



PLANNING BOARD MEETING MINUTES

May 29, 2024 at 7:30 PM

432 Route 306, Wesley Hills, NY 10952

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

CALL TO ORDER

Present: Chairman- Lon Lieberman, Albert Tew, Neal Wasserman, Vanessa Caren, Joshua Scheinberg, Joseph Zupnik- 1st Alternate

Absent- Tzvee Rotberg- 2nd Alternate

Also Present: Bruce Minsky-Deputy Village Attorney, Devon Palmieri-Village Engineer, Jonathan Lockman-Village Planner, Alicia Schultz-Deputy Village Clerk

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.

Lon Lieberman read this item into the record. Ira Emanuel, the applicant's attorney was present and stated that the items remaining that the Village requested, are a traffic analysis and water testing. Mr. Emanuel stated that the Village received the traffic analysis, which shows there has not been significant change since the study was last done. Mr. Emanuel stated that the water tests have also been performed, however they do not have the reports as of yet, and hopefully will be completed by the June 26, 2024 meeting.

Jonathan Lockman stated that the Village should have their own professionals review the traffic study that was done. Bruce Minsky agrees that the Village should have the report reviewed. Albert Tew stated it is important to have a 3rd party review the report to make sure it is accurate.

Chairman Lieberman made a motion to have the traffic analysis report reviewed by a 3rd party, seconded by Albert Tew. Upon vote, the motion carried 3-2.

RESOLUTION 24-6
11 McNAMARA LANE
SPECIAL PERMIT & AMENDED SITE PLAN

A regular meeting of the Planning Board of the Village of Wesley Hills Planning Board was convened on May 29, 2024, at 7:30 pm.

The meeting was called to order by the Chairman Lon Lieberman, and with a quorum present, the following Resolution was offered by Chairman Lieberman seconded by Albert Tew to wit:

WHEREAS, in regard to the application submitted by **ROCKLAND TREE EXPERT CO., INC. DBA IRA WICKES/ARBORISTS** for an *Amended Site Plan* and *Special Permit* Application, the same affecting the 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 in an R-35 Zone. The subject Property is commonly known as 11 McNamara Road, Wesley Hills, New York.

WHEREAS, as part of such Application, the Applicant submitted for review a *Traffic Impact Study*, dated February 12, 2024;

WHEREAS, the Planning Board, in consultation with its professionals [Planner, Engineer, Legal], identified the need for a third-party for a review/analysis of the Report; and

NOW, THEREFORE, BE IT RESOLVED that the Planning Board authorizes the Chairman to engage/retain **Colliers Engineering & Design** to review/analyze the Report, with findings of such review/analysis to be submitted to the Planning Board, and with the costs of the Consultant to be borne by the Applicant;

ACTION: A motion to grant/approval this Resolution was made by Chairman Lieberman, with a second from Albert Tew.

The voting in favor was as follows [4-2-0]:

In Favor: Lieberman, Tew, Wasserman, Scheinberg

Oppose: Caren, Zupnick

Chairman Lieberman questioned if anyone from the public would like to speak.

Neal Marcus, New City, stated that he feels it has been a while that this item is in front of the Board, and believes they were instructed by the Supreme Court to construct a new driveway. Ira Emanuel answered that it was indeed not a driveway, but another “practical access” roadway, and they chose one that would have minimal use.

Albert Tew made a motion to adjourn the discussion until the June 26, 2024 meeting, seconded by Neal Wasserman. Upon vote, this motion was carried unanimously.

CONTINUED DISCUSSION ON THE APPLICATION SUBMITTED BY NANCY RUBIN ON BEHALF OF MARK NUSSEN FOR A CLEARING/ FILLING/ EXCAVATING PERMIT. Affecting property located on the west side of Astor Place, 600 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.

Lon Lieberman read this item into the record. Paul Baum, the applicant’s attorney, sent a letter to the Village requesting an adjournment to the June 26, 2024 meeting, as the applicant does

not have finalized soil testing reports yet.

Vanessa Caren made a motion to adjourn the discussion until the June 26, 2024 meeting, seconded by Albert Tew. Upon vote, this motion was carried unanimously.

DISCUSSION ON THE APPLICATION OF CONGREGATION AHAVAS YITZCHAK FOR A REVISION OF A SPECIAL PERMIT AND REVISED SITE PLAN APPROVAL FOR A NEIGHBORHOOD GATHERING. Affecting property located on the west side of Forshay Road at the intersection with Parker Blvd. Designated on the Town of Ramapo Tax Map as Parcel ID #41.18-1-12. Subject property is located at 73 Forshay Road.

Lon Lieberman read this item into the record. Rachel Barese, applicant's Engineer, stated that years ago they needed and were planning on a new parking lot, but Co-Vid hit, and the project was stalled. In the interim, the applicant decided they are going to change the original plan and split the project into TWO (2) separate Phases: Phase I is going to include adding 40 parking spaces, which is more spaces than the previously approved plans, and a handicapped accessible ramp. This phase will include removal of the "canopy" portion on the plans dated May 6, 2024. Phase II is going to include a smaller handicapped ramp, entrance and patio.

Devon Palmieri stated that the contractor must make sure that the ramps are ADA compliant and if the impervious surface changes, they must go through the Zoning Board of Appeals. Ms. Barese stated that they changed from previous to impervious pavers, in order to avoid going to the zoning Board.

Jonathan Lockman questioned if there are any conceptual drawings of the interior of the building, and requested they find the negative declaration from the previously approved resolution, that states this is a Type II SEQRA action and does not need extensive research done.. Ms. Barese stated that there are currently no architectural drawings for the project. Ms. Barese added that there was an approved site plan with an impervious surface of .56, and currently are proposing .575.

Albert Tew made a motion to adjourn the application and schedule a public hearing, and adjourn until the June 26, 2024 meeting, seconded by Vanessa Caren. Upon vote, this motion was carried unanimously.

CONSIDERATION OF REQUEST FOR EXTENSION OF TIME FOR FINAL PLAT APPROVAL FOR A THREE-LOT SUBDIVISION FOR ABY EAST, LLC. Affecting property located at the intersection of McNamara Road and Pomona Road. Designated on the Town of Ramapo Tax Map as Parcel ID #33.17-2-1. Subject property located at 1 East Lane.

Lon Lieberman read this item into the record.

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

RESOLUTION 24-7
1 EAST LANE SUBDIVISION-ABY EAST, LLC
3-LOT SUBDIVISION PRELIMINARY & FINAL PLAT

WHEREAS, on October 25, 2023, by Resolution# 23-36, the Planning Board approved the final plat entitled "Final Plat for I East Lane, Village of Wesley Hills, Town of Ramapo, Rockland County, New York", which period of conditional subdivision approval was previously extended until May 29, 2024, 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 until June 26, 2024.

Upon vote, this motion was carried unanimously.

DISCUSSION: Recommendation to Board of Trustees on proposed Zoning Law Amendment.

Chairman Lieberman read this item into the record. The Board had a brief discussion on whether everyone had read the revised Law and had made the discovery that not everyone was familiar with the revisions that have been made to the proposed Law.

Chairman Lieberman made a motion to adjourn the discussion until the June 26, 2024 meeting, seconded by Vanessa Caren. Upon vote, this motion was carried unanimously.

APPROVAL OF MINUTES- March 27, 2024

Albert Tew made a motion to approve the March 27, 2024 minutes, seconded by Neal Wasserman. Upon vote, this motion was carried unanimously.

ADJOURNMENT

Chairman Lieberman made a motion to adjourn the meeting, seconded by Albert Tew. Upon vote, this motion was carried unanimously.

Respectfully Submitted,
Alicia Schultz