

**Village of Woodbury  
Planning Board Meeting  
February 15, 2023**

Minutes of the Planning Board Meeting held on February 15, 2023, at 7:30 PM.

Board Members Present: Christopher Gerver, Chairman  
Richard Cataggio  
Michael Pastel  
Evan Yan

Village of Woodbury Planning Board Consultants:

Kelly Naughton, Attorney  
Natalie D. Barber, Engineer  
Philip Grealy, Traffic Consultant

Board Member(s) Absent: Thomas DeLuca

Chairman Gerver opened the meeting with the Pledge of Allegiance.

1. **Executive Session:** No Executive Session was necessary.
2. **Public Comment:** No member of the public had comments.
3. **Regular Agenda:**

- A. **Gardens at Harriman Station** - Discuss the status of an application for proposed transit-oriented development. Said property is located on State Route 17 in the Village of Woodbury and is known on the Village of Woodbury tax maps as Section 243 Block 1 Lots 1 through 25.

Engineer Steve Esposito began giving an update on the application. They are focusing on the redeveloping of their wells. They have four existing wells. He gave a description, their location as well, and the number of gallons on each well. Engineer Esposito asked the Board for permission to reach out to their consultants to go back on a couple of items particularly the infrastructure and water and sewer and zoning items. The Chairman asked questions on the water quality testing and Engineer Esposito said they have been doing testing and they haven't had a problem. Engineer Esposito said they are very comfortable where they are right now, things are moving along.

- B. **Hartman 22-24 Catskill High Rail Public Hearing** for an Amended Site Plan, Special Permit, Ridge Preservation and ARB of proposed Shul addition to Single Family Dwelling. Said property is located at 22 & 24 Catskill High Rail and is known on the Village of Woodbury Tax Maps as Section 254 Block 7 Lot 1 & 2

The Chairman announced this application was placed on February 10, 2023, in the Times Herald Record.

Engineer Michael Morgante gave an overview description of the application. Using the site plan, he gave a summary while pointing out certain areas on the plan. In addition to Engineer Morgante's description, Attorney Steven Barshov announced that a letter was forwarded to the Building Department explaining the bulk of waivers connecting to religious land use. Explaining why there should be reasonable accommodation made to allow religious use. R. Cataggio had questions regarding water and square footage and Engineer Morgante acknowledged there may be some inconsistencies and they will look things over. R. Cataggio had questions regarding parking and Traffic Consultant Star Kipp explained their estimates based on discussions with the operation of the Shul and their estimates of attendees and compared it to a program called ITE which is an industry publication for trip generation. He also acknowledges an inconsistency with the numbers between himself and Engineer Morgante and they will sort it out.

Chairman Gerver opened the floor to the public for comments regarding the Hartman 22-24 Catskill High Rail.

Mr. Joel Brewer is a resident who lives across from the proposed Shul. He asked if the Board received his email regarding this application. Chairman Gerver said the Board had not received the email, they will most likely receive it the next day and it will be put on record as part of the public file. Mr. Brewer asked that the Board read his email and he makes many valid points.

Rabbi Aaron Teilbaum and lives in 13 Adelake Fareway. Spoke of where he came from and added that most of the people who are present share the same story. He spoke of his family and where they came from, the history of his family, and others like him. He as well as others are just looking for a peaceful place where they can reside during the week, weekends, and holidays. The spoke of what the Jewish community had to endure. He has 50 grandchildren, and his wife and children would like to spend their weekends in a synagogue where they pray and socialize. He and his wife are looking for a spacious place to accommodate them. Having a place close by, within walking distance will be beneficial to them since they are not permitted, due to their religion, to use their vehicles. He continues to say that the no use of vehicles should not impact the traffic.

A gentleman who resides at 1180 Adelake Fareway is thankful for his neighbor, friends, family, and the Board. He thanks God for having a great country of the USA where they can practice religion and hopes that everyone understands the importance of a house of worship and what it means for them. He continues to say that traffic should not be impacted since most of the use will be during the weekends and at close proximity where they will not be traveling.

Mr. Benjamin Green, who resides at 3 Catskill High Rail is confident there will be no traffic, he asked the Board to please grant its approval.

Mr. Michel Ziegelman resides in Woodbury Junction. He appreciated that the Board considered this application. He's been a resident for 5 years and there hasn't been much trouble with traffic. He asked the Board to give consideration to the brave Rabbi and the congress to come out and bring this application to the Board to legalize the synagogue it should be a sample and a symbol that residents want to work with the Board and the Town to make things work. He doesn't think there will be traffic or noise for the neighbors.

Mr. Schwartz resides across the property in question. He resides at 29 Catskill High Rail. He asked the Board to vote yes on this application. He continued to say that not only would it be beneficial for himself but for the community as well. It would be a nice, comfortable, and safe place for prayer for families.

Mr. Werberger who resides at 15 Catskill High Rail was originally from Montreal, Canada. He would like to thank the Town of Woodbury for accommodating the needs of all the neighborhoods. The need for a synagogue is just as important for other people's needs when it's a bank or a gym for people to exercise. He feels it will be totally different with traffic. He personally, as well as his neighbors have to travel to KJ in order for them to go to a place of worship. Having this place of worship will be helpful and a need for the community. He continues to say that the communities are helpful with all their necessities as well and the Village, Town, and municipalities are happy and fortunate to have them residing. They try to be respectful to their neighbors and one another.

A motion was offered by Chairman Gerver, seconded by M. Pastel, to close the public hearing for Hartman 22-24 Catskill High Rail. Chairman Gerver conducted a roll call of the Board which resulted in the motion being:

**ADOPTED**

AYES	4	Chairman Gerver, R. Cataggio, M. Pastel, E. Yan
NOES	0	

The Chairman noted for the record receiving a late message from a resident named Benson Hershowitz. The letter will be available in the Building Department for review and part of the file for anyone to review. The Chairman thanked the Congregation and the consultants for working with the Village and the Board. It's a long lengthy process for approvals and requires studies to take place in order to make everything legal. However, she said she wouldn't have any issues to discuss the following in this meeting.

Engineer Barber was not able to prepare a memorandum for the evening. The site plans, waivers, bulk criteria along with other materials were given after the deadline, which is typically two weeks prior to the assigned meeting, not giving her a chance to review and give her assessment in a timely manner.

Chairman Gerver began with a parking waiver. The Applicant is looking for 50 feet and right now the area provides 17 feet. The Board was asked for their concerns and opinions. Attorney Barshov explained it's a question of which design is best for this situation. It either the house gets shrunk, or the size of the home is forced to invade other yard requirements. He continued to say that due to the substantial burden, there have to be waivers. There was further discussion among the board as they discussed the design of the home along with the addition, and it was noted that the Building Department hasn't received complaints. It's agreed the home has a weird configuration.

Attorney Naughton clarified how it was spoken off earlier by Engineer Barber, the two lots are to be treated as uses, therefore two, one for lot area and the other for lot coverage. Engineer Morgante noted that by adding the two lots it would come to 42% that would need a waiver.

Attorney Barshov talked about the professionalism between the Board and the Orthodox community as it is very important. He wants his clients to know that there are rules that they get applied to and that everyone can work together. Applications like this set a precedent.

R. Cataggio asked how the capacity is determined. Engineer Barber said the Applicant represented 60 worshipers for the Shul, and the water and sewer demand as well as the traffic study would base their calculations on that number. However, the traffic study doesn't include pedestrian traffic, it's based on vehicular trips. Engineer Barber has to review all the updated submissions in order for her to make her comments.

A motion was offered by Chairman Gerver, seconded by E. Yan, to assume this as an Unlisted Action under SEQRA. Chairman Gerver conducted a roll call of the Board which resulted in the motion being:

**ADOPTED**

AYES 4 Chairman Gerver, R. Cataggio M. Pastel, E. Yan  
NOES 0

Attorney Naughton went over the EAF and made her comments.

A motion was offered by Chairman Gerver, seconded by E. Yan, to adopt EAF part II with the modifications. Chairman Gerver conducted a roll call of the Board which resulted in the motion being:

**ADOPTED**

AYES 4 Chairman Gerver, R. Cataggio, M. Pastel, E. Yan  
NOES 0

A motion was offered by Chairman Gerver, seconded by M. Pastel, to issue a Negative Declaration. Chairman Gerver conducted a roll call of the Board which resulted in the motion being:

**ADOPTED**

AYES 4 Chairman Gerver, R. Cataggio M. Pastel, E. Yan  
NOES 0

A motion was offered by Chairman Gerver, seconded by R. Cataggio, to authorize counsel to draft a Resolution of Approval for 22-24 Catskill High Rail. Chairman Gerver conducted a roll call of the Board which resulted in the motion being:

**ADOPTED**

AYES 4 Chairman Gerver, R. Cataggio M. Pastel, E. Yan  
NOES 0

Attorney Naughton clarified that the Resolution of Approval is separate from the moratorium request. The moratorium will have to be granted first by the Village Board of Trustees before the Resolution of Approval can take place.

- C. **Iglesia Ni Cristo ARB** – Review revised documents submitted for the construction of 2 steeples on the existing church building. Said property is located at 520 Route 32 in Highland Mills and is known on the Village of Woodbury Tax Maps as Section 220 Block 5 Lot 17.

Contractor Nick Angeles representing the Applicant noted that they had received their permit for the interior renovations of the building and now they are adding two steeples of 32 sq. ft. He continues to say he is not only a contractor for the church he is also a member and for decades he has participated in the construction and renovation of churches. In their previous meeting with the Board, there was a question regarding the seal and the number of colors allowed in a logo. He asked that the Board approve the seal as is with its colors. E. Yan asked why they wouldn't go higher with the steeples and Mr. Angeles's response was that per the Building Inspector, 35 feet is the highest they can go.

Engineer Barber said the H2M memo on February 9, 2023, was not long after new submissions were provided to the Building Department and she hadn't had a chance to review them, however, her comments were straightforward, and most were addressed by the Applicant. She then continued to review and address those comments that were not answered. Chairman Gerver said he doesn't see a problem with the color of the seals. The Board agreed the seal would not be a problem. E. Yan expressed his concerns about the stipples, he feels it should be higher (35 ft.)

A motion was offered by Chairman Gever, seconded by E. Yan, to have this as a type II Action II under SEQRA. Chairman Gerver conducted a roll call of the Board which resulted in the motion being:

**ADOPTED**

AYES 4 Chairman Gerver, R. Cataggio, M. Pastel, E. Yan  
NOES 0

A motion was offered by Chairman Gerver, seconded by M. Pastel to grant the waiver for the sign/logo seal colors signed seal for Iglesia Ni Cristo. Chairman Gerver conducted a roll call of the Board which resulted in the motion being:

**ADOPTED**

AYES 4 Chairman Gerver, R. Cataggio, M. Pastel, E. Yan  
NOES 0

A motion was offered by Chairman Gerver, seconded by R. Cataggio to waive the public hearing for Iglesia Ni Cristo. Chairman Gerver conducted a roll call of the Board which resulted in the motion being:

**ADOPTED**

AYES 4 Chairman Gerver, R. Cataggio, M. Pastel, E. Yan  
NOES 0

A motion was offered by Chairman Gerver, seconded by M. Pastel, to authorize counsel to draft the Resolution of Approval for Iglesia Ni Cristo. Chairman Gerver conducted a roll call of the Board which resulted in the motion being:

**ADOPTED**

AYES 4 Chairman Gerver, R. Cataggio, M. Pastel, E. Yan  
NOES 0

- D. **ARB/Avrrohom/8 Sunny Lane** – Review and discuss documents submitted for ARB and Ridge Preservation of the proposed second-floor addition to an existing single-family dwelling. Said property is located at 8 Sunny Lane in Highland Mills and is known on the Village of Woodbury Tax Maps as Section 217 Block 1 Lot 5.

Mr. Eckstein, a representative of the Applicant began to give a description of the application. The Applicant is trying to have a home with four bedrooms, while expanding other areas of the home, for instance, the study, dining room, a baby area, and placing the 4 bedrooms upstairs. There won't be any changes to the footprint of the building. He continued by addressing some of the comments from the consultants. He gave no bulk criteria, provided renderings of the house, and color/materials were mentioned. He also had with him some of the materials for the Board to view if they chose to.

Engineer Barber mentioned the H2M memo dated February 9, 2023, provided to the Applicant. She acknowledged the representative of the Applicant addressed some of her comments and proceeded to go over reiterating what Mr. Eckstein more or less had said.

E Yan had some questions regarding color/materials. He wanted to know what the two wood finishes were for. According to the application, there's Riverwood and English Walnut. Mr. Eckstein confirmed the English Walnut is for the deck and provided a sample for the Board to view. He continued to show other materials, for instance, stone for the outside part of the house. E. Yan felt the wood and the stone is too much of a high contrast, though it seems some if not most of the homes have that same style. The Board asked that pictures be taken in a 300-foot radius from the home in question of the neighboring homes are part of the application.

A motion was offered by Chairman Gerver, seconded by M. Pastel to waive the public hearing for ARB/Avrrohom/8 Sunny Lane. Chairman Gerver conducted a roll call of the Board which resulted in the motion being:

**ADOPTED**

AYES 3 Chairman Gerver, M. Pastel, E. Yan  
NOES 1 R. Cataggio,

A motion was offered by Chairman Gever, seconded by E. Yan, to have this as a type II Action II under SEQRA. Chairman Gerver conducted a roll call of the Board which resulted in the motion being:

**ADOPTED**

AYES 4 Chairman Gerver, R. Cataggio, M. Pastel, E. Yan  
NOES 0

Engineer Barber confirmed what she needed, confirmation of the deck and the setbacks. Mr. Eckstein in order to avoid going to the ZBA for a variance, the Applicant would prefer to remove the deck on the second floor on the right side of the house. It measures 21 feet therefore he prefers to remove it since it doesn't comply. The Chairman asked that the Applicant submit an update of the plans with those modifications.

A motion was offered by Chairman Gever, seconded by E. Yan, to authorize counsel to draft the Resolution of Approval for ARB/Avrrohom/8 Sunny Lane. Chairman Gerver conducted a roll call of the Board which resulted in the motion being:

**ADOPTED**

AYES 4 Chairman Gerver, R. Cataggio, M. Pastel, E. Yan  
NOES 0

- E. **ARB/Ideal Design/Glum 65 Catskill** - Review documents submitted for proposed ARB and Ridge preservation for modifications to a single-family dwelling to include a 2-story rear addition and partial conversion of garage to mudroom and seasonal kitchen. Said property is located at 65 Catskill High Rail in Central Valley and is known on the Village of Woodbury Tax Maps as Section 255 Block 3 Lot 41.

Present Yitzchok Stein for Ideal Design.

Mr. Stein briefly spoke of the application. He said this was a two-story addition to the rear side of the home. He said no trees are being removed and updated documents have been submitted for the Board's review. Mr. Stein was asked if the Applicant and neighbor would mind planting trees and Mr. Stein did not object to the idea.

Engineer Barber mentioned the H2M memo dated February 9, 2023, provided to the Applicant. There is still outstanding information from the Applicant. She addressed comments from her memo that have yet to be addressed by the Applicant. She jumped to those in need of discussion.

Mr. Stein wanted to let the Board know that they have taken pictures from the designated area required for Ridge Preservation. He added that the house is not visible from that point and d feels they have followed, and they have followed the Board and consultants' instructions to the tee.

E Yan says the material on the second storage should match and complement the existing one so it can stay.

A motion was offered by Chairman Gerver, seconded by M. Pastel to schedule the public hearing for March 15, 2023, for ARB/Ideal Design/Glum 65 Catskill. Chairman Gerver conducted a roll call of the Board which resulted in the motion being:

**ADOPTED**

AYES 4 Chairman Gerver, R. Cataggio, M. Pastel, E. Yan  
Noes 0

- F. **BM Assoc/11 Bond St** – Review and discuss documents submitted for Special Permit and Site Plan for proposed change of use to warehouse. Said property is located at 11 Bond Street in Central Valley and is known on the Village of Woodbury Tax Maps as Section 226-1-91.

Present Yoel Mann

Mr. Mann began by saying there's an existing building/warehouse and some shops, which have been bought out. The use has been changed. The Bulk table was submitted, and the place is currently a warehouse for medical items, for instance, medical uniforms. The place receives container(s) to then be emptied out and then returned. The items become orders that are then shipped out by FedEx or UPS. This facility won't have any outdoor construction, all will stay as is. Currently, they have about 30 employees in the building warehouse a number that was approved previously.

Engineer Barber said there were no outstanding items with her at that time. The Chairman advised that the entity disclosure is not optional. It needs to be done. There was a GML done on June 6, 2023, and the Board did receive notice, although the Board is still waiting on the response on the updated material which will take its usual 30 days.

A motion was offered by Chairman Gerver, seconded by M. Pastel, to declare the Board's intent to be Lead Agency. Chairman Gerver conducted a roll call of the Board which resulted in the motion being:

**ADOPTED**  
AYES 4 Chairman Gerver, R. Cataggio, M. Pastel, E. Yan  
NOES 0

A motion was offered by Chairman Gerver, seconded by R. Cataggio to schedule the public hearing for March 15, 2023, for BM Assoc/11 Bond St Catskill. Chairman Gerver conducted a roll call of the Board which resulted in the motion being:

**ADOPTED**  
AYES 4 Chairman Gerver, R. Cataggio, M. Pastel, E. Yan  
NOES 0

There was a question regarding an outstanding EAF form and Mr. Stein confirmed handing it in to the Building Department.

A motion was offered by Chairman Gerver, seconded by E. Yan, to have this as an Unlisted Type II Action II under SEQRA. Chairman Gerver conducted a roll call of the Board which resulted in the motion being:

**ADOPTED**  
AYES 4 Chairman Gerver, R. Cataggio, M. Pastel, E. Yan  
NOES 0

E Yan asked about the merchandise coming in and out of the Warehouse. Mr. Stein said the packages consisted of medical uniforms (scrubs) in bulk. Once received, they are broken up according to the orders and then sent out. Attorney Naughton noted that in the Applicant's submission, there was a narrative letter with the mention of Kriyas Joel regarding fees. Mr. Stein apologized, saying it was an administrative error.

fee listed and A motion was offered by Chairman Gerver, seconded by E. Yan, to authorize counsel to draft the Resolution of Approval. Chairman Gerver conducted a roll call of the Board which resulted in the motion being:

**ADOPTED**  
AYES 4 Chairman Gerver, R. Cataggio, M. Pastel, E. Yan  
NOES 0

**Adjournment:**

With no further business to discuss, a motion was offered by Chairman Gerver, seconded by E. Yan to adjourn the meeting at 9:20 PM.

**ADOPTED**  
AYES 4 Chairman Gerver, R. Cataggio, M. Pastel, E. Yan  
NOES 0

Claudia Valoy-Romanisin, Planning Board Secretary