

December 1, 2023

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



Attn: Alicia Schultz, Building Department

Re: 91 Spook Rock Road  
As-built Review (x2)

Dear Ms. Schultz,

Our office has reviewed the "Final Survey for 91 Spook Rock Rd.," prepared by Anthony Celentano, P.L.S. last revised November 8, 2023 and additional documentation provided by the Applicant. A site visit was last performed on November 27, 2023. At this time, we do not recommend the issuance of a Certificate of Occupancy. We offer the following comments:

1. Front yard, side yard, and rear yard to be designated as they were in the approved Plot Plan. As-built survey to designate the same yards as approved. Front yard, side yard, and total side yard to be reviewed and corrected in the Bulk Table. The covered porch on the eastern face of the dwelling appears to encroach into the front yard setback. The Applicant has indicated that the cover over this porch can be easily removed. If the Applicant chooses to keep the covered porch, this non-conformance requires a variance and is referred to the Zoning Board of Appeals for further consideration.
2. Our approximate calculations indicate a greater area for the macadam driveway within the front yard. Front yard impervious ratio and maximum impervious surface calculations to be revised/confirmed to include the macadam driveway/front yard area as it was for the approved Plot Plans. A variance may now be required.
3. The macadam drive shown on the survey appears to encroach the property to the north, Tax Lot #40.16-1-10.21. Approved subdivision plans also included partial removal of pavement on Lot#1. It is noted that a letter from the neighboring property has been provided indicating that they agree to have a portion of the driveway for the subject property remain on their property. However, the driveway has been constructed differently than that of which is shown on the approved "Subdivision Plat for Hurwitz". Our office believes that the driveway should be reconstructed as it was proposed, or the project return to the Planning Board to record any necessary easements for the driveway encroachment. Our office defers to the Village Attorney regarding the appropriate course of action.
4. As requested in our final approval letter dated November 22<sup>nd</sup>, 2021:
  - a. All the plantings shown on the Planting and Erosion Control Plan from the approved planting plan for "Subdivision Plat for Hurwitz" shall be installed. Our site visit noted insufficient landscaping in regards to quantity, species, and sizes.

It appears that there has been disturbance beyond the approved clearing limit line near the northwest corner of the property. It appears that approximately twelve (12) trees that were proposed to remain appear to have been removed. The Applicant has indicated that the trees removed were dead prior to construction and other trees on the property (originally proposed to be removed) were protected due to field changes. Our office recommends an as-built tree survey be provided once the final landscaping and planting are implemented to determine if sufficient screening is provided to neighboring properties. A reappearance before the Planning Board may be necessary for revised plans and consideration for additional landscaping. Our office defers to the Village regarding the appropriate course of action.

5. As-built survey to be updated to reflect only installed drainage items. The survey appears to have carry-over from the proposed footing/basement drainpipe location and inverts.
6. Earthen berm to be installed with positive conveyance of runoff from the installed driveway to the drywell. As-built survey to be updated with installed location of berm and additional/updated topography to demonstrate positive conveyance and as-built conditions once installed.

- 7. Please note that Certificate of Approvals for individual sewage disposal systems for Tax Lot #40.16-1-10.21 and Tax Lot #40.16-1-10.22 prepared by Rockland County Department of Health dated November 2, 2023 have been provided to our office; however, signed copies of the original were not included. Please provide signed copies of the original document for our records.
- 8. Final landscaping including topsoil, seeding and fine grading to be completed. The drywell grate plug is to remain and all erosion control measures to remain/be installed and maintained until final landscaping is completed.
- 9. Silt fence has been installed immediately along the downslope perimeter of the site. Silt fence to be maintained until final stabilization is achieved.
- 10. Please note that a Certificate of Compliance for Water Well Permit WW-21-049 prepared by Jeremy Erlich of Rockland County Department of Health dated November 7, 2023 has been provided to our office.
- 11. Please note that a drainage certification letter prepared by Anthony Celentano, P.E., dated November 8, 2023 has been provided to our office.

*Devon Palmieri*

Should the Applicant wish to seek a front yard variance and modification to the driveway, they should do so as soon as possible with applications to the appropriate Board (Items #1 & 2 noted below). Should the Building Department be prepared to issue a Temporary Certificate of Occupancy at this time, we recommend that the applicant first be required to post the following escrow:

1. Macadam Driveway Relocation or Planning Board Approval	\$5,000
2. Front Yard Setback Variance or Removal of Cover Above Porch	\$2,500
3. Plantings as per Approved Subdivision Planting Plan or Planning Board Approval	\$15,500
4. Final landscaping, including topsoil, seeding, fine grading. Installation of earthen berm along south of property.	\$5,500
5. Revised As-built Survey	<u>\$4,000</u>
<b>Total</b>	<b>\$32,500</b>

We recommend that the weather dependent work (Item #3 & 4 noted above) be completed by May 30, 2023. Once the work is completed, applicable documentation provided, and revised as-built is submitted, our office will verify compliance.

Sincerely,

*Devon Palmieri*

WESTON & SAMPSON, PE, LS, LA, Architects, PC  
Devon Palmieri, EIT  
Engineer III

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