

**STATE ENVIRONMENTAL QUALITY REVIEW  
NOTICE OF INTENT TO BECOME LEAD AGENCY**

This notice is issued pursuant to Part 617 of the implementing regulations pertaining to Article 8 (State Environmental Quality Review Act) of the Environmental Conservation Law.

The Planning Board of the Village of Wesley Hills hereby indicates its intent to assume Lead Agency status for the below-referenced project.

Involved Agencies objecting to the Village of Wesley Hills assuming Lead Agency status for this action must inform the Board in writing within 30 days at the address below:

**Contact Person:** Vera Brown, Chairman  
Village Hall  
432 Route 306  
Wesley Hills, NY 10952  
(845) 354-0400

**Title of Action:** IJJ LLC d/b/a Wickes/Arborists  
Site Plan & Special Permit Application for Existing Operation

**Date:** July 26, 2023

**SEQR Status:** Unlisted

**Description of Action:**

The subject application is for a site plan approval and special permit for an existing Arborist operation. The Village of Wesley Hills Planning Board approved a site plan and special permit in May of 2010. However, the project was subject to a legal challenge. The SC Appellate division, 2<sup>nd</sup> Department annulled the approvals on November 24, 2021. The Court annulled the approvals because of the lack of a practical access to a second major road, and impervious surfaces in excess of 0.25 (25%).

The applicant is proposing to continue to use the existing two-story concrete block commercial building as well as the two-story frame dwelling that already exist on the property. In response to the Court's first objection to the 2010 approvals, a new proposed feature is a grasscrete emergency gated fire access drive off of Union Road. In response to the Court's second objection to the 2010 approvals, the applicant will apply for a ZBA variance for the excess impervious surfaces. (In its 2010 approvals, the Planning Board relied upon the interpretation that the excess impervious surface was a legally nonconforming preexisting condition for which a variance was not required – and the Court did not agree.)

**Location:** The 2.21-acre subject lot is located in the R-35 District at 11 McNamara Road, at the southwest corner of McNamara Road (C.R. 67) and Union Road (C.R. 80).

**Application and Background Documents**

The application and background documents may be found at this link:

<https://bit.ly/3qbx3XW>

If paper copies are preferred, please contact the Village of Wesley Hills Building Department, Alicia Schultz, at (845) 354-0400 or [buildingdept@wesleyhills.org](mailto:buildingdept@wesleyhills.org)

**Involved Agency Circulation:** This notice is being sent to the following Involved Agencies:

**Variances**

Wesley Hills Zoning Board of Appeals  
Village Hall  
432 Route 306  
Wesley Hills, NY 10952

**Sewer Hookups, Water Hookups, Road Opening**

Town of Ramapo DPW/Highway Department  
16 Pioneer Avenue  
Tallman, NY 10982

**Sewer Hookups**

Rockland County Sewer District #1  
4 Route 340  
Orangeburg, NY 10962

**Sewer Extension, Mosquito Control**

Rockland County Health Dept  
Robert L. Yeager Health Center  
50 Sanatorium Rd, Bldg D  
Pomona, NY 10970

**Driveway**

Rockland County Highway Department  
23 New Hempstead Road  
New City, NY 10956

**Interested Agency Circulation:** This notice is being sent to the following Interested Agencies:

Rockland County Department of Planning  
50 Sanatorium Road, Building T  
Pomona, NY 10970

Rockland County Drainage Agency  
23 New Hempstead Road  
New City, New York 10956

Fire Inspector, Village of Wesley Hills  
432 Route 306  
Wesley Hills, New York 10952-1221