



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. However, because she did not have any professional representative present, she agreed to the requested adjournment.

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 & 91 Spook Rock Road.

Chairwoman Brown read this item into the record. Kamran Amona, the developer, handed out a copy of the approved plot 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 the changes requested by Mr. Amona are not consistent with the previously approved plat and would require multiple changes to the final plat: (1) the erosion & planting plan would have to be changed regarding the plantings on the north side of the property that adjoins Mr. Abraham Ruttner at 87 Spook Rock Road; (2) the plat note requiring installation of those plantings prior to issuance of a Certificate of Occupancy for the new house would have to be deleted; (3) the request that the common driveway be allowed to remain in its current location partly on Mrs. Bassie Hurwitz's lot at 89 Spook Rock Road contradicts the approved plat requirement that the driveway must be constructed exactly as shown on the plat and construction drawings; and (4) the request for pavement to remain on Mrs. Hurwitz's lot instead of being removed violates the same requirement.

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 minimum lot area, and allowing the additional pavement on her lot would increase the impervious surface ratio on her lot beyond that allowed by the previous variance for maximum impervious surface which she had obtained, 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, who arrived 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, have less of a chance of survival.

The Planning Board scheduled a site visit for Sunday January 14, 2024 @ 3:00 PM 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