



BOARD OF TRUSTEES MEETING AGENDA

April 16, 2024 at 7:00 PM

432 Route 306, Wesley Hills, NY 10952

Phone: 845-354-0400 | Fax: 845-354-4097

CALL TO ORDER

ROLL CALL

APPROVAL OF MINUTES

- 1.** April 2, 2024

PUBLIC HEARINGS

- 2.** A Local Law Amending the Code of the Village of Wesley Hills to Revise the Zoning Law in Relation to Faculty Housing at Schools

RESOLUTIONS/DISCUSSIONS

OPEN FLOOR: PUBLIC DISCUSSION

EXECUTIVE SESSION

NEW BUSINESS

ADJOURNMENT



BOARD OF TRUSTEES MEETING MINUTES

April 02, 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 #29-24

APPROVAL OF MINUTES

Trustee Cherns made a motion to approve the minutes of March 5, 2024, seconded by Trustee Schwartz. Upon vote, Yea: Mayor Katz, Trustee Schwartz, Trustee Cherns. Abstention: Trustee Mause and Trustee Krull; this motion was carried.

ITEM #2

PUBLIC HEARINGS-TENTATIVE BUDGET

Mayor Katz introduced the Mayor’s tentative budget and stated the following:

- The proposed appropriations for the 2024-2025 budget are \$4,238,375 which is higher than last year due to the expenses for the sidewalk grants and the restoration of Wesley Chapel culvert.
- The proposed revenues are up from last year in expectation of grant funds being received.
- There is no increase in Village taxes proposed.

Mayor Katz is proposing the following changes:

- Line #A1110 - Correct the title of the Acting Justice to Associate Justice
- Taxable assessed value number changed from \$122,066,181 to \$122,072,043 as per the revised numbers from the Town of Ramapo Assessors office which also triggers the following changes:

\$ increase in TAV (taxable assessed value) from \$368,423 to \$374,280.

% increase in TAV (taxable assessed value) from 1.00303 to 1.00308

Tax Rate from 7.4006 to 7.4002

Tax rate Change from -0.3018% to -0.3065%

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

Janice Golda, 16 Martha Road was present and questioned why is there a difference in surplus from \$3.3M to \$1.9M. Mayor Katz questioned what years is she referring to as last year's surplus was \$634,057? Ms. Golda stated that she will review her paperwork and get back to the Board.

Janice Golda questioned the Unity Party and their statements that they are going to update processes in the Village for more efficient processes, what does that mean and is that reflected in the budget?

Trustee Krull and Trustee Mause answered that they will be reviewing the processes for the ZBA and PB in reference to the time frame that applicants go through and also review the Village Engineer activities to possibility streamline the processes with those boards and the Building Department.

Janet Litt, 5 Harriet Lane was present and stated that she hopes that by streamlining any processes laws are not overlooked and should continue to be followed.

Trustee Krull and Trustee Mause answered that they have no intention of changing the laws or cutting out necessary processes before the Boards, they are only looking to streamline.

Judith Guterl, 53 Wilder Road, was present and stated that she is concerned about the traffic and accidents at the Wilder/Lime Kiln Road intersection. Her driveway is a steep driveway, and she has a tough time exiting her driveway from the amount of traffic.

Mayor Katz stated that Wilder/Lime Kiln Road are County Highway Roads, and the Village has been lobbying for a 4-way stop sign for many years. Mayor Katz stated that the County will be proposing a round-about at that location in the future and informed the resident that a public hearing will be held for input.

Judith Guterl questioned if the line item in the Village Budget for Traffic Control is for the Ramapo Police.

Mayor Katz answered no, it's for signage. However concerning any traffic concern you are welcome to send a request to the Village or the Police Department for action.

Judith Guterl stated that the LED streetlights are an improvement, and she thanks the Board for that change.

Ramapo Police Officer Rich Accardi was present and stated that he is on the overnight shift and sees that intersection as an area of concern however he will notify the shift office.

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

**ITEM #3
RESOLUTION ADOPTING 2024/2025 VILLAGE BUDGET**

RESOLUTION #30-24

Trustee Mause made a motion to approve the following resolution, seconded by Trustee Krull:

WHEREAS, the Board of Trustees of the Village of Wesley Hills has met and considered the tentative budget for the fiscal year beginning June 1, 2024, and has conducted a public hearing thereon as required by Section 5-508 of the Village Law; and

WHEREAS, said Board of Trustees has determined that the amounts estimated in the tentative budget are more than required for said fiscal year,

NOW, THEREFORE, BE IT RESOLVED, that the tentative budget for said fiscal year is hereby revised as follows:

Account	From	To	Difference
A1110 title change from Acting to Associate			
Taxable assessed value	\$122,066,181	\$122,072,043	+5,862.00
\$ increase in TAV	\$368,423	\$374,280	+5,857.00
% increase in TAV	1.00303	1.00308	+0.00005
Tax Rate from	7.4006	7.4002	-0.0004
Tax rate Change	-0.3018%	-0.3065%	+0.0047

BE IT FURTHER RESOLVED, as a consequence of such changes such tentative budget, “Summary of Budget” there are no following changes.

BE IT FURTHER RESOLVED, that the tentative budget as so amended and revised and as set forth in the copy of such budget annexed hereto and made a part of the Minutes of this Board, is hereby adopted, and that the several amounts set forth in the “Tentative Budget” column of such budget be and hereby are appropriated for the objects and purposes specified, and the salaries and wages set forth in the budget shall be and hereby are fixed at the amounts shown therein effective June 1, 2024.

Upon vote: Yea: Mayor Katz, Trustee Schwartz, Trustee Cherns, Trustee Mause and Trustee Krull; this motion was carried unanimously.

**ITEM #4
APPOINTMENT OF DEPUTY MAYOR-ONE YEAR TERM**

Mayor Katz appoints Milton Schwartz as Deputy Mayor for one year term.

**ITEM #5
APPOINTMENT OF DEPUTY VILLAGE CLERK- ONE-YEAR TERM**

RESOLUTION #31-24

Mayor Katz appoints Alicia Schultz as Deputy Village Clerk.

Trustee Mause made a motion to approve the following resolution, seconded by Trustee Krull:

RESOLVED, that the Mayor's appointment of Alicia Schultz to the office of the Deputy Village Clerk for a one-year term is hereby approved.

Upon vote: Yea: Mayor Katz, Trustee Schwartz, Trustee Cherns, Trustee Mause and Trustee Krull; this motion was carried unanimously.

ITEM #6 **RESOLUTION #32-24**
APPOINTMENT OF DEPUTY VILLAGE TREASURER-ONE YEAR TERM

Mayor Katz appoints Yael Ash as Deputy Village Treasurer.

Deputy Mayor Schwartz made a motion to approve the following resolution, seconded by Trustee Krull:

RESOLVED, that the Mayor's appointment of Yael Ash to the office of the Deputy Village Treasurer for a one-year term is hereby approved.

Upon vote: Yea: Mayor Katz, Trustee Schwartz, Trustee Cherns, Trustee Mause and Trustee Krull; this motion was carried unanimously.

ITEM #7 **RESOLUTION #33-24**
APPOINTMENT OF ASSOCIATE VILLAGE JUSTICE -ONE YEAR TERM

Mayor Katz appoints Howard Richman as Associate Justice for a one-year term.

Trustee Cherns made a motion to approve the following resolution, seconded by Deputy Mayor Schwartz:

RESOLVED, that the Mayor's appointment of Howard S. Richman to the office of Associate Village Justice for a one-year term is hereby approved.

Upon vote: Yea: Mayor Katz, Trustee Schwartz, Trustee Cherns, Trustee Mause and Trustee Krull; this motion was carried unanimously.

ITEM #8
ACCEPT RESIGNATION OF VERA BROWN

Mayor Katz accepts the resignation of Vera Brown and stated that the Village wishes her well in her retirement and that this is a great loss for the Village as Vera has been with the Village for over 40 years.

ITEM #9 **RESOLUTION #34-24**
APPOINTMENT OF PLANNING BOARD CHAIRMAN

Mayor Katz appoints Lon Lieberman as Chairman of the Planning Board.

Trustee Cherns made a motion to approve the following resolution, seconded by Trustee Mause:

RESOLVED, pursuant to the provisions of Section 7-718 of the Village Law, that the Mayor’s appointment of Lon Lieberman as Chairman of the Planning Board of the Village of Wesley Hills for a one-year term is hereby approved.

Upon vote: Yea: Mayor Katz, Trustee Schwartz, Trustee Cherns, Trustee Mause and Trustee Krull; this motion was carried unanimously.

ITEM #10 **RESOLUTION #35-24**
APPOINTMENT OF PLANNING BOARD MEMBER

Mayor Katz appoints Lon Lieberman as a Member of the Planning Board.

Trustee Cherns made a motion to approve the following resolution, seconded by Trustee Krull:

RESOLVED, that the Mayor’s appointment of Lon Lieberman as a Member of the Planning Board of the Village of Wesley Hills for a term expiring April 2029 is hereby approved.

Upon vote: Yea: Mayor Katz, Trustee Schwartz, Trustee Cherns, Trustee Mause and Trustee Krull; this motion was carried unanimously.

ITEM #11 **RESOLUTION #36-24**
APPOINTMENT OF PLANNING BOARD MEMBER

Mayor Katz appoints 1st alternate Joshua Scheinberg as a member of the Planning Board to fill the term of Vera Brown.

Trustee Cherns made a motion to approve the following resolution, seconded by Trustee Mause:

RESOLVED, that the Mayor’s appointment of Joshua Scheinberg as a Member of the Planning Board of the Village of Wesley Hills for a term expiring April 2027 is hereby approved.

Upon vote: Yea: Mayor Katz, Trustee Schwartz, Trustee Cherns, Trustee Mause and Trustee Krull; this motion was carried unanimously.

ITEM #12 **RESOLUTION #37-24**
APPOINTMENT OF FIRST ALTERNATE MEMBER TO THE PLANNING BOARD - ONE YEAR TERM

Mayor Katz appoints Joseph Zupnik as 1st Alternate to the Planning Board.

Trustee Cherns made a motion to approve the following resolution, seconded by Trustee Mause:

RESOLVED, that the Mayor’s appointment of Joseph Zupnik as 1st Alternate to the Planning Board of the Village of Wesley Hills for a one-year term is hereby approved.

Upon vote: Yea: Mayor Katz, Trustee Schwartz, Trustee Cherns, Trustee Mause and Trustee Krull; this motion was carried unanimously.

ITEM #13 **RESOLUTION #38-24**
APPOINTMENT OF SECOND ALTERNATE MEMBER TO THE PLANNING BOARD - ONE YEAR TERM

Mayor Katz appoints Tzvee Rotberg as 2nd Alternate to the Planning Board.

Deputy Mayor Schwartz made a motion to approve the following resolution, seconded by Trustee Cherns:

RESOLVED, that the Mayor's appointment of Tzvee Rotberg as 2nd Alternate to the Planning Board of the Village of Wesley Hills for a one-year term is hereby approved.

Upon vote: Yea: Mayor Katz, Trustee Schwartz, Trustee Cherns, Trustee Mause and Trustee Krull; this motion was carried unanimously.

ITEM #14 **RESOLUTION #39-24**
APPOINTMENT OF ZONING BOARD OF APPEALS CHAIRMAN

Mayor Katz appoints Jonathan Gewirtz as Chairman of the Zoning Board of Appeals.

Trustee Cherns made a motion to approve the following resolutions, seconded by Trustee Krull:

RESOLVED, pursuant to the provisions of Section 7-718 of the Village Law, that the Mayor's appointment of Jonathan Gewirtz as Chairman of the Zoning Board of Appeals of the Village of Wesley Hills for a one-year term is hereby approved.

Upon vote: Yea: Mayor Katz, Trustee Schwartz, Trustee Cherns, Trustee Mause and Trustee Krull; this motion was carried unanimously.

ITEM #15 **RESOLUTION #40-24**
APPOINTMENT OF ZONING BOARD OF APPEALS MEMBER

Mayor Katz appoints Richard Weinberger as a member of the Zoning Board of Appeals for a term expiring 2029.

Trustee Cherns made a motion to approve the following resolutions, seconded by Trustee Mause:

RESOLVED, that the Mayor's appointment of Richard Weinberger as a Member of the Zoning Board of Appeals of the Village of Wesley Hills for a term expiring April 2029 is hereby approved.

Upon vote: Yea: Mayor Katz, Trustee Schwartz, Trustee Cherns, Trustee Mause and Trustee Krull; this motion was carried unanimously.

ITEM #16 **RESOLUTION #41-24**
APPOINTMENT OF FIRST ALTERNATE MEMBER TO THE ZONING BOARD OF APPEALS – ONE YEAR TERM

Mayor Katz appoints Barry Rozenberg as 1st Alternate to the Zoning Board of Appeals.

Trustee Cherns made a motion to approve the following resolutions, seconded by Trustee Krull:

RESOLVED, that the Mayor’s appointment of Barry Rozenberg as 1st Alternate to the Zoning Board of Appeals of the Village of Wesley Hills for a one-year term is hereby approved.

Upon vote: Yea: Mayor Katz, Trustee Schwartz, Trustee Cherns, Trustee Mause and Trustee Krull; this motion was carried unanimously.

ITEM #17 **RESOLUTION #42-24**
APPOINTMENT OF SECOND ALTERNATE MEMBER TO THE ZONING BOARD OF APPEALS - ONE YEAR TERM.

Mayor Katz appoints Anita Hajioff as 2nd Alternate to the Zoning Board of Appeals.

Trustee Cherns made a motion to approve the following resolutions, seconded by Trustee Mause:

RESOLVED, that the Mayor’s appointment of Anita Hajioff as 2nd Alternate to the Zoning Board of Appeals of the Village of Wesley Hills for a one-year term is hereby approved.

Upon vote: Yea: Mayor Katz, Trustee Schwartz, Trustee Cherns, Trustee Mause and Trustee Krull; this motion was carried unanimously.

ITEM #18 **RESOLUTION #43-24**
RESOLUTION DESIGNATING OFFICIAL DEPOSITORIES FOR VILLAGE FUNDS

Trustee Cherns made a motion to approve the following resolutions, seconded by Trustee Krull:

RESOLVED, that the following banks are hereby designed as official depositories for Village funds: Key Bank, N.A.; JPMorgan Chase Bank, N.A.; M&T Bank; MBIA; Webster Bank; T.D. Bank Corp; and N.Y. Class.

Upon vote: Yea: Mayor Katz, Trustee Schwartz, Trustee Cherns, Trustee Mause and Trustee Krull; this motion was carried unanimously.

ITEM #19 **RESOLUTION #44-24**
RESOLUTION DESIGNATING OFFICIAL NEWSPAPERS

Trustee Cherns made a motion to approve the following resolutions, seconded by Trustee Krull:

RESOLVED, that the Rockland County Times and the Rockland Journal News, local newspapers, be designed as the official Village newspapers.

Upon vote: Yea: Mayor Katz, Trustee Schwartz, Trustee Cherns, Trustee Mause and Trustee Krull; this motion was carried unanimously.

ITEM #20 **RESOLUTION #45-24**
RESOLUTION APPROVING THE “2024 STORMWATER EDUCATION PROGRAM AGREEMENT WITH CORNELL COOPERATIVE EXTENSION OF ROCKLAND”

Trustee Cherns made a motion to approve the following resolutions, seconded by Trustee Mause:

RESOLVED, that the 2024 Stormwater II Education Program Agreement between the Village of Wesley Hills and the Cornell Cooperative Extension of Rockland, a copy of which is made a part of the minutes of this Board, is hereby accepted, and the Mayor is authorized to indicate the approval and acceptance of such proposal by signing same on behalf of the Village of Wesley Hills.

Discussion:

Mayor Katz explained that Cornell provides the education that NYSDEC requires for the Village. Cornell does radio spots, email blasts, videos, posters, and educational classes.

Upon vote: Yea: Mayor Katz, Trustee Schwartz, Trustee Cherns, Trustee Mause and Trustee Krull; this motion was carried unanimously.

ITEM #21

RESOLUTION #46-24

RESOLUTION APPROVING ABSTRACTS OF AUDITED CLAIMS

Deputy Mayor Schwartz made a motion to approve the following resolutions, seconded by Trustee Cherns:

RESOLVED, that the general fund claims #21691 through #217562 in the aggregate amount of \$230,292.15 as set forth in Abstract #4/24 dated April 2, 2024, a copy of which abstract of audited claims is made a part of the Minutes of this Board, are hereby approved.

Upon vote: Yea: Mayor Katz, Trustee Schwartz, Trustee Cherns, Trustee Mause and Trustee Krull; this motion was carried unanimously.

ITEM #21

RESOLUTION #47-24

RESOLUTION APPROVING TRANSFER OF FUNDS

Trustee Krull made a motion to approve the following resolutions, seconded by Trustee Cherns:

RESOLVED, that the transfers in the aggregate amount of \$250,000 as set forth in Abstract #4/24 dated April 2, 2024, a copy of which abstract of audited claims is made a part of the Minutes of this Board, are hereby approved.

Upon vote: Yea: Mayor Katz, Trustee Schwartz, Trustee Cherns, Trustee Mause and Trustee Krull; this motion was carried unanimously.

MAYOR'S REPORTS

Skylark/Harriet Stop Signs

Mayor Katz stated that the Village Engineer has provided an updated letter dated March 29, 2024 which recommends one stop sign for traffic traveling eastbound on Skylark Drive. Mayor Katz referred to the responses he received concerning the installation which had been shared with the Trustees. Mayor Katz noted that there were a few homes that opposed it, however there were more in favor. Board Members discussed traffic, enforcement and expressed the need for the installation of this stop sign.

RESOLUTION #48-24

INSTALLATION OF STOP SIGN ON SKYLARK DRIVE & HARRIET LANE

Deputy Mayor Schwartz made a motion to approve the following resolution, seconded by Trustee Cherns:

RESOLVED, that the Board of Trustees hereby requests that the Town of Ramapo Highway Department install one “Stop” sign at the intersection of Skylark Drive and Harriet Lane along with the required street markings and any other associated signage, in accordance with the Village Engineer of the Village of Wesley Hills memo dated March 29, 2024, a copy of which plan is made a part of the Minutes of this Board is hereby approved.

Upon vote: Yea: Mayor Katz, Trustee Schwartz, Trustee Cherns, Trustee Mause and Trustee Krull; this motion was carried unanimously.

Tammy Road & Harriet Lane Stop Sign

Mayor Katz stated that residents had also asked about installing a stop sign at the Tammy/Harriet intersection. The Village Engineer reviewed this request and suggested that a stop sign be installed at the intersection of Harriet Lane & Tammy Road as per their recommendation letter dated March 29,2024. Mayor Katz confirmed that the Village Board wants to canvass the residents with a letter for the installation of this stop sign. Trustee Mause stated that he is happy to see movement with the installation of the stop signs, he travels these roadways frequently and it is dangerous. Board Members are in favor of canvassing the residents.

Pomona Heights Speed Bumps

Mayor Katz stated that he received responses from residents in the Pomona Heights neighborhood and he would like to move ahead with the recommendation from the Village Engineer dated 2/28/2024. Mayor Katz stated that many of the residents were in favor of the speed bumps, and some offered more locations or alternate locations. Board Members stated that they are willing to install the speed bumps in the proposed locations as a trial run and see how it works out.

RESOLUTION #49-24

INSTALLATION OF SPEED BUMPS ON POMONA ROAD AND CAINS ROAD

Deputy Mayor Schwartz made a motion to approve the following resolution, seconded by Trustee Krull:

RESOLVED, that the Board of Trustees hereby requests that the Town of Ramapo Highway Department install two temporary “Speed Bumps” and on Pomona Road and Cains Road with the associated required street markings and signage, in accordance with the Village Engineer of the Village of Wesley Hills memo dated February 28, 2024, a copy of which plan is made a part of the Minutes of this Board is hereby approved.

Upon vote: Yea: Mayor Katz, Trustee Schwartz, Trustee Cherns, Trustee Mause and Trustee Krull; this motion was carried unanimously.

Community Choice Aggregation Program

Mayor Katz stated that the Village’s program administrator has contacted him about restarting the Village’s natural gas program. Mayor Katz stated that he will share the information once he receives it.

NYS Comptroller Fiscal Stress Report

Mayor Katz stated that the Village submits the required information each year for the State to prepare the annual fiscally street report and the Village scored 0% and 13.3% under environmental score.

VILLAGE CLERK/TREASURER’S REPORT

Camille Guido-Downey reported that the Village received fourteen complaints. Currently the Village has 314 open building permits. She noted that the staff just finished with elections and is now moving to budget and tax collection preparation and collection activities.

EXECUTIVE SESSION

Deputy Mayor Schwartz made a motion to enter Executive Session, seconded by Trustee Cherns to discuss potential litigation. Upon vote: Yea: Mayor Katz, Trustee Schwartz, Trustee Cherns, Trustee Mause and Trustee Krull; this motion was carried unanimously.

No action was taken in Executive Session.

Trustee Mause made a motion to exit Executive Session, seconded by Trustee Cherns to discuss potential litigation. Upon vote: Yea: Mayor Katz, Trustee Schwartz, Trustee Cherns, Trustee Mause and Trustee Krull; this motion was carried unanimously.

ADJOURNMENT

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

Respectfully Submitted,
Camille Guido-Downey

ROCKLAND COUNTY DEPARTMENT OF PLANNING
REFERRAL FORM FOR GENERAL MUNICIPAL LAW REVIEWS

Municipality: Village of Wesley Hills

Date Sent: February 8, 2024

Board: Planning ZBA Town/Village Meeting Date: April 2, 2024

File Name Local Law #1 of 2024-Faculty Housing
Contact Person Camille Guido-Downey, Village Clerk
Village of Wesley Hills
Address 432 Route 306, Wesley Hills, NY 10952

Referral Agencies

(Please indicate the agencies that have also received copies of this application)

- RC Highway Department
- RC Division of Environmental Resources
- RC Drainage Agency
- RC Department of Environmental Health (Sewers, Water, Mosquito Code, Underground Tanks)
- RC Sewer District #1
- NYS Department of Environmental Conservation
- NYS Department of Transportation
- NYS Thruway Authority
- NY-NJ Trail Conference (Long Path)
- Palisades Interstate Park Commission
- US Army Corps of Engineers
- Cornell Cooperative Extension of Rockland County
- Adjacent Municipality --- Town of Ramapo, Montebello, New Hempstead, Pomona
- Other _____

Pursuant to the General Municipal Law Article 12-B, Section

239 (n): _____

239 (l) & (m): Site Plan Variance Special Permit Zone Change/Amendment

Other – *Please list* A Local Law amending the Zoning Code of the Village of

Wesley Hills in relation to Faculty Housing.

Location of Parcel(s) Village of Wesley Hills

Acreage of Parcel (s) _____

Existing Sq. Footage _____ Proposed Sq. Footage _____

The Property in Question Lies Within 500 Feet of:

- County Road State Road, Thruway, or Parkway
- County Stream State Park
- County Park Village, Town, or County Boundary
- County or State Facility The Long Path

Map Block Lot(s) Map Date: _____ Current Zoning: _____

Brief Project Description: A Local Law amending the Zoning Code of the Village of Wesley Hills in relation to Faculty Housing.

A LOCAL LAW AMENDING THE CODE OF THE VILLAGE OF
WESLEY HILLS, TO REVISE THE ZONING LAW IN RELATION
TO FACULTY HOUSING AT SCHOOLS.

BE IT ENACTED BY THE BOARD OF TRUSTEES OF THE VILLAGE OF WESLEY
HILLS, as follows:

Section 1. Legislative Intent. The Board of Trustees acknowledges that the operation of kindergarten through 12th grade schools within the Village of Wesley Hills is desirable, provided that such schools are in compliance with the requirements of the Zoning Law. The Board of Trustees has been made aware that qualified faculty of such schools have found it difficult to obtain affordable housing near the Village. The Board of Trustees therefore finds that it is appropriate to allow schools with a dormitory, in order to attract and maintain qualified faculty, under appropriate conditions to provide accessory on-campus housing for its faculty.

Section 2. Amendment to Zoning Law. The following definition is hereby added to Section 230-5 of the Code of the Village of Wesley Hills, to follow the definition of "PLANT HEALTH MATERIALS", to read as follows:

PRACTICAL ACCESS - For all accessory uses and special permit uses for which practical access to a major road is a requirement, the phrase "practical access" means that it must be reasonably possible for actual vehicular access to be designed and constructed along the particular frontage under consideration for that use. It does not require that such access must be constructed or included in an approved site plan if the Planning Board, in the exercise of its discretion, deems it to be in the public interest for the actual vehicular access to be designed along the available frontage of a different road.

Section 3. Amendment to Zoning Law. Section 230-26I of the Code of the Village of Wesley Hills is hereby amended by adding thereto a new Subsection I(17), to read as follows:

- (17) Schools which contain faculty housing units shall comply with the following additional requirements:
 - (a) Each faculty housing unit shall be set back at least 50 feet from any street.
 - (b) Faculty housing shall only be approved for schools meeting all of the following requirements: (1) the

school has at least 4 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 3 years; and (4) the school can demonstrate the need for on-campus faculty housing.

- (c) 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.
- (d) 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.
- (e) 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)(i); (2) 7.5% of the average number of active pupils during the most recent 3 years prior to the application; and (3) the ratio of 2.0 units per acre of net lot area.
- (f) 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)(e) (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.
- (g) 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.

- (h) In addition to any other off-street parking required for a school and accessory uses, there shall be 1 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.
- (i) Faculty housing units shall be occupied only by employed faculty members, as defined in Subsection I(17)(j), of the school being operated on the premises of which the housing units are located, and the spouses of such faculty members and their children up to the age of 25 years or their disabled children of any age. 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.
- (j) 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 2 classes for at least 1 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.
- (k) On or before September 1st 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 this Subsection I(17)(k), then within 30 days after such change the school shall file with the Village Clerk the information required in subdivisions (1) through (4) of this Subsection with respect to such new occupant.
 - (6) Failure to provide the affidavit required by this Subsection I(17)(k), 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.
- (1) No certificate of occupancy for any faculty housing unit shall be issued unless and until the school has been issued a certificate of occupancy.

- (m) If the property is sold or transferred 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 or transferred for any use other than a school, the status of the residential use of all faculty housing units on the property shall expire, and there shall be no as-of-right to continue the residential use of any such units. Certificates of occupancy for all such units shall be terminated and shall be of no force and effect without any further action by the Village.

Section 4. Severability. The invalidity or unenforceability of any section, subsection, paragraph, sentence, clause, provision, or phrase of the aforementioned sections, as declared by the valid judgment of any court of competent jurisdiction to be unconstitutional, unlawful, or unenforceable, shall not affect the validity or enforceability of any other section, subsection, paragraph, sentence, clause, provision, or phrase thereof, which shall remain in full force and effect.

Section 5. Effective Date. This local law shall become effective ten days after publishing, posting and filing with the Secretary of State.

A LOCAL LAW AMENDING THE CODE OF THE VILLAGE OF
WESLEY HILLS, TO REVISE THE ZONING LAW IN RELATION
TO FACULTY HOUSING AT SCHOOLS.

BE IT ENACTED BY THE BOARD OF TRUSTEES OF THE VILLAGE OF WESLEY
HILLS, as follows:

Section 1. Legislative Intent. The Board of Trustees acknowledges that the operation of kindergarten through 12th grade schools within the Village of Wesley Hills is desirable, provided that such schools are in compliance with the requirements of the Zoning Law. The Board of Trustees has been made aware that qualified faculty of such schools have found it difficult to obtain affordable housing near the Village. The Board of Trustees therefore finds that it is appropriate to allow schools with a dormitory, in order to attract and maintain qualified faculty, under appropriate conditions to provide accessory on-campus housing for its faculty.

Section 2. Amendment to Zoning Law. The following definition is hereby added to Section 230-5 of the Code of the Village of Wesley Hills, to follow the definition of "PLANT HEALTH MATERIALS", to read as follows:

PRACTICAL ACCESS - For all accessory uses and special permit uses for which practical access to a major road is a requirement, the phrase "practical access" means that it must be reasonably possible for actual vehicular access to be designed and constructed along the particular frontage under consideration for that use. It does not require that such access must be constructed or included in an approved site plan if the Planning Board, in the exercise of its discretion, deems it to be in the public interest for the actual vehicular access to be designed along the available frontage of a different road.

Section 3. Amendment to Zoning Law. Section 230-26I of the Code of the Village of Wesley Hills is hereby amended by adding thereto a new Subsection I(17), to read as follows:

- (17) Schools which contain faculty housing units shall comply with the following additional requirements:
 - (a) Each faculty housing unit shall be set back at least 50 feet from any street.
 - (b) Faculty housing shall only be approved for schools meeting all of the following requirements: (1) the

school has at least 4 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 3 years; and (4) the school can demonstrate the need for on-campus faculty housing.

- (c) 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.
- (d) 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.
- (e) 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)(i); (2) 7.5% of the average number of active pupils during the most recent 3 years prior to the application; and (3) the ratio of 2.0 units per acre of net lot area.
- (f) 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)(e) (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.
- (g) 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.

- (h) In addition to any other off-street parking required for a school and accessory uses, there shall be 1 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.
- (i) Faculty housing units shall be occupied only by employed faculty members, as defined in Subsection I(17)(j), of the school being operated on the premises of which the housing units are located, and the spouses of such faculty members and their children up to the age of 25 years or their disabled children of any age. 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.
- (j) 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 2 classes for at least 1 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.
- (k) On or before September 1st 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 this Subsection I(17)(k), then within 30 days after such change the school shall file with the Village Clerk the information required in subdivisions (1) through (4) of this Subsection with respect to such new occupant.
 - (6) Failure to provide the affidavit required by this Subsection I(17)(k), 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.
- (1) No certificate of occupancy for any faculty housing unit shall be issued unless and until the school has been issued a certificate of occupancy.

- (m) If the property is sold or transferred 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 or transferred for any use other than a school, the status of the residential use of all faculty housing units on the property shall expire, and there shall be no as-of-right to continue the residential use of any such units. Certificates of occupancy for all such units shall be terminated and shall be of no force and effect without any further action by the Village.

Section 4. Severability. The invalidity or unenforceability of any section, subsection, paragraph, sentence, clause, provision, or phrase of the aforementioned sections, as declared by the valid judgment of any court of competent jurisdiction to be unconstitutional, unlawful, or unenforceable, shall not affect the validity or enforceability of any other section, subsection, paragraph, sentence, clause, provision, or phrase thereof, which shall remain in full force and effect.

Section 5. Effective Date. This local law shall become effective ten days after publishing, posting and filing with the Secretary of State.



Rockland County

Ed Day, Rockland County Executive

DEPARTMENT OF PLANNING

Dr. Robert L. Yeager Health Center
50 Sanatorium Road, Building T
Pomona, New York 10970

Phone: (845) 364-3434 Fax: (845) 364-3435

Douglas J. Schuetz
Acting Commissioner

Richard M. Schiafo
Deputy Commissioner

March 28, 2024

Wesley Hills Village Board
432 Route 306
Wesley Hills, NY 10952

Tax Data:

Re: GENERAL MUNICIPAL LAW REVIEW: Section 239 L and M

Map Date:

Date Review Received: 02/08/2024

Item: VILLAGE OF WESLEY HILLS - FACULTY HOUSING (Whi-187A)

Local Law to establish requirements in order to permit faculty housing associated with kindergarten - 12th grade schools within the Village. These requirements must be met as part of the special permit standards for schools, if faculty housing is proposed. A definition for "practical access" is also proposed to be added to the Zoning Code.

Residential zoning districts

Reason for Referral:

County and State highways and parks; County streams and facilities; adjacent municipalities

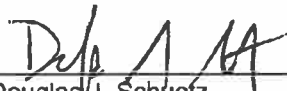
The County of Rockland Department of Planning has reviewed the above item. Acting under the terms of the above GML powers and those vested by the County of Rockland Charter, I, the Commissioner of Planning, hereby:

***Approve**

Since the proposed Local Law will have no adverse impacts on any County-wide interests, this matter is remanded for local determination.

1 The following additional comment is offered strictly as an observation and is not part of our General Municipal Law (GML) review. The board may have already addressed this point or may disregard it without any formal vote under the GML process:

1.1 The proposed Section 230-26l(17)(m) contains a spelling error. The word "ne" in the final sentence shall be corrected to "be".



Douglas J. Schuetz
Acting Commissioner of Planning

cc: Mayor Marshall Katz, Wesley Hills
New York State Department of Transportation
Rockland County Department of Health
Rockland County Drainage Agency

VILLAGE OF WESLEY HILLS - FACULTY HOUSING (Whi-187A)

Rockland County Highway Department
Rockland County Sewer District No. 1

Town of Ramapo Planning Board
Villages of Montebello, New Hempstead, &
Pomona Planning Boards

Rockland County Planning Board Members

**The proposed action is deemed to have no significant negative impact on nearby municipalities, County or State roads or facilities, County Parks or Drainage Systems or the surrounding Neighborhood Character and, therefore, the ACTION IS FOR LOCAL DETERMINATION. Approval does not necessarily mean we endorse this subject action as desirable from the viewpoint of your municipality.*

The review undertaken by the County of Rockland Department of Planning is pursuant to, and follows the mandates of Article 12-B of the New York General Municipal Law. Under Article 12-B the County of Rockland does not render opinions, nor does it make determinations, whether the item reviewed implicates the Religious Land Use and Institutionalized Persons Act. The County of Rockland Department of Planning defers to the municipality forwarding the item reviewed to render such opinions and make such determinations if appropriate under the circumstances.

In this respect, municipalities are advised that under the Religious Land Use and Institutionalized Persons Act, the preemptive force of any provision of the Act may be avoided (1) by changing a policy or practice that may result in a substantial burden on religious exercise, (2) by retaining a policy or practice and exempting the substantially burdened religious exercise, (3) by providing exemptions from a policy or practice for applications that substantially burden religious exercise, or (4) by any other means that eliminates the substantial burden.

Proponents of projects are advised to apply for variances, special permits or exceptions, hardship approval or other relief.

Pursuant to New York State General Municipal Law §239-m(6), the referring body shall file a report of final action it has taken with the County of Rockland Department of Planning within thirty (30) days after final action. A referring body which acts contrary to a recommendation of modification or disapproval of a proposed action shall set forth the reasons for the contrary action in such report.

MEMORANDUM

RECEIVED

MAR 22 2024

VILLAGE OF WESLEY HILLS

TO: Mayor and Board of Trustees
Village of Wesley Hills

FROM: Zoning Board of Appeals
Village of Wesley Hills

SUBJECT: Proposed Local Law Relating to Faculty Housing

DATE: March 22, 2024

The Zoning Board of Appeals of the Village of Wesley Hills respectfully requests that no decision be made on the proposed local law relating to faculty housing until the May 2024 meeting of the Board of Trustees.

Members of the ZBA would like additional time to review the proposed local law.

Thank you.