



BOARD OF TRUSTEES MEETING MINUTES

April 16, 2024, 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, Deputy Mayor
Yisroel Cherns, Trustee
Joseph Mause, Trustee
Tova Krull, Trustee

MEMBERS ABSENT:

None

OTHERS PRESENT:

Benjamin Selig, Esq. Village Attorney (Zoom)
Camille Guido - Downey, Village Clerk-Treasurer

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

ITEM #1

RESOLUTION #50-24

APPROVAL OF MINUTES

Trustee Cherns made a motion to approve the minutes of April 2, 2024, seconded by Trustee Krull. Upon vote, Yea: Mayor Katz, Trustee Schwartz, Trustee Cherns, Trustee Mause and Trustee Krull; this motion was carried unanimously.

ITEM #2

PUBLIC HEARING - A LOCAL LAW AMENDING THE CODE OF THE VILLAGE OF WESLEY HILLS TO REVISE THE ZONING LAW IN RELATION TO FACULTY HOUSING AT SCHOOLS

Mayor Katz welcomed everyone to the meeting and introduced the proposed local law. Mayor Katz stated that the Village has been discussing this law for many years and the last two years put pen to paper. Mayor Katz stated that this request came from Yeshiva Ohr Reuven who is the only school in operation in the Village that has a dormitory. Yeshiva Ohr Reuven has been operating in the Village for over 20 years. The proposed law requires an application to be submitted to the Planning Board and if, need be, to the Zoning Board. The Village Board felt that it was a natural progression and not unreasonable for a school to have faculty housing on site when there are dorms on site. The faculty housing will allow students to have access to teachers after hours. The Village Board also felt that being ahead of this and proposing a law now would provide the Village more control over the law as opposed to a Religious Land Use and Institutionalized Persons Act (RLUIPA) suit where the Village would lose

control over the housing. Mayor Katz confirmed with the Village Clerk that the law was properly advertised.

Mayor Katz read the following emails he has received in reference to this law into the record:

Zev Feder, 119 Forshay Road stated that he is in support of the law and stated that he has two sons in the school. The school is well kept, and it is an expansion of the Village.

Solomon Brander, 162 Grandview Ave supports the proposed law.

An anonymous email stated that they are not in support of this law. They feel that this law would be a detriment to the Village and will raise congestion and create overdevelopment.

John & Marilyn Wagner, 7 Camberra Drive submitted a letter dated April 16, 2024, which states that they are opposed to the proposed law.

Trustee Schwartz made a motion to open the public hearing, seconded by Trustee Cherns. Upon vote, Yea: Mayor Katz, Trustee Schwartz, Trustee Cherns, Trustee Mause and Trustee Krull; this motion was carried unanimously.

Sharon Abrams, 3 Charlotte Drive was present and stated as a teacher she commuted to her place of employment and teachers are not entitled to housing. She made sacrifices and worked 3 jobs to afford rent. Ms. Abrams stated that she feels that the proposed law sets a bad precedent for the Village. There are two public schools in the Village, and they do not have faculty housing.

Mario Pensa, 299 Grandview Ave was present and supplied the Village Board with a letter dated April 3, 2024. Mr. Pensa described to the Board his concerns in reference to the law. Mr. Pensa welcomes a future conversation to discuss his concerns.

Mayor Katz answered some of Mr. Pensa's question/concerns and stated that the Planning Board will review all applications for faculty housing, and they will review practical access, landscaping, lighting, parking, landscape screening, number of dwellings, placement etc. Mayor Katz shared that the yeshiva has not provided the Village with plans yet, however during conversations they are proposing townhouse type structures and no more than 24 units.

Mr. Pensa stated that the law is silent on what the Planning Board determines the need and that should be clear in the law. Mr. Pensa discussed section 8 housing and affordable housing requirements from the State.

Mayor Katz stated that the housing units and their affordability will be up to the school on how they plan on dealing with it. Mayor Katz explained the difference between the Planning Board and the Zoning Board of Appeals. Mayor Katz explained that the housing units are required to remain on the same lot as the school and dormitory and there is no subdivision allowed to separate those facilities onto separate lots. If the school sells the property to another school, that new school must apply to the Planning Board for their own special permit.

Janet Litt, 5 Harriet Lane was present and stated that she is concerned with the tax burden on the residents of Wesley Hills. Ms. Litt also stated that she is concerned with the infrastructure and the area handling the extra people. Ms. Litt stated that people travel to work, and it is uncommon to provide

teachers with housing. Ms. Litt expressed her concern that Wesley Hills is beautiful and if this proposed law is passed the Village will go downhill.

Richard Weinberger, 40 Skylark Drive was present and stated that he is concerned with a private sale of the school and the units being sold off. Mr. Weinberger requested the Board to ensure that this is not in the law and it is clear in the law.

David Mayerfeld was present and thanked the Board for their hard work.

Robert Cherofsky, 234 Willow Tree Road was present and stated that he agrees with all the statements made so far. Why can't the applicant just apply to the Zoning Board of Appeals for a variance instead of the Board passing a law that anyone can use. It should be reviewed on a case-by-case basis. How many lots in the Village could accommodate a school?

Catherine Reynolds, 3 Reeder Place was present and read a statement into the record. Ms. Reynolds stated that she is 95 years old and she would like to keep the same quality of life that she has known for the past 50 years in the Village. Ms. Reynolds stated that she is concerned about the increased infrastructure needs.

James Ambrosio, 4 Steinway Court was present and expressed his love for the Village and it being a diamond in the woods. Mr. Ambrosio expressed his respect for Mayor Katz and his leadership. Mr. Ambrosio stated that he agrees that the Applicant should seek relief from the ZBA. Mr. Ambrosio stated that he can appreciate the Mayor weighing the needs of the community and the needs of the applicant while being mindful of lawsuits. Mr. Ambrosio suggested that Mayor Katz review the law and tighten it up.

Stanley Katz, 1 Reeder Place was present and stated the this is an old St. Lawrence trick being pushed by the block voters and this is a scare tactic. The Village is jumping ahead of the NYS Senate Bill #S7791.

Barry Bergstein, 6 Camberra Drive was present and stated that there is no infrastructure to handle the increase section 8 housing.

Aline Swerdloff, 7 Reeder Place was present and stated that she loves Wesley Hills and feels sad that the Village is considering this law. Ms. Swerdloff expressed her frustration while traveling in the area with the amount of traffic.

David Berman, 11 Villa Lane was present and stated that he is the Executive Director of Yeshiva Ohr Reuven. Mr. Berman stated that he has lived in Wesley Hills since 1979 and the area is beautiful, and he loves the area exactly like it is now. Mr. Berman stated that he has been involved in the drafting of this law and the law incorporates many safeguards to protect the residents of Wesley Hills and the school was more than happy to add those safeguards to the law. The Village comes first, and the Yeshiva would never do anything to harm the environment. In reference to the statement that this approval would create a slippery slope for other applicants, that is the exact reason why there are safeguards put in place in the law.

Mayor Katz stated that there are several lots in the Village that could accommodate a school in the Village. There is the camp, the two public school buildings, Church and Town of Ramapo property.

Mayor Katz stated that anyone can purchase lots and combine them however the law states that a school has to be in operation in the Village for 3 years before they can apply for faculty housing.

David Berman continued that the law has the following safeguards: 10-acre requirement for school, a school and dormitory must be already constructed and operating for 3 years, front yard requirements, must be located on a major roadway, etc. The Yeshiva decided to work with the Village to develop this law and not take the route of spending millions on litigation for the Village or the school. The Yeshiva takes pride in the campus and by having teachers onsite 24/7 that provides security, education and support to students after school hours which provide better education to the students. The Yeshiva will be subject to annual reporting requirements to the Village, and it is not our intention to offer long-term housing to teachers. It is a steppingstone for them as the units cannot accommodate many children in the units.

Jay Bapna, 6 Cutler Court was present and stated if there is no environmental impact why is an environmental study is not required.

Mayor Katz answered that the Planning Board will review the application and if an environmental study is required, they will oversee that.

Jay Bapna questioned why is there a requirement in the law for 2 homes on an acre? The acreage calculation for the school should be decreased to for the school, dormitory, play areas, parking areas, etc. and then the net is what should be used to calculate the number of faculty housing. Mr. Bapna questioned if it is legal for the Village to bar lots from being combined?

Ben Selig answered that legally the Village cannot restrict a buyer from buying a number of lots in a row.

Rabbi Ari Senter, 14 Harriet Lane was present and thanked Ms. Reynolds for her presence and assured everyone that the same atmosphere will remain at the school. Rabbi Senter stated that he also agrees with Mr. Ambrosio that Wesley Hills is a diamond in the woods. Rabbi Senter stated that he has the same concerns of all the residents here. Rabbi Senter stated that he was involved in the creation of the Village neighborhood gathering law and that is an exceptional law. The Village has been proactive with this law and if they are ahead of the Senate law so be it. Rabbi Senter stated that if the Village waits for the Senate to pass their law the unit per acre will be a lot more. The Village and the residents need to work together to create a law that benefits everyone.

Mayor Katz explained what the Religious Land Use and Institutionalized Persons Act (RLUIPA) law is and explained that nearby municipalities have lost cases and are subject to millions in fines and penalties. That kind of fine and/or penalties would raise Village taxes for years.

Jacob Brody, 97 Spook Rock Road was present and stated that he lives in the Village and has been a teacher at the school for many years. It is an amazing place to work and the implementation of teachers being onsite for the students will better their education.

Yaakov Berman was present and thanked the Board for their assistance.

Joseph Dubinsky was present and stated that this law will provide for better education to the students.

Jacob Baldinger, 4 Jodi Court was present and stated that there are some residents in Wesley Hills who may be your neighbors are people that at one point were living on the school campus. Since being a student they have become your neighbors and have integrated into the community.

Eliyahu Weinberger was present and stated that Wesley Hills is a special place, and he lives on campus. His education is important.

Michael Parietti, 6 Spook Rock Road was present and stated that the 3 years in operation requirement is low and should be increased to 10 years. Mr. Parietti stated that the Village should consider a law that will help in cases where people have home health aides and will be able to provide them with the opportunity to have a home onsite to help care for people who need their help 24/7.

AJ Ginsberg, 15 Rockingham Road was present and stated that he has listened to all the residents and feels that all of us need to work together to develop a law that is beneficial to everyone. Constructive criticism is helpful to address concerns so it can be incorporated into the law. No one wants multifamily so let's get a law written that protects the community. Everyone here is saying the same thing, it is beautiful here, no multifamily, we don't want to be Monsey, we like to raise our kids here, so let's address the concerns and move forward.

Sharon Abrams stated that whether a teacher lives on campus, or commutes does not make them a good or bad teacher. Ms. Abrams stated that she will email the Mayor with her concerns.

Joseph Haas, 8 Woodcrest Road was present and stated that he has been active in this law and feels that the Village is trying to be ahead of the State law to ensure that we have a law that we can live with as we are not sure what we will get with the State law. We don't want to end up in a position like Pomona or Airmont.

Noam Peikes, 3 Jodi Court was present and stated that that he lives on the dead-end street in Wesley Hills and loves how quiet things are. Mr. Peikes stated that he works at the yeshiva and reports to work at 7:30 am and does not get home until 10:30 pm. He gives his life to his students to educate them, and you develop a relationship with students that lasts a lifetime.

James Ambrosio stated that after listening to the statements made he feels that the law could be tightened up to become a good law for the Village and requests the Mayor to do the right thing and hear the suggestions of the people and try to incorporate them into the law and try to ease the fear that residents have in reference to this law.

Binyamin Plotzker, 42 Plum Road was present and stated that he is a teacher at the school for the past 14 years and the atmosphere is warm and welcoming. The teachers there are dedicated, and the school only wants to be a good neighbor to the residents of Wesley Hills.

Jeff Nulman, 14 Deerwood Road was present and requested that the teacher salaries be made available for the public to see what the teachers are paid.

Mayor Katz answered that the Applicant does not have to share what the salaries are for their teachers.

Shelly Lehrer was present and thanked the Board for their assistance.

Mayor Katz stated that the Board will continue the public hearing to its June 4, 2024, meeting.

Trustee Schwartz made a motion to continue the public hearing to our June 4, 2024, meeting, seconded by Trustee Cherns. Yea: Mayor Katz, Trustee Schwartz, Trustee Cherns, Trustee Mause and Trustee Krull; this motion was carried unanimously.

ADJOURNMENT

Trustee Cherns made a motion to adjourn the meeting, seconded by Trustee Mause. Upon vote: Yea: Mayor Katz, Trustee Schwartz, Trustee Cherns, Trustee Mause and Trustee Krull; this motion was carried unanimously.

Respectfully Submitted,
Camille Guido-Downey