



## MEMORANDUM

**TO:** Lon Lieberman, Chairman  
Members, Village of Wesley Hills Planning Board

**FROM:** Jonathan T. Lockman, AICP  
Brennan Duarte, Planning Analyst

**DATE:** June 4, 2024

**RE:** 41 Glenbrook Road Filling  
SBL: 41.10-2-20

**CC:** John Layne, Building Inspector  
Alicia Schultz, Deputy Village Clerk  
Eve Mancuso, P.E., Village Engineer  
Bruce Minsky, Esq., Planning Board Attorney  
Paul Gdanski, Engineer for the Applicant

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### Items Reviewed for this Memorandum

- Project Narrative, by Ben Grossberger, undated, received by Village on May 9, 2024.
- Clearing, Filling, and Excavation Application, for Wesley Construction Group, dated May 9, 2024.
- Plot Plan for 41GB LLC, 1 sheet, stamped by Paul Gdanski, PE, dated May 6, 2024.
- Site Inspection-Enforcement Letter, by Matthew Trainor, P.E., Weston & Sampson/Brooker Engineering, dated November 1, 2023.

### Project Summary

The Applicant is proposing to remove trees and place fill to level out their currently steep backyard. Apparently, some of the work has already taken place without review or permitting, per the letter from the Village Engineer dated November 1, 2023. According to the Applicant, the neighbors on either side have already undergone a similar project and would like to do the same. The site is located along Glen Brook Road in the R-35 One-Family Residence Zoning District.

### Submission Comments

1. The Applicant should provide a more detailed project narrative.
2. As filling and tree clearing is proposed within 100 feet of the adjacent wetland, a wetlands permit application should be included. See §221-6.

3. The plot plan submitted by Paul Gdanski PE should be clarified:
  - a. Please show the stream course location adjacent to the property. It appears that only the word “stream” is place on the plot plan. Add the DEC stream identification and classification.
  - b. The edge of the wetland as delineated is hard to distinguish. Please use a different line type, weight, or color to show the edge between flags A-1 to A-9, to distinguish from the contours. Is it correct that the wetland goes uphill about 8 feet, between flags A-7 and A-9?
  - c. The edge of the 100-year floodplain is also hard to distinguish. Please use a different line type, weight, or color to show the floodplain edge.
  - d. Please distinguish between trees already removed (as of the November 2023 site inspection letter) and additional trees proposed to be removed.
  - e. Please distinguish between fill and grading already accomplished (as of the November 2023 site inspection letter) and additional filling and grading proposed.
  - f. The edge of the 100-foot wetland buffer is also hard to distinguish. Please use a different line type, weight, or color to show the buffer edge.
  - g. It may be helpful to provide separate sheets to show existing and proposed conditions.
  - h. Please include areas within 250 of the property boundaries to show context, per the requirements of §95-4.A.(1).
4. On the application it states that the project will use “clean, compatible fill from an excavation site in the surrounding area.” Please provide details on the fill and the site where it will be sourced. The Planning Board may require testing of the fill. See §95-3.B.(3).

#### **Compliance with Chapter 95 Clearing, Filling & Excavations Standards**

5. Please provide details on how the site will be stabilized and restored after completion of the project. See §95.4.A.(12) and the standards in §95-4.E.
6. Please obtain a report from the Village Engineer, once the application is more complete, per §95-4.C.
7. Please indicate how the performance bond requirements of 95-4.D will be met.

#### **Compliance with Chapter 221 Wetlands Standards**

8. Please work with the Village Engineer to confirm the wetlands edge in the field, per §221-6.A.(8).
9. It appears that the clearing and filling will change the runoff characteristics down the yard into the wetland below. Please provide the engineering analysis of these changes as required in §221-6.A.(6).
10. The restoration plan discussed in comment 5 above should demonstrate that the wetland’s functions will not be substantially impaired. See §221-4.E.

#### **SEQR/GML Comments**

11. Please complete and submit a SEAF Part 1 form.

12. The application abuts Willow Tree Park. However, no special permit, subdivision or site plan review is involved, so GML review is not required.