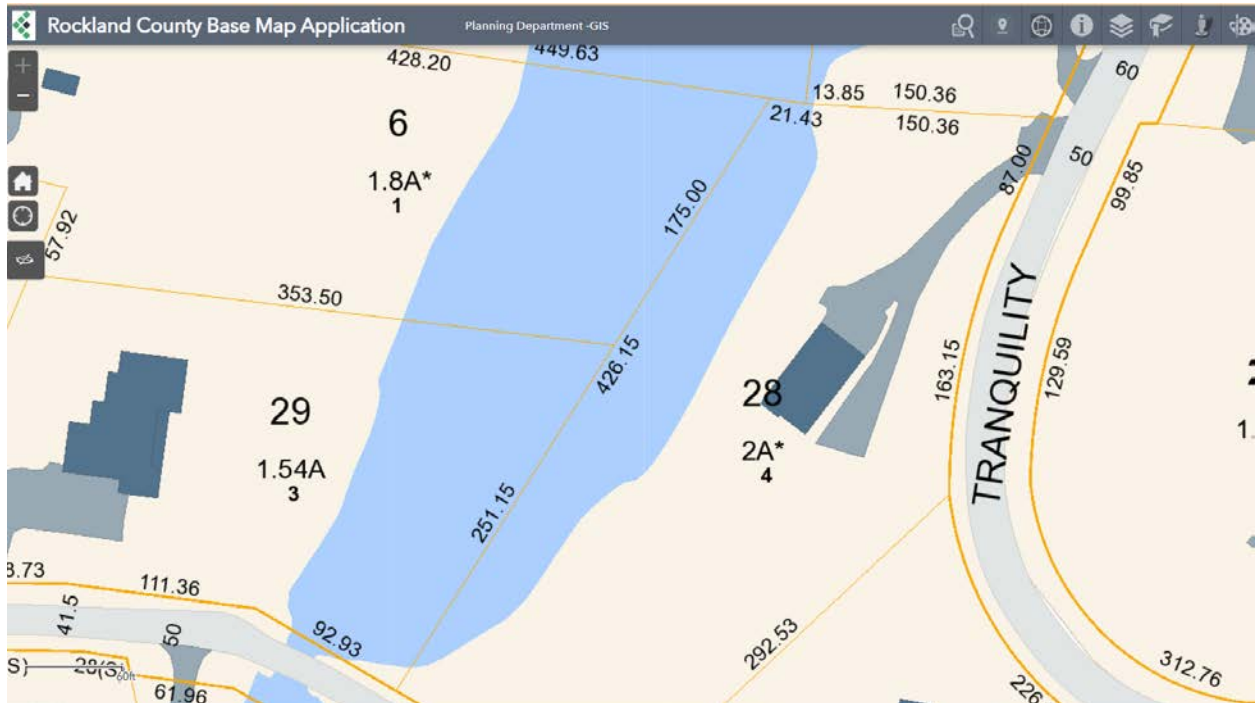
The subject application is for a Wetland Permit from the Planning Board, under Chapter 221 of the Village Code, for construction of a home addition and other improvements within 100 feet of a wetland. The subject lot is located in the R-50 District on the west side of Tranquility Road, and on the north 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),

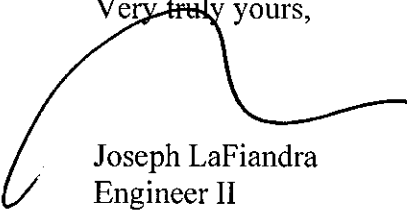
- vi. 43 Tranquility Road (41.09-1-25),
- vii. 44 Tranquility Road (41.09-1-26), and
- viii. 46 Tranquility Road (41.09-1-27) –

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

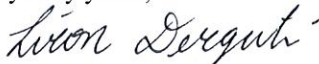
Dear Planning Board Members:

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/hvnmr/>), 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.

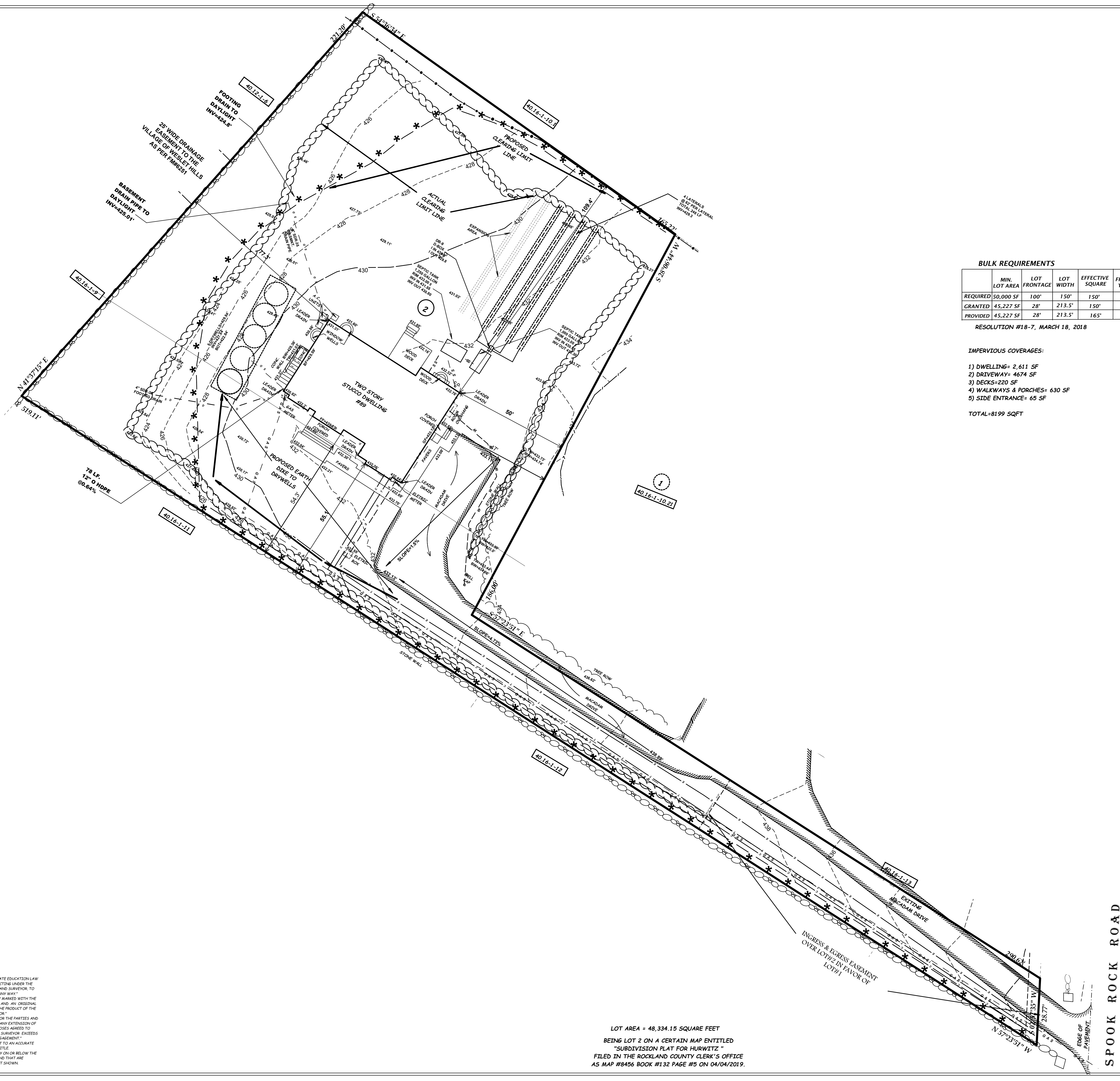
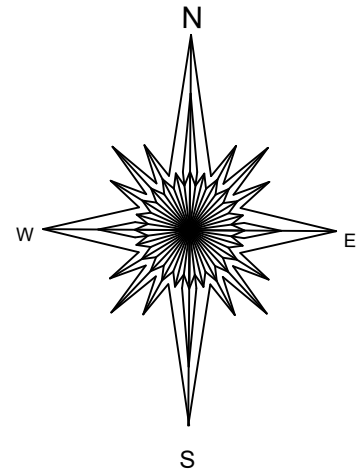
The subject premises is situated on the westerly side of Tranquility Road, approximately 575 feet from the intersection of Joy Road, known as 49 Tranquility Road, designated on the Town of Ramapo Tax Maps as Section 41.09, Block 1, Lot 28, in an R-50 Zoning District.

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



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'	40'
GRANTED	45,227 SF	28'	213.5'	150'	50'	55'	174.3'	83'	0.20	0.38	0.10	2-1/2	<25'	<40'
PROVIDED	45,227 SF	28'	213.5'	165'	54.3'	47'	124.3'	109.4'	0.18	0.15	0.06	2	<25'	<40'

RESOLUTION #18-7, MARCH 18, 2018

IMPERVIOUS COVERAGES:

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

TOTAL=8199 SQFT

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

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

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

Y:\VILLAGES\WH Wesley Hills\WH0181 - 2021 Plot Plans\89B Spook Rock Road\2023-12-01 As-Built Survey Review x2.docx

December 11, 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
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

Y:\VILLAGES\WH Wesley Hills\WH0181 - 2021 Plot Plans\89B Spook Rock Road\2023-12-11 As-Built Survey Review x2 (Revised).docx



PLANNING BOARD MEETING MINUTES

November 29, 2023 at 7:30 PM

432 Route 306, Wesley Hills, NY 10952

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

CALL TO ORDER

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

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

Absent: Lon Lieberman, Joseph Zupnik- Second Alternate

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

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

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

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

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

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

additional documents to the Planning Board; and

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

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

Upon vote, this motion was carried unanimously.

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

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

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

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

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

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

Resolution # 23-40
MONCZYC SPECIAL PERMIT

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

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

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

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

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

Upon vote, this motion was carried unanimously.

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

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

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

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

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

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

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

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

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

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

Resolution # 23-41
WIEDER WETLANDS PERMIT

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

Upon vote, this motion was carried unanimously.

RECOMMENDATION TO BOARD OF TRUSTEES ON PROPOSED ZONING LAW AMENDMENT.

Frank Brown explained the purpose of the proposed amendment.

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

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

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

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

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

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

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

Upon vote, this motion was carried unanimously.

APPROVAL OF MINUTES- 10/25/2023

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

ADJOURNMENT

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

Respectfully Submitted,
Alicia Schultz