



BOARD OF TRUSTEES MEETING AGENDA

November 02, 2023 at 7:00 PM

432 Route 306, Wesley Hills, NY 10952

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

CALL TO ORDER

ROLL CALL

APPROVAL OF MINUTES

- [1.](#) October 18, 2023

RESOLUTIONS/DISCUSSIONS

- [2.](#) Resolution Certifying Amount of Unpaid Taxes
- [3.](#) Resolution Approving Indemnification & Hold Harmless Agreement for 7 Harriet Lane
- [4.](#) Resolution Authorizing the Partial Release of Escrow Funds for 2 Deerwood Road
- [5.](#) Resolution Scheduling a Public Hearing on the Code of the Village of Wesley Hills entitled, “A Local Law Amending the Code of the Village of Wesley Hills to revise the Zoning Law in relation to the Sign Permits”
6. Resolution Approving Abstracts of Audited Claims
7. Resolution Approving Transfer of Funds

REPORTS

8. Mayor
9. Village Clerk/Treasurer
10. Village Attorney

OPEN FLOOR: PUBLIC DISCUSSION

EXECUTIVE SESSION

NEW BUSINESS

ADJOURNMENT



BOARD OF TRUSTEES MEETING MINUTES

October 18, 2023, at 7:00 PM

432 Route 306, Wesley Hills, NY 10952

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

MEMBERS PRESENT:

Marshall Katz, Mayor
Milton Schwartz, Trustee
Yisroel Cherns, Trustee

MEMBERS ABSENT:

Ed McPherson, Deputy Mayor
Ruth Ivey, Trustee

OTHERS PRESENT:

Ben Selig, Village Attorney
Camille Guido - Downey, Village Clerk-Treasurer

Mayor Katz opened the meeting at 7 pm followed by the pledge of allegiance.

Item #1-Presentation from Creighton & Manning - Willow Tree Road Sidewalk Project

Tony Christian, PE, Project Manager, Creighton Manning was present via Zoom and presented to the Board of Trustees the Willow Tree Sidewalk project. This is a federal funded project for sidewalks on the north side of Willow Tree Road. The total project cost is \$2.4 million with an 80% federal and 20% Village cost. There are several trees, stone walls, drainage structures, and two culverts that will need to be relocated to accommodate the sidewalks. Mr. Christian stated that at the request of the Village they will consider whether the stones from the existing retaining walls can be repurposed and reused as part of the new walls to retain the existing character.

Mayor Katz questioned when will the meeting with the public be scheduled?

Mr. Christian answered in November, and he will ensure that each resident on the roadway gets personal letter.

Mayor Katz noted that he will advise all residents of the public meeting via the Village's website and email list and will send postal mail to the residents of Willow Tree Road between Wilder and 306.

Board Members look forward to the public presentation and getting the project started.

Item #2

Approval of Minutes

Resolution #124-23

Trustee Cherns made a motion to approve the minutes of September 12, 2023, seconded by Trustee Schwartz. Upon vote, Yea: Mayor Katz, Trustee Cherns, Trustee Schwartz, this motion carried unanimously.

Item #3

Appointment of Second Alternate Member to the Zoning Board of Appeals – balance of a one- year term.

Mayor Katz appoints Anita Hajioff as 2nd Alternate Member of the Zoning Board of Appeals for a balance of a one-year term.

Item #4

Resolution #125-23

Resolution Referring to the Planning Board and Other Agencies the Proposed Zoning Law Amendment Regarding Sign Permits

Trustee Cherns made a motion to approve the following resolution, seconded by Trustee Schwartz:

WHEREAS, the Planning Board of the Village of Wesley Hills has noticed a conflict in the Zoning Law of the Village of Wesley Hills for the treatment of sign permits, and

WHEREAS, the Village Attorney, at the request of this Board, has prepared such a proposed local law entitled, “Amending the Code of the Village of Wesley Hills to Revise the Zoning Law in Relation to the Regulation of Sign Permits”,

NOW, THEREFORE, BE IT RESOLVED, that it is hereby determined that the revision of such law will not have a significant effect on the environment as defined in the New York State Environmental Quality Review Act for the reason that such proposed local law eliminates any ambiguity with respect to the treatment of sign permits in the Village of Wesley Hills, and

BE IT FURTHER RESOLVED, that in accordance with the provisions of Section 230-76 of the Wesley Hills Code, such proposed local law is hereby referred for review and report to the Planning Board, Zoning Board of Appeals, Village Attorney, Village Engineer, Building Inspector, and Code Inspector of the Village of Wesley Hills, and pursuant to the GML of the County of Rockland Planning Department and all abutting municipalities,

BE IT FURTHER RESOLVED, that the Village Clerk is hereby directed to forward a copy of such proposed local law to such Boards and Officials forthwith.

Discussion:

Mayor Katz stated that there were two applications that were referred to the Planning Board for exterior façade signs. Frank Brown discovered a conflict in the Village’s code as permission for exterior façade signs in the shopping district receive permission from the Building Department. The proposed law is to correct that conflict. The conflict entered the Village Code during the recodification process conducted several years ago with General Code but had not been in the previous version of the Village Code.

Upon vote:

Yea: Mayor Katz, Trustee Cherns, Trustee Schwartz. This motion was carried unanimously.

Item #5

Resolution #126-23

Resolution Authorizing the Installation of Stop Signs at the Intersection of Serven Road and Terrace Road

Trustee Cherns made a motion to approve the following resolution, seconded by Trustee Schwartz:

RESOLVED, that the Board of Trustees hereby requests that the Town of Ramapo Highway Department install “Stop” signs at the intersection of Serven Road and Terrace Road, in accordance with the email from the Village Engineer of the Village of Wesley Hills dated September 20, 2023, a copy of which plan is made a part of the Minutes of this Board is hereby approved.

Discussion:

Mayor Katz stated that he had received a request from a resident requesting a stop sign at this intersection and upon inspection there are no stop signs installed. The Village Engineer has inspected the location and agrees that stop signs should be installed.

Upon vote:

Yea: Mayor Katz, Trustee Cherns, Trustee Schwartz. This motion was carried unanimously.

Item #6

Resolution #127-23

Resolution Accepting the Proposal from Weston & Sampson for Video Services at the Timber Trail Culvert

Trustee Schwartz made a motion to approve the following resolution, seconded by Trustee Cherns:

RESOLVED, that the proposal submitted from Weston & Sampson for Video Services at the Timber Trail Culvert, a copy of which is made a part of the minutes of this Board, is hereby accepted, and the Mayor is authorized to indicate the approval and acceptance of such proposal by signing same on behalf of the Village of Wesley Hills.

Discussion:

Mayor Katz stated that during the storm in July of 2023 the culvert on Timber Trail overflowed causing flooding in the area. The culvert was blocked with debris that was cleaned out by Ramapo. The residents in the area have stated that the culvert has overflowed in the past so the proposal will allow the Village to look inside the determine if there is any damage. Further Weston & Sampson will be conducting a capacity analysis to ensure we do not need to enlarge the pipe. Separately Weston & Sampson will also be conducting a capacity analysis.

Upon vote:

Yea: Mayor Katz, Trustee Cherns, Trustee Schwartz. This motion was carried unanimously.

Item #7

Resolution #128-23

Resolution Approving Abstracts of Audited Claims

Trustee Cherns made a motion to approve the following resolution, seconded by Trustee Schwartz:

RESOLVED, that the general fund claims, #21186 through #21269 in the aggregate amount of \$158,720.86 as set forth in Abstract #10/23 dated October 18, 2023, a copy of which abstract of audited claims is made a part of the Minutes of this Board, are hereby approved.

Upon vote:

Yea: Mayor Katz, Trustee Cherns, Trustee Schwartz. This motion was carried unanimously.

Item #8

Resolution #129-23

Resolution Approving Transfer of Funds

Trustee Cherns made a motion to approve the following resolution, seconded by Trustee Schwartz:

RESOLVED, that the transfers in the aggregate amount of \$75,000.00 as set forth in Abstract #10/23 dated October 18, 2023, a copy of which abstract of audited claims is made a part of the Minutes of this Board, are hereby approved.

Upon vote:

Yea: Mayor Katz, Trustee Cherns, Trustee Schwartz. This motion was carried unanimously.

Item #9 - Mayor's Report

Martha Road FEMA Reimbursement

Mayor Katz stated that he has received an email from FEMA, and it looks as though the Village will receive reimbursement in the amount slightly in excess of \$200,000.

Lime Kiln/Wilder Intersection

Mayor Katz stated that we have received the warrant analysis letter from Colliers Engineering which states that the intersection does not warrant a traffic signal. They have offered the following mitigation options: Tree Trimming, 4-way stop sign, flashing beacon that an intersection is ahead, and ultimately a round-a-bout. We will receive a letter to that effect within a week for our action.

Trustee Cherns stated that the County is against a 4 way stop sign will this letter help us get the stop signs?

Mayor Katz answered that he asked Colliers that and the Rep stated that he has worked with the County before and the letter will move things along.

Rockland County Conference of Mayors

Mayor Katz stated that Steve Powers is the guest speaker at the next meeting on October 30 and he will speak to him about getting the stop signs on Lime Kiln/Wilder moved along.

Upcoming Meetings

October 24	Workshop meeting CANCELLED.
November 2	Regular Board meeting
November 21	Workshop meeting
December 5	Regular Board meeting
December 19	Workshop meeting

Village Clerk/Treasurer's Report

Camille Guido-Downey presented the monthly financial reports and stated the following information:

98% of the Village taxes were collected.

31 complaints with three for work without a permit

Community Yard sale is scheduled for Sunday, October 22 from 8:30-5 at Village Hall parking lot.

Camille is teaching a class at the RC Planning Federation Clerks training on October 27, 2023, 9-1

Currently working on a TAP grant for sidewalks on Wilder Road

Currently out for proposals for lawn maintenance and snowplowing

EXECUTIVE SESSION

Trustee Schwartz made a motion to enter Executive Session to discuss litigation and a personnel matter, seconded by Trustee Cherns. Upon vote: Yea: Mayor Katz, Trustee Cherns, Trustee Schwartz. This motion was carried unanimously.

No action was taken during the Executive Session.

Trustee Schwartz made a motion to exit the Executive Session, seconded by Trustee Cherns. Upon vote: Yea: Mayor Katz, Trustee Cherns, Trustee Schwartz. This motion was carried unanimously.

ADJOURNMENT

Trustee Cherns made a motion to adjourn, seconded by Trustee Schwartz. Upon vote: Yea: Mayor Katz, Trustee Cherns, Trustee Schwartz. This motion was carried unanimously.

Respectfully Submitted,
Camille Guido-Downey

<u>Owner's Name</u>	<u>SBL</u>	<u>Village Base Plus 8%</u>	<u>County 7%</u>
WEISZ ESTHER	32.18-1-51	\$ 244.11	\$ 261.20
COHEN DANIEL & ZELINGER	32.18-2-39	\$ 609.28	\$ 651.93
NENNER MARK & SIMONE	32.19-1-7	\$ 505.86	\$ 541.27
SPIVAK AARON & RIVKA	32.19-2-18.2	\$ 836.16	\$ 894.69
HYMAN SIMCHA RACHEL	32.19-2-23	\$ 1,011.72	\$ 1,082.54
BRANDWEIN-WEBER	32.20-1-6	\$ 456.56	\$ 488.52
SPITZ YISRAEL	32.20-1-26	\$ 477.80	\$ 511.25
RUTTNER ABRAHAM	40.16-1-10.1	\$ 577.22	\$ 617.63
ZAHAV GROUP	40.16-1-10.22	\$ 154.72	\$ 165.55
HECHT MICHAEL & ZOE	40.16-1-26	\$ 519.49	\$ 555.85
ROCKLAND GOSPEL HALLS	41.05-1-23	\$ 519.49	\$ 555.85
LICHTMAN YESHOSHIA	41.06-1-8	\$ 496.24	\$ 530.98
HILLCREST ACQUISITIONS	41.07-1-17	\$ 237.30	\$ 253.91
IRVING FAMILY LIVING	41.07-2-12	\$ 481.81	\$ 515.54
SOSSEN RACHEL	41.07-2-31	\$ 470.59	\$ 503.53
HASSAN ISAAC MICHAEL	41.08-1-24	\$ 606.07	\$ 648.49
YOUNGER AARON	41.08-1-26	\$ 1,160.04	\$ 1,241.24
TAUB SAMUEL GITY	41.08-1-39	\$ 568.39	\$ 608.18
MAKOWSKY FRADY	41.08-1-40	\$ 473.00	\$ 506.11
EAST WILLOW TREE LLC	41.08-1-44.1	\$ 594.04	\$ 635.62
STERN YOAV & GILAH	41.08-2-49	\$ 455.36	\$ 487.24
HECHT MICHAEL & ZOE	41.09-1-1	\$ 582.02	\$ 622.76
STERNBUCH MICHEL	41.10-1-25	\$ 439.32	\$ 470.07
32 GB LLC	41.10-2-33	\$ 412.86	\$ 441.76
GOLD SHARON	41.11-1-30	\$ 494.64	\$ 529.26
TAMBOR JACOB	41.12-2-1	\$ 534.72	\$ 572.15
HAMBURGER ROCHELLE	41.12-2-11	\$ 853.79	\$ 913.56
LICHTSCHEIN JULIE	41.12-2-45	\$ 920.33	\$ 984.75
FISCHER ABRAHAM	41.14-1-64	\$ 501.06	\$ 536.13
LITKOWSKI CAREN	41.14-1-70	\$ 481.01	\$ 514.68
STROHLI MARK	41.15-1-3	\$ 581.22	\$ 621.91
SCHUCK AKIVA ZIPORA	41.15-1-6	\$ 474.97	\$ 508.22
AMONA SEAN	41.15-1-25.1	\$ 400.84	\$ 428.90
BREUER ABRAHAM	41.16-1-62	\$ 458.57	\$ 490.67
FRANKEL ROBERT DEBRA	41.18-1-19	\$ 940.38	\$ 1,006.21
WEINBERGER JACOB	41.18-1-27	\$ 493.84	\$ 528.41
HELLMAN NACHMAN	41.18-1-30	\$ 602.87	\$ 645.07
MURPHY DEREK CARMEN	42.05-1-26	\$ 578.02	\$ 618.48
FRANK DAVID	42.09-1-3	\$ 546.75	\$ 585.02
RAMAPO CELL TOWER	841.09-1-15.1	\$ 1,443.10	\$ 1,544.12
HAMBURGER ROCHELLE	841.12-2-11	\$ 20.84	\$ 22.30
		\$ 23,216.40	\$ 24,841.55



SHIMMY'S
ENTERPRISE INC. **RECEIVED**

OCT 24 2023

CUSTOM RESIDENTIAL &
COMMERCIAL BUILDERS

LICENSE #H-09604-BB-00-00

Item 3.

10/13/2023

VILLAGE OF WESLEY HILLS

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

Subject: Request for Review of Plans and Hold Harmless Agreement for 7 Harriet Curbs

Dear Members of the Village Board,

I am writing to request a review of the construction plans for 7 Harriet Belgium block Curbs and the associated Hold Harmless Agreement.

Thank you for your attention to this matter, and I look forward to your response.

Sincerely,

Chaim Wiznitzer,
Shimmy's Enterprise Inc

INDEMNIFICATION AND HOLD HARMLESS AGREEMENT

AGREEMENT dated October 11, 2023, between **VILLAGE OF WESLEY HILLS**, a municipal corporation having an office at 432 Route 306, Wesley Hills, New York 10952 ("Village") & Jack Koschitzki ("Residents"), residing at 7 Harriet Lane

WHEREAS, 7 Harriet Lane, Wesley Hills, NY 10952 also known as Section 41.16 Block 1 Lot 65 on the Tax Map of the Town of Ramapo (the "Premises"); and

WHEREAS, the Residents have constructed Single Family Home t on the aforementioned property, attached hereto as Exhibit A (the "Improvements"); and

WHEREAS, the Village is willing to allow the improvements as shown in Exhibit A, subject to the terms hereof.

NOW, THEREFORE, IT IS HEREBY AGREED:

1. The Residents may construct, install, reconstruct, and otherwise maintain the Improvements as shown in Exhibit A for so long as they wish to do so, subject to the limitations set forth hereafter.
2. Nothing herein shall prevent Residents from removing any or all of the Improvements at any time, provided, however, that upon such removal, the ground disturbed by such removal shall be restored to match the surrounding grade, condition, and provided further that no new structures shall be installed without the express written permission of the Village's Board of Trustees. Any such new structures shall be automatically deemed Improvements within the meaning of this Agreement and subject to the terms hereof, whether or not expressly stated at the time of installation.
3. During such time that any of the Improvements shall be in place, Residents shall, to the fullest extent provided by law, protect, defend, indemnify and hold Village and its officers, employees, and agents and save all of the over harmless from and against any and all losses, penalties, damages, settlements, costs, charges, and professional fees or other expenses or liabilities of every kind and character arising out of or relating to any and all claims, liens, demands, obligations, actions, proceedings, or causes of action of every kind and character in connection with or arising directly or indirectly out of this agreement and/or the performance thereof. Without limiting the generality of the foregoing, any and all claims, etc., relating to personal injury, death, damage to property, defects in materials or workmanship, or any other violation of any applicable statute, ordinance, administrative order, rule or regulation or decree of any Court, shall be included in the indemnity hereunder, with the exception of claims, if any, caused solely by the negligence of the Village.

4. In the event that Village, in its sole discretion, requires the removal of any or all of the Improvements, it shall provide not less than sixty (60) days' written notice to Residents of such determination and demand the removal of such of the Improvements that must be removed. Residents shall thereafter remove the identified Improvements within the time specified by the said notice. However, if Improvements are removed pursuant to such notice and demand, Residents shall not be required to restore the ground as set forth in section 2, above, but shall be required to stabilize the ground so as to prevent erosion of soil or other harm.

5. In the event that the Residents fail to adhere to the terms hereof, the Village may, upon reasonable notice, but not less notice than is otherwise provided herein, use its own forces to perform the required work and obtain by any legal means, including, but not limited to, imposition of a lien against the Premises as if such reimbursement amount was a tax thereon.

6. Either party hereto may, without prior notice to the to her party, and at its sole cost and expense, record this Agreement in the land records of Office of the Rockland County Clerk and have it indexed against the Premises.

IN WITNESS WHEREOF, the parties hereto have set their hands on the date first written above.

Village of Wesley Hills

Marshall Katz, Mayor



Jack Koschitzki

[Acknowledgments on following page]

Tax Map #: 41.16-1-65

Town of Ramapo

County of Rockland

State of New York

STATE OF NEW YORK)

) ss.:

COUNTY OF ROCKLAND)

On the ___ day of _____, 20__ before me, the undersigned, a notary public in and for said state, personally appeared **MARSHALL KATZ**, personally known to me, or proved to me on the basis of satisfactory evidence to be the individual(s) whose name(s) is (are) subscribed to the within instrument, and acknowledged to me that he/she/they executed the same in his/her/their capacity(ies), and that by his/her/their signature(s) on the instrument, the individual(s), or the person upon behalf of which the individual(s) acted executed the instrument and that such individual(s) made such appearance before the undersigned in Wesley Hills, NY.

Village of Wesley Hills

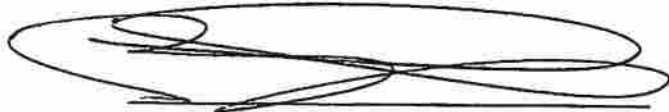
 Notary Public

STATE OF NEW YORK)

) ss.:

Dutchess
COUNTY OF ~~ROCKLAND~~)

On the 11 day of Oct, 2023 before me, the undersigned, a notary public in and for said state, personally appeared ^{JACK}~~Voschitzki~~, personally known to me, or proved to me on the basis of satisfactory evidence to be the individual(s) whose name(s) is (are) subscribed to the within instrument, and acknowledged to me that he/she/they executed the same in his/her/their capacity(ies), and that by his/her/their signature(s) on the instrument, the individual(s), or the person upon behalf of which the individual(s) acted executed the instrument and that such individual(s) made such appearance before the undersigned in Wesley Hills, NY.



Notary Public

BARBARA R ALBRECHT
Notary Public - State of New York
No. 01AL5075562
Qualified in Dutchess County
My Commission Expires April 7, 2027

STATE OF NEW YORK)

EXHIBIT A

The easement currently contains the following items as pictured above:

-23.1
INDER

FRAME
DWELLING

SHED

STONE WALL

TRENCH DRAIN

N 72°55'40" W

151.00'

SEWER EASEMENT AS PER FILED MAP # 7413

POOL PATIO

PROPOSED
POOL
46'X22'

DRAIN FROM BASEMENT STAIRS

SPA
11' X 5'
X 463.48

41.16 - 1 - 65
34,898 Sq. Feet
0.8011 Acres

HARRIETT LANE
50' WIDE

PROPOSED
SINGLE FAMILY
DWELLING

EX 2 STORY
FRAME
DWELLING
TO BE REMOVED

PROPOSED
PERVIOUS PAVER
DRIVEWAY

1" WATER SERVICE
W
75 LF 6" PVC SANITARY SEWER
SERVICE 2.0% MINIMUM
CO INV 450.9

INTERNAL
CHECK
VALVE
REQUIRED

ROOF LEADER

207.00'

3 - 1,000 GAL DRYWELL
5'-0" X 6'-7" BY
PRECAST CONCRETE SALES CO
OR APPROVED EQUAL
RIM 457.00
INV IN 456.0
OVERFLOW INV 455.5

SMH
RIM 452.07
INV 441.8

SMH
RIM 453.56
INV 445.0

SMH
RIM 452.65
INV 449.15

SMH
RIM 447.5 OTHER
INV FOOTING DR

INV 8" OVERFLO

Village Clerk

From: Trainor, Matt <Trainor.Matt@wseinc.com>
Sent: Thursday, October 19, 2023 5:24 PM
To: Village Clerk; Palmieri, Devon
Subject: RE: FW: 2 Deerwood Escrow Inspection

Hi Camille – most of the site appears stable, although it is unclear what's going on towards the north side of the building where the future parking lot will be. Looks like the site is lacking growth in that area. Is this perhaps part of the construction access area? Either way, I think a portion of the landscaping escrow should be retained to represent that portion since the 'single family plan' technically includes that as lawn area. What are your thoughts?

Maybe retain 25%? So we'd recommend returning \$10,500 of the \$14,000 itemized for landscaping/final grading.

Matthew Trainor, PE (he/him)
 Senior Project Engineer



Weston & Sampson, PE, LS, LA, Architects, PC
 74 Lafayette Avenue, Suite 501 | Suffern, NY 10901
 tel: 845-357-4411 x7125

From: Village Clerk <villageclerk@wesleyhills.org>
Sent: Wednesday, October 18, 2023 6:49 PM
To: Trainor, Matt <Trainor.Matt@wseinc.com>; Palmieri, Devon <Palmieri.Devon@wseinc.com>
Subject: FW: FW: 2 Deerwood Escrow Inspection

Hi,
 Here are the pictures for the competed landscaping.
 As per the Rabbis statement below, he stated that the remaining items will not be complete till the shul is complete.
 Thanks
 Camille

*Camille Guido-Downey, RMC
 Village of Wesley Hills
 Village Clerk-Treasurer
 432 Route 306
 Wesley Hills, New York 10952
 (845) 354-0400 phone
 (845) 354-4097 fax*

ESCROW AGREEMENT

WHEREAS, the Village of Wesley Hills Building Department will issue a Certificate of Occupancy with respect to the single-family residence erected at 2 Deerwood Road, and

WHEREAS, the items listed in the letter of the Village Engineer dated August 8, 2023, a copy of which is annexed hereto and incorporated herein at said premises known as 2 Deerwood Road, have not been completed, and

NOW, in consideration of the issuance of the said Certificate of Occupancy prior to the completion of the said items, it is hereby **STIPULATED AND AGREED** by the undersigned as follows:

1. The sum of \$20,500.00 has been deposited with the Village of Wesley Hills to be held in escrow pursuant to the instant agreement in order to ensure that the items set forth in the aforesaid letter dated August 8, 2023, of the Village Engineer of the Village of Wesley Hills at the premises known as 2 Deerwood Road, be completed on or before July 30, 2024.
2. In the event that any of the aforesaid items at the said premises at 2 Deerwood Road are not completed to the satisfaction of the Village Engineer of the Village of Wesley Hills on or before July 30, 2024, the aforesaid Village of Wesley Hills is hereby authorized to arrange for the completion of said items at the premises known as 2 Deerwood Road and to pay for the cost of said items out of the aforesaid Escrow Funds in the sum of \$20,500.00.
3. In the event that the sum of \$20,500.00 is insufficient to pay the cost for the aforesaid items, then the owner, Lipa Hager, shall remit to the Village of Wesley Hills the cost incurred by the Village of Wesley Hills in accomplishing the said items to the extent that such expense exceeds the sum of \$20,500.00.
4. In the event the cost incurred by the Village of Wesley Hills in completing the said items at the premises known as 2 Deerwood Road, is completed at a cost which is less than the sum of \$20,500.00, the Village of Wesley Hills shall remit the balance of the Escrow Funds to the extent that same exceeds the cost incurred by the Village of Wesley Hills with respect to the items and in addition the obligations detailed in Paragraph 6 below will be deducted from the escrow.
5. In the event that the owner of the premises, Lipa Hager, have completed the aforesaid items at the premises known as 2 Deerwood Road by July 30, 2024, to the satisfaction of the Village Engineer of the Village of Wesley Hills, then, the Village of Wesley Hills shall remit to the said, Lipa Hager the aforesaid Escrow Funds in the sum of \$20,500.00 less funds due and owing under Paragraph 6 below.
6. In the event that any funds are to be remitted to said Lipa Hager at any time pursuant to this agreement, the Village of Wesley Hills is authorized to withhold from said

sum the amount of \$250.00 as to each said remittance as an administrative fee together with any funds owed to the Village of Wesley Hills for professional fees rendered by the Village Engineer or the Village Attorney. In the event that funds to be remitted are insufficient to cover the administrative fee and funds owed to the Village for professional fees same shall be forthwith paid to the Village of Wesley Hills by Lipa Hager.

The undersigned, by signing the instant Escrow Agreement confirms its consent to the terms set forth herein.

Dated: Wesley Hills, New York

Aug 9, 2023



Lipa Hager
2 Deerwood Road

**NY OFFICE**74 Lafayette Avenue, Suite 501 845.357.4411 Tel
Suffern, NY 10901 845.357.1896 Fax**NJ OFFICE**22 Paris Avenue, Suite 105 201.750.3527 Tel
Rockleigh, NJ 07647

August 8, 2023

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

Attn: Alicia Schultz, Building Department

Re: 2 Deerwood Road
Partial As-Built Survey Review (x1)
WH0181**RECEIVED**

AUG - 8 2023

VILLAGE OF WESLEY HILLS

Dear Ms. Schultz,

Our office has reviewed the Partial As-Built Survey titled "2 Deerwood Road", prepared by Civil Tec Engineering & Surveying, PC, dated July 31, 2023, and performed a site visit on August 8, 2023. This review has been conducted regarding a Certificate of Occupancy for as-built improvements of an approved single-family residence plot plan. A proposed Neighborhood Gathering Place and associated improvements are under construction under a separate permit and have not been considered as a part of this review, as requested by the Building Department. At this time, we do not recommend the issuance of a Certificate of Occupancy. Our comments are as follows:

1. During the site visit, significant sediment tracking and soil erosion was observed on Deerwood Road. Deerwood Road R.O.W. and the existing catch basin at the northwest corner of the property to be cleaned of any sediment accumulation. Silt fence along Deerwood Road and a stabilized construction entrance (preferably from Deerwood Road) to be installed and maintained until final stabilization of the slope in the front yard is complete.
2. Please note that our office has not received revised plans and responses to our comment letter dated September 16, 2022, for the Neighborhood Gathering Place. However, this review is being performed regarding the approved plot plan last revised May 2, 2022, for a single-family residence only.
3. Front setback to be measured to steps in Deerwood Road front yard to a point where steps are exceeding three feet above the average adjacent ground elevation. Survey to be updated to show conformance with the previously granted variance of 39 feet.
4. Macadam curb to be installed along Deerwood Road where the previous existing driveway entrance was located.
5. Finished contours to be shown (including swales). Highest point on a swale to be minimum of one (1) foot below the grade of the foundation, swale to have a minimum slope of 1.5%.
6. Once finished grades are established and surveyed, updated building height calculations to be provided to determine if as-built building height is in conformance with previously granted variance of 29.75' or if an updated variance is required. Applicant to also confirm maximum exposed building height.
7. House sewer location, cleanout inverts, and approximate connection invert to be provided.
8. House water service connection to be shown.

LAND DEVELOPMENT • MUNICIPAL • STRUCTURAL • WATER RESOURCES • LAND SURVEYING

Brian Brooker, P.E. Eve Mancuso, P.E. C.M.E. Ken DeGennaro, P.E. C.F.M. Anthony Riggi, P.E.
Benjamin Levitz, P.E. Cheng-Yu Ku, P.L.S. Dennis Rocks, P.E., C.F.M. Elvia Baca, P.E. Hillary Chadwick, P.E. Joseph J. Moran, P.E.
Joseph Nyitrai, P.E. Matthew Trainor, P.E. Nestor Celiz, P.E. Ryan Zoppa, P.E. Shardul Patel, P.E. Vincent Kane, P.E.

9. During the site visit, the gas service valve box could not be located. Valve box to be brought to grade during final grading and landscaping.
10. Driveway slope to be indicated.
11. Pertinent utilities to be shown, including electrical, cable and telephone house connections to be provided.
12. Impervious surface ratios and building coverage to be provided. The concrete patio on the east side of the dwelling is noted to be projecting more than 3 feet in height from above the average adjacent ground elevation (approximately 5 feet at highest adjacent grade). Concrete patio to be included in building coverage calculation. Applicant to confirm maximum building coverage is in conformance with the granted variance. It is noted that this issue will be dissolved when considering the ratio allowance for the eventual neighborhood gathering (0.15).
13. Footing drain location and elevation to be clearly labeled. During the site visit, the current footing drain appeared to be damaged. Applicant to ensure footing drain is in good condition to ensure positive drainage conveyance from building foundation.
14. It is noted that our office was present at the time of installation of the provided drywells. Review and confirmation of all as-built drainage mitigation improvements, including routing and inverts of pipes & roof leaders, shall be completed for final as-built.
15. Pipe connection(s) to catch basin in Deerwood Road to be cut flush with catch basin walls and properly parged with cement.
16. Actual/proposed clearing/disturbance limit line to be provided.
17. Final landscaping, including topsoil, seeding, and fine grading to be completed on majority of the property.
18. Signoff from Town of Ramapo for sewer connection to be provided.

Should the Building Department be prepared to issue the Certificate of Occupancy at this time, we recommend that the applicant first be required to address erosion control concerns immediately as discussed in comment #1. Our office does not recommend consideration of escrow until this is addressed. After code enforcer verifies adequate remediation, we recommend applicant be required to post the following escrow:

Revised As-built Survey and misc. documentation	\$2,500
Final landscaping, including topsoil, seeding, and fine grading	\$14,000
Regarding Bldg Height: Revised calculations / potential height variance after completion of final grading	\$2,500
Misc. site items including cutting pipes flush & parge at catch basin connection, curbing original driveway entrance, locating/raising valve box	<u>\$1,500</u>
Total	\$20,500

We recommend that the work be completed by July 30, 2024. Once the work is completed, applicable documentation provided, and revised as-built is submitted, our office will verify compliance.

Very truly yours,



Matthew Trainor, P.E.

Project Engineer

BROOKER ENGINEERING, PLLC

Y:\VILLAGES\WH Wesley Hills\WH0181 - 2021 Plot Plans\2 Deerwood Road\2023-08-08 As-built Review (x1).docx

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.

BE IT ENACTED BY THE BOARD OF TRUSTEES OF THE VILLAGE OF WESLEY
HILLS, as follows:

Section 1. Section 230-64 of the Code of the Village of Wesley Hills
is hereby amended to delete the final sentence thereof relating to
approval of the Planning Board prior to the issuance of certain sign
permits.

Section 2. This local law shall take effect ten days after
publishing, posting and filing with the Secretary of State.