

PLANNING BOARD
VILLAGE OF WESLEY HILLS

NARRATIVE SUMMARY

YESHIVA OHR REUVEN AMENDED SITE PLAN
Tax Lot 40.06-1-17 and 18

Yeshiva Ohr Reuven (“YOR”) has an existing campus at 239 Grandview Avenue. It wishes to expand its existing dormitory, add faculty housing, and add parking spaces.

Existing Conditions

The campus is located at the northwest corner of Grandview Avenue and Spook Rock Road in an R-50 zoning district. The campus has a net lot area of 536,577sf (12.32ac+/-).

The school consists of two buildings at the northern end of the campus having a total floor area of 65,000sf. This portion is served by a driveway from Grandview Avenue. A large circular pickup/dropoff area is in front of the main entrance. The driveway continues to the rear of the buildings where there is an existing parking area with 32 parking spaces. A macadam basketball court and an outdoor “gym” structure are adjacent to the parking area. The school has a current enrollment of 355 students.

Near the center of the campus, YOR has a two-story dormitory building with 36 beds. It is served by a small parking area off the main driveway. A two-story frame residence for a caretaker is near the dormitory building.

Proposed Conditions

YOR proposes a three-phased expansion: (1) expand the number of parking spaces on campus; (2) provide on-site faculty housing; and (3) create a small addition to the existing student dormitory. Information on YOR’s need for these improvements is set forth in a separate narrative from YOR, submitted herewith.

(1) Additional parking. There are currently 63 permanent parking spaces plus 31 overflow parking spaces on the site, for a total of 94 available parking spaces. While this exceeds the number of spaces required by the Zoning Code (91) YOR has found that it is insufficient for its current and expected needs.

YOR proposes adding 51 parking spaces along the north side of the main driveway as it approaches the main parking area. This location is outside the flow of visitor parking, so most drivers in this area will be aware of the new spaces.

An additional 19 parking spaces are to be added next to the dormitory and 24 spaces at the faculty housing. The dormitory parking area will be limited to faculty and staff. (Students are not permitted to have cars on-site.) The dormitory parking area may also be used for overflow parking for special events, such as graduation and evening PTA programs. The faculty housing parking area will be limited to resident faculty.

In order to accommodate the proposed construction, ten parking spaces will be lost: six at the dormitory and four at the caretaker's residence.

Thus, a net total of 84 additional proposed parking spaces will be added, for a total of 178 spaces.

Some of the proposed parking will be paved with pervious materials, as shown on the site plan drawings.

(2) On-site faculty housing. Currently, there is no on-site faculty housing (although there are dormitory parents and a caretaker living on-site). Providing such housing will allow YOR to attract and retain quality faculty, and also allow greater interaction between faculty and students, particularly during out-of-classroom hours. YOR believes that such interaction will also foster a greater sense of community for the school.

YOR proposes 24 units of faculty housing, divided between two two-story buildings. Each building will have a total floor area of 14,070sf, for a combined total of 28,140sf. Each unit will be in a townhouse configuration consisting of two stories plus a basement. The housing will be located along the Grandview Avenue lot line. This location was chosen for a number of reasons. First, YOR wants to maintain the interior of its campus as open space and for recreation. Second, the lot on the opposite side of Grandview Avenue is owned by YOR, but is undevelopable since it is largely covered by DEC wetlands. Thus, no neighbors will be directly affected by housing in this location. Third, the topography in this area allows the housing to be built into the hill. This will reduce the apparent mass of the housing (mitigating its visual impact) and will retain the existing view of and from the school building.

As noted above, a dedicated parking area for the housing will be provided, with 24 parking spaces.

Faculty housing is expressly permitted by Local Law No. 1 of 2024. That local law added special permit requirements for schools with faculty housing (new § 230-26.I(17)). The special permit requirements are discussed below.

(3) Student dormitory expansion. There is an existing student dormitory with 36 beds. YOR proposes an addition (approx. 3,264sf) to the southeasterly side of the existing

dormitory. The addition will add 18 beds, for a total of 54 beds (50 for students, 4 for adult counselors). It will also allow the provision of two student lounges and upgrades to building and fire safety features.

Variances for the foregoing are as shown on the site plan drawings submitted herewith. The existing special permit for the school (Resolution #08-29) permits up to 380 students on site. The building capacity is 512. An amendment to the special permit may be required.

Special Permit for Faculty Housing

YOR has an existing special permit to operate as a school with a dormitory (per § 230-26.I(16)). The faculty housing must meet the additional conditions of § 230-26.I(17):

(a) Applicant must be free of any local violations and be accredited by the New York State Department of Education.

Complies.

(b) Each faculty housing unit shall be set back at least 50 feet from any street and be located on the same lot as the school.

Complies. Units in the northern building are at least 55 feet from Grandview Avenue. Units in the southern building are at least 67 feet from Grandview Avenue. All units are on the same lot as other YOR facilities, including the main school building, the student dormitory, and the caretaker's house.

(c) Faculty housing shall only be approved for schools meeting all of the following requirements: 1) the school has at least four grade level classes from kindergarten through 12th grade; 2) the school has a dormitory located on the same site; 3) the school shall have been in operation within the Village for at least 10 years; and 4) the school can demonstrate the need for on-campus faculty housing to the Planning Board.

Complies. YOR provides education for students from Kindergarten through 12th grade. There is an existing 36-bed dormitory on the campus, which YOR wishes to expand with another 18 beds. YOR has operated in the Village since it received special permit and site plan approval in 1994 (Resolution Nos. 94-22 and 94-23). The need for on-campus faculty housing is discussed in the accompanying narrative from YOR.

(d) Faculty housing units shall not exceed an average of 2,250 square feet per housing unit, and no faculty housing unit shall exceed 2,500 square feet in any event.

Complies. 24 faculty housing units are proposed in two buildings having a total of 28,140sf of floor area. This translates to an average of 1,172.50sf per unit. No individual unit will exceed 2,500sf of floor area.

(e) Except as expressly stated in this Subsection I, faculty housing shall comply with the bulk regulations of the underlying zoning district, including but not limited to height and number of stories. Where there is a conflict between this subsection and the requirements pertaining to the underlying zoning district, the more restrictive requirement shall apply.

Complies. No area variances are need for the proposed faculty housing. A variance is requested for additional impervious surface associated with parking expansion.

(f) Any special permit issued to an applicant for faculty housing shall specify, as a condition thereof, the maximum number of faculty housing units authorized on the lot. In no event shall the maximum number of faculty housing units exceed any of the following limits: 1) 40% of the number of faculty members of the school as defined in this Subsection I(17)(j); 2) 7.5% of the average number of active pupils during the most recent three years prior to the application; and 3) the ratio of 2.0 units per acre of net lot area.

Complies. (1) Currently there are 134 faculty members as defined above. 40% of that number is 53.6%. 24 units are proposed.

(2) The average number of active pupils in the three most recent years prior to this application were:

2021-22: 385 pupils

2022-23: 391 pupils

2023-24: 390 pupils

Three-year average: 388.67 pupils

7.5% x three-year average: 29.15 units permitted. 24 units are proposed.

(3) The net lot area is 12.32+/- acres. At 2.0 units per acre, the allowable yield is 24.64 units. 24 units are proposed.

(g) Net lot area, as referred to in the previous paragraph, shall be calculated with the same deductions as set forth for minimum lot area in Subsections I(2) and I(3). A school containing faculty housing must satisfy all of the following requirements related to lot area: the minimum lot area requirement set forth in Subsection I(1) (which will determine the maximum number of pupils authorized to be enrolled in the school), the ratio to net lot area requirement set forth in Subsection I(17)(f) (which will determine the maximum number of authorized faculty housing units), and the net lot area requirement set forth in Subsection I(16)(b) (which will determine the maximum number of persons authorized to reside in the dormitory). The same lot area may be used to satisfy all of those requirements simultaneously.

Complies.

Section I(1) requires a minimum of ten acres plus an additional 0.01 acre for each pupil over 200 pupils. YOR has 355 pupils, or 155 pupils over 200. $155 \times 0.01\text{ac} = 1.5 \text{ ac}$. The total lot area required is therefore 11.5 acres.

Sections I(2) and I(3) require deductions for land under water, wetlands, and steep slopes. The calculations are shown on Sheet 1 of the site plan drawings submitted herewith. The net lot area is computed as 12.3181ac (rounded to 12.32)

(h) Any application to add or include faculty housing as an accessory use to a school shall include, in addition to other items which may be required by the Planning Board, a written statement setting forth information regarding faculty residency restrictions and policies, security provisions (including, without limitation, fencing, lighting, and supervision), and emergency services.

Complies. See statement submitted herewith.

(i) In addition to any other off-street parking required for a school and accessory uses, there shall be one parking space provided for each faculty housing unit. Such parking spaces shall be in close proximity to the faculty housing units, as determined by the Planning Board.

Complies. There are 24 faculty housing units, which requires 24 parking spaces. These 24 parking spaces are located between the two housing buildings in a separate parking area reserved for building residents.

(j) Faculty housing units shall be occupied only by employed faculty members, as defined in Subsection I(17)(k), of the school being operated on the premises of which the housing units are located, and the family of such faculty member. The faculty member to whom the housing unit is assigned must occupy such unit as his or her primary residence. Only one family may occupy a faculty housing unit, irrespective of the number of family members employed as faculty members by the school.

Will comply.

(k) For purposes of this Subsection I(17), the term "faculty member" who qualifies for on-premises housing shall mean a person employed by the school on a full time or part time basis, for no fewer than 22 hours per week, and whose duties include at least one of the following: 1) providing instruction to students for at least two classes for at least one instructional semester, or 2) providing on-site physical or psychological therapeutic or support services to a student or students, or 3) administrative employees such as a principal, assistant principal or department chairperson.

Will comply.

(l) On or before September 1 of each year, the school, by one of its officers, shall submit a signed and notarized affidavit to the Village Clerk, which affidavit shall contain the following information:

[1] The name of the school.

[2] The name, position or title, and housing unit number of each faculty member occupying a faculty housing unit.

[3] Certification that the faculty member occupying the housing unit is or will be employed by the school for the upcoming school year or part thereof (if only part of the school year, the intended employment end date shall be specified).

[4] Certification that the faculty member occupying the housing unit has been expressly advised, by written notice, that his or her occupancy of the housing unit is governed by the terms of this provision of the Zoning Law and of the special permit issued by the Planning Board, is further dependent upon his or her continued employment by the school, and that the housing unit must be vacated within 30 days after termination of such employment. A copy of such written notice shall be annexed annually to the affidavit filed with the Village Clerk.

[5] In the event that there is a change in occupancy of any housing unit that is not reported on the annual filing required by Subsection I(17)(l), then within 30 days after such change the school shall file with the Village Clerk the information required in Subsection I(17)(l)[1] through [4] of this subsection with respect to such new occupant.

[6] Failure to provide the affidavit required by this Subsection I(17)(l), or the inclusion of knowingly false, inaccurate or misleading information in such affidavit, shall constitute a violation of this chapter and may constitute the basis for denial or revocation of the special permit, building permit, or certificate of occupancy for the faculty housing, and for all other applicable remedies.

[7] Payment of the annual processing fee as described in the Village of Wesley Hills Fee Schedule.

Will comply.

(m) No certificate of occupancy for any faculty housing unit shall be issued unless and until the school has been issued a certificate of occupancy.

Complies. The school has a current certificate of occupancy.

(n) If the property is sold, transferred, leased or licensed to another school and/or operator, that school and/or operator will require a new special permit (as another school may not be operating in the identical manner). If the property is sold, transferred, leased or licensed for any use other than a school, the status of the residential use of all faculty housing units on the property shall immediately expire, and there shall be no as-of-right to continue the residential use of any such units. Certificates of occupancy for all such faculty housing units shall be terminated and shall be of no force and effect without any further action by the Village.

Noted.

SEQR and GML Status

The proposal calls for an expansion of an educational use with a total floor area of 31,404sf¹. It is therefore an Unlisted action under the SEQR regulations.²

The site is adjacent to two County roads: Grandview Avenue and Spook Rock Road. It is also adjacent to the boundary between the Village of Wesley Hills and the Village of Montebello. It is within 500 feet of Rockland County Route 80A and Willow Tree Brook, a Rockland County stream. The project must therefore be submitted for review by the Rockland County Planning Department under General Municipal Law §§ 239-l, -m, and -nn.

Dated: March 19, 2025
New City, New York

EMANUEL LAW P.C.



By: _____
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¹ Faculty housing = 28,140sf; dormitory expansion = 3,264sf.

² 6 N.Y.C.R.R. § 617.4(b)(6)(v) provides a 50,000sf threshold for Type I actions for expansions of existing non-residential facilities.