



ZONING BOARD OF APPEALS MEETING AGENDA

June 18, 2024 at 7:30 PM

432 Route 306, Wesley Hills, NY 10952

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

CALL TO ORDER

ROLL CALL

PUBLIC HEARING

- 1.** Application submitted by Tzvi & Batya Gorelick for variances from the provisions of Section 230-17 Attachment I of the Code of the Village of Wesley Hills, to permit the construction, maintenance and use of an addition to a single family residence having a side yard of 12.5 feet instead of the minimum required of 25 feet and Building Coverage of .107 instead of the maximum permitted of .10.

The subject premises are situated on the north side of Cara Drive 0 feet from the intersection with Deerwood Road, known as 9 Cara Drive, designated on the Tax Map as Section 41.08 Block 1 Lot 20, in an R-35 Zoning District.

- 2.** Application submitted by Nathan Gross for a variance from the provisions of Section 230-31 of the Code of the Village of Wesley Hills, to permit the maintenance and use of a single family residence that does not contain one indoor parking space.

The subject premises are situated on the north side of Glenbrook Road known as 25 Glenbrook Road, designated on the Tax Map as Section 41.10 Block 2 Lot 28, in an R-35 Zoning District.

CONTINUED PUBLIC HEARING

- 3.** Application submitted by Goldy Rosenfeld for variances from the provisions of Sections 230-14L(1) of the Code of the Village of Wesley Hills, to permit the maintenance and use of a fence 6 feet in height instead of the maximum permitted of 4 feet.

The subject premises are situated on the north side of Ardley Place at the intersection with Wilder Road, known as 2 Ardley Place, designated on the Tax Map as Section 41.10 Block I Lot 20, in an R 35 Zoning District.

- 4.** Application submitted by Nancy Rubin on behalf of Mark Schwartz and Goldie Slater for variances from the provisions of Sections 230-17 Attachment I and 230-14O(4)(a) to permit the maintenance and use of a single-family residence, inground swimming pool, cabana, circular driveway and other structures having front yard impervious surface ratio of .46 instead of the maximum permitted of .20, impervious surface ratio of .36 instead of the maximum permitted of .25, side yard of 19.9 feet instead of the minimum required of 25 feet, cabana side yard of 14.8 feet instead of the minimum required of 25 feet and the variance previously granted of 18

feet and cabana rear yard of 17 feet instead of the minimum required of 50 feet and the variance previously granted of 18 feet.

The subject premises are situated on the south side of Ardley Place approximately 700 feet west of Wilder Road, known as 7 Ardley Place, designated on the Tax Map as Section 41.10 Block 1 Lot 24. in an R-35 Zoning District.

APPROVAL OF MINUTES

5. April 17, 2024

6. May 15, 2024

ADJOURNMENT

File Attachments for Item:

1. Application submitted by Tzvi & Batya Gorelick for variances from the provisions of Section 230-17 Attachment I of the Code of the Village of Wesley Hills, to permit the construction, maintenance and use of an addition to a single family residence having a side yard of 12.5 feet instead of the minimum required of 25 feet and Building Coverage of .107 instead of the maximum permitted of .10.

The subject premises are situated on the north side of Cara Drive 0 feet from the intersection with Deerwood Road, known as 9 Cara Drive, designated on the Tax Map as Section 41.08 Block 1 Lot 20, in an R-35 Zoning District.



15 Lyncrest Drive
Monsey, N.Y. 10952
T: (845) 354-0001

Mayerfeld Architecture
15 Lyncrest Drive
Monsey, NY 10952

May 01, 2024

Mr. Jon Layne
Village of Wesley Hills Building Inspector
Wesley Hills Village Hall Zoning Department
432 Route 306
Wesley Hills, NY 10952

**Re: Tzvi and Batya Gorelick
9 Cara Drive
Village of Wesley Hills**

**R-35 District
41.08-01-20**

Dear Mr. Layne,

As the project manager at Mayerfeld Architecture, I, Stanley Mayerfeld, am representing Tzvi and Batya Gorelick, the homeowners of 9 Cara Drive since April of 2024. We have been retained to design an addition to the existing structure. The addition includes a proper sized two car garage, an addition at the rear of the house and a new deck.

Being that the scope of work is an addition to the existing structure which can not be moved, the proposed garage does not comply with the minimum side yard. Additionally, since the property naturally slopes down the proposed uncovered first floor decks are more than 3' above grade and therefore must be included the building coverage calculations.

The proposed addition requires the following variances:

	Required	Provided
Minimum Side Yard	25'	12.5'
Maximum Building Coverage	.10	.107

See submitted drawings dated 03/24/24 by Anthony Celentano P.E.

Sincerely,

Stanley Mayerfeld

Mayerfeld

ARCHITECTURE PLLC

15 Lyncrest Drive
Monsey, N.Y. 10952
T: (845) 354-0001

June 4, 2024

Wesley Hills Village Hall Zoning Department
432 Route 306
Wesley Hills, NY 10952

**Re: Tzvi and Batya Gorelick
9 Cara Drive
Village of Wesley Hills**

**R-35 District
41.08-01-20**

Dear Members of the Zoning Board,

As the project manager at Mayerfeld Architecture, I, Stanley Mayerfeld, am representing Tzvi and Batya Gorelick, the homeowners of 9 Cara Drive since April of 2024. We have been retained to design an addition to the existing structure. The addition includes a properly sized two-car garage, an addition at the rear of the house, and a new deck.

Since the scope of work is an addition to the existing structure, which cannot be moved, the proposed garage does not comply with the minimum side yard requirements. Additionally, because the property naturally slopes down, the proposed uncovered first-floor decks are more than 3 feet above grade and therefore must be included in the building coverage calculations.

Therefore, the proposed addition requires the following variances:

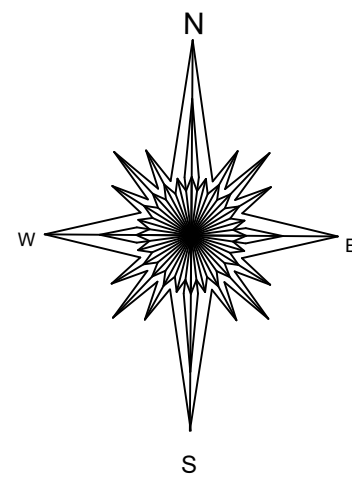
	Required	Provided
Minimum Side Yard	25'	12.5'
Maximum Building Coverage	.10	.107

See submitted drawings dated 03/24/24 by Anthony Celentano P.E.

Sincerely,

Stanley Mayerfeld



**BULK REQUIREMENTS ZONE: R-35**

USE GROUP	MIN. LOT AREA	LOT WIDTH CARA	LOT WIDTH DEERWOOD	EFFECTIVE SQUARE SIDE	FRONT YARD CARA	FRONT YARD DEERWOOD	SIDE YARD	TOTAL SIDE YARD	REAR YARD	MAX. IMPERVIOUS SURFACE	FRONT YARD IMPERVIOUS SURFACE CARA	FRONT YARD IMPERVIOUS SURFACE DEERWOOD	MAX. BUILDING COVERAGE	MAX. BUILDING HEIGHT STORIES	MAX. BUILDING HEIGHT FEET	MAX. EXPOSED BUILDING HEIGHT
SINGLE FAMILY	35,000 SF	125'	125'	125'	50'	50'	25'	60'	50'	0.25	0.20	0.20	0.10	2 1/2	25	40'
REQUIRED	35,000 SF	125'	125'	125'	50'	50'	25'	60'	50'	0.25	0.20	0.20	0.10	2 1/2	25	40'
EXISTING	35,001 SF	177.96'	193.98'	79.6"	51.7'	76.2'	36.2'	N/A	94.2'	0.127	0.11	0	0.06	2	<25'	<40'
PROPOSED	35,001 SF	177.96'	193.98'	79.6"	51.7'	76.2'	12.5"	N/A	71.3'	0.17	0.11	0	0.107"	2	<25'	<40'

* EXISTING CONDITION
** VARIANCE REQUIRED

EXISTING IMPERVIOUS COVERAGE:
1. HOUSE= 2,103 S.F.
2. DRIVEWAY= 1,714 S.F.
3. FRONT WALK & PORCH= 291 S.F.
4. DECK= 274 S.F.
5. OVERHANG= 50 S.F.

TOTAL=4,432 S.F. / 35,001 S.F.= 0.127

PROPOSED IMPERVIOUS COVERAGE:
1. HOUSE= 2,103 S.F.
2. DRIVEWAY= 1,561 S.F.
3. FRONT WALK & PORCH= 291 S.F.
4. DECK= 456 S.F.
5. ADDITION= 1,550 S.F.

TOTAL=5,961 S.F. / 35,001 S.F.= 0.17

EXISTING BUILDING COVERAGE:
2,103 S.F. / 35,001 S.F.= 0.06

PROPOSED BUILDING COVERAGE:
3,753 S.F. / 35,001 S.F.= 0.107

FRONT YARD IMPERVIOUS COVERAGE: (CARA)
EXISTING:

1. DRIVEWAY= 680 S.F.
2. FRONT WALK & PORCH= 260 S.F.
940 S.F. / 8,245 S.F.= 0.114

PROPOSED:

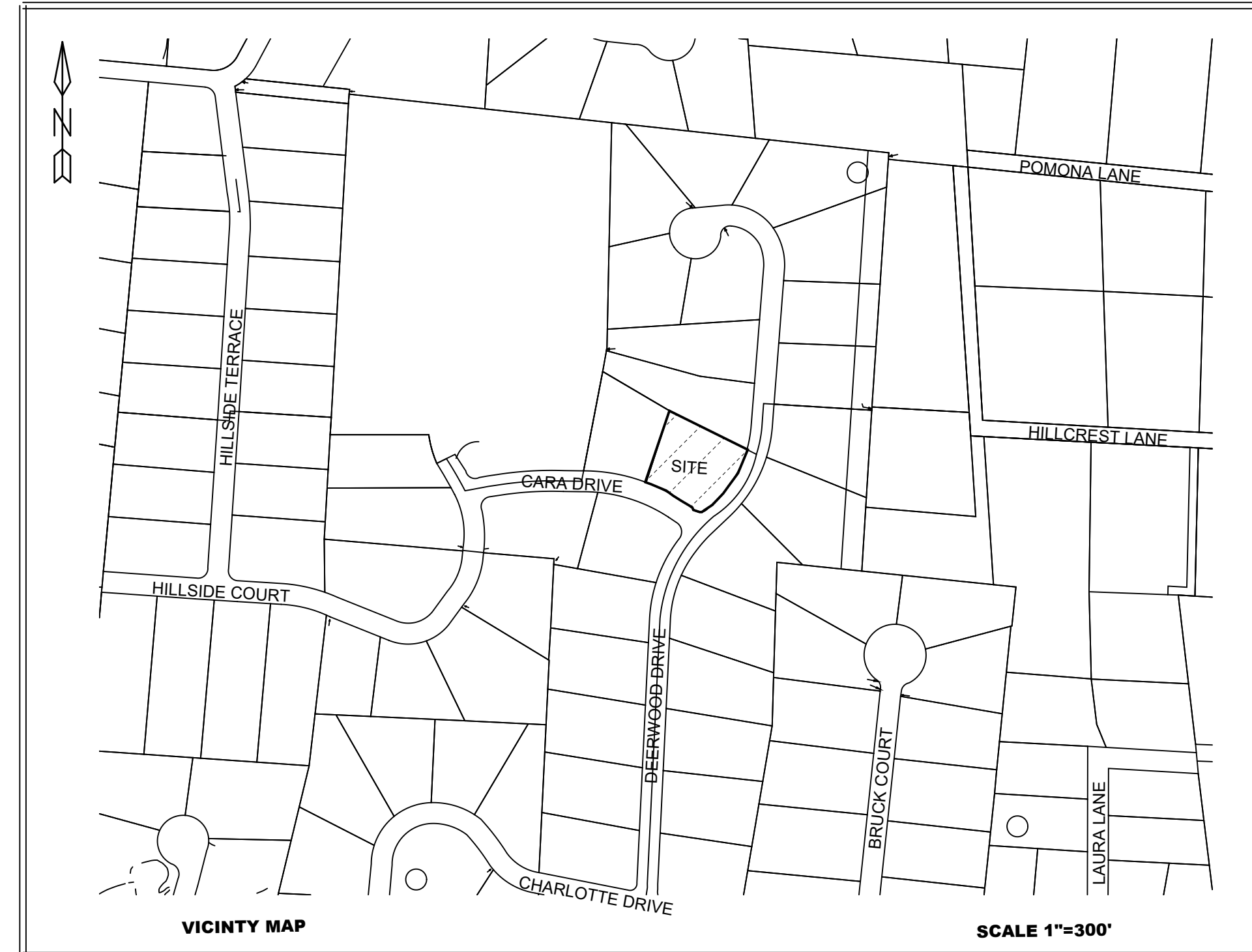
1. DRIVEWAY= 680 S.F.
2. FRONT WALK & PORCH= 260 S.F.
940 S.F. / 8,245 S.F.= 0.114

FRONT YARD IMPERVIOUS COVERAGE: (DEERWOOD)
EXISTING:

N/A

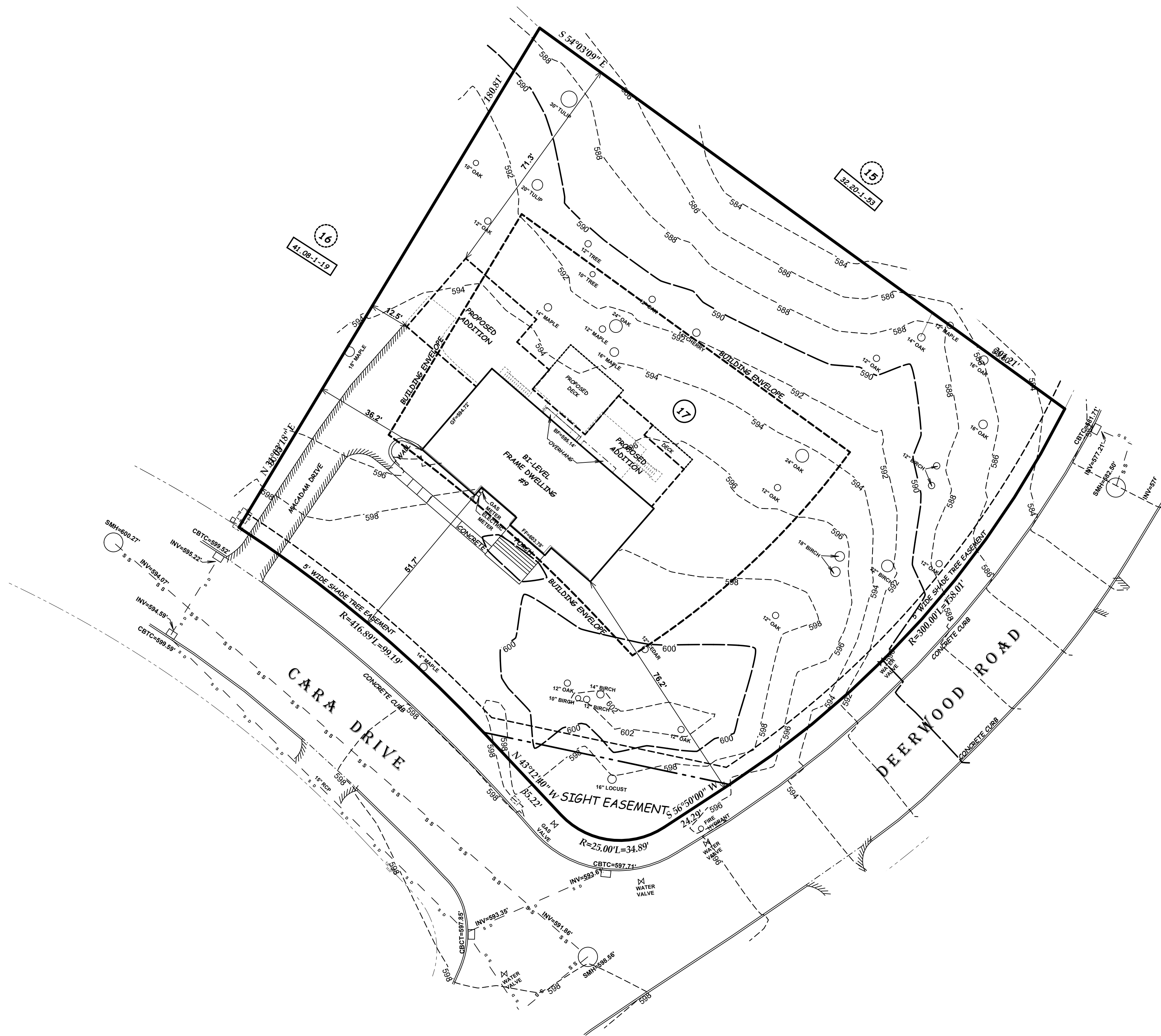
PROPOSED:

N/A



VICINTY MAP

SCALE 1"=300'



NOTE:
"IT IS A VIOLATION OF THE STATE EDUCATION LAW FOR ANY PERSON UNLESS ACTING UNDER THE DIRECTION OF A LICENSED LAND SURVEYOR, TO ALTER ANY ITEM ON ANY MAP."
"ONLY COPIES OF THIS SURVEY MARKED WITH THE LAND SURVEYOR'S SIGNATURE AND AN ORIGINAL EMBOSSED OR INK SEAL ARE THE PRODUCT OF THE LAND SURVEYOR."
"THIS SURVEY WAS PREPARED FOR THE PARTIES AND PURPOSE INDICATED HEREON. ANY EXTENSION OF THE USE BEYOND THE PURPOSES AGREED TO BETWEEN THE CLIENT AND THE SURVEYOR EXCEEDS THE SCOPE OF THE ENGAGEMENT."
THIS SURVEY MAP IS SUBJECT TO AN ACCURATE ABSTRACT OF TITLE.
EASEMENTS OR RIGHTS OF WAY ON OR BELOW THE SURFACE OF THE GROUND THAT ARE NOT VISIBLE ARE NOT SHOWN.

CERTIFIED TO: TZVI GORELICK
BATYA GORELICK
LANDMARK ABSTRACT AGENCY LLC
OLD REPUBLIC NATIONAL TITLE INSURANCE COMPANY
UNITED WHOLESALE MORTGAGE LLC ISACA ATIMA

LOT AREA = 35,001.00 SQUARE FEET
BEING LOT 17 ON A CERTAIN MAP ENTITLED
"TOMETAL WOODS"
FILED IN THE ROCKLAND COUNTY CLERK'S OFFICE
AS MAP #6235 BOOK #109 PAGE #67 ON 08/18/1988.



TAX MAP DESIGNATION: 41.08-1-20

PROPOSED ADDITION FOR

9 CARA DR

TOWN OF RAMAPO, ROCKLAND COUNTY

WESLEY HILLS, NEW YORK

MARCH 24, 2024

SCALE: 1" = 20'

ANTHONY R. CELENTANO P.E.
31 ROSMAN ROAD
THIELLS, N.Y. 10984
845 429 5290 FAX 429 5974

PUBLIC HEARING NOTICE

PLEASE TAKE NOTICE that a public hearing will be held by the Zoning Board of Appeals of the Village of Wesley Hills on the 18th day of June, 2024 at 7:30 P.M. at the Village Hall, 432 Route 306, Wesley Hills, New York 10952 to consider the application submitted by Tzvi and Batya Gorelick for variances from the provisions of Section 230-17 Attachment I of the Code of the Village of Wesley Hills, to permit the construction, maintenance and use of an addition to a single family residence having a side yard of 12.5 feet instead of the minimum required of 25 feet and Building Coverage of .107 instead of the maximum permitted of .10.

The subject premises are situated on the north side of Cara Drive 0 feet from the intersection with Deerwood Road, known as 9 Cara Drive, designated on the Tax Map as Section 41.08 Block 1 Lot 20, in an R-35 Zoning District.

Copies of the aforesaid application are available for public review at the office of the Village Clerk/Treasurer, Village of Wesley Hills, 432 Route 306, Wesley Hills, New York 10952 between the hours of 9 A.M. and 4 P.M. Mondays through Fridays, exclusive of holidays.

Dated: Wesley Hills, New York
June 5, 2024

Camille Guido-Downey
Village Clerk/Treasurer
Village of Wesley Hills

File Attachments for Item:

2. Application submitted by Nathan Gross for a variance from the provisions of Section 230-31 of the Code of the Village of Wesley Hills, to permit the maintenance and use of a single family residence that does not contain one indoor parking space.

The subject premises are situated on the north side of Glenbrook Road known as 25 Glenbrook Road, designated on the Tax Map as Section 41.10 Block 2 Lot 28, in an R-35 Zoning District.

Attention Zoning Board

My name is Nathan Gross and I reside at 25 Glenbrook Rd. in Wesley Hills. I have lived here since 1986. I have a very small house. From the beginnng I had problems with the garage. Every time it rained the garage would flood with water. I put up a new garage door but the water still came seeping in. After a while the garage and eventually the whole house had this damp smell. I started having chronic coughing spells and the physician could not find any physical reasons for it. He advised me to have the house checked out to see if there was something in the house that was causing it. I had it checked out and they said there was mold in the house probably caused by accumulated water. I told them I had already replaced the old original garage door but the water was still getting in. They told me that the only way to remedy the problem was to remove the garage and seal up the wall. I did and the problem was solved. This was over 25 years ago. In February of 2021 I had a fire in my house. I had a container in my driveway for a few months for storage while my house was being repaired. I guess this bothered one of my neighbors who called the village to complain. Since then the town has been after me to replace the garage. At the time I was not aware that I had to have a garage. For over twenty years no one was bothered or even noticed I had no garage. The town said I should put up a pre-fab garage. Those garages cost over \$7,000. I'm 75 years old and living off minimal social security with my wife. I had a little money left over from the fire insurance after every one cashed in on my misfortune. One contractor took over \$10,000 and did absoiutely nothing to rebuild my house. I am basically living off my savings which is dwindling rapidly. I am being summoned every month to Village Court. I put up a tarp garage in my backyard well within legal distance from my neighbors and the road. It's all I could afford. In my court apperance in April of last year I was told that that it would suffice but I need a varience. Please help me.

Sincerely yours,

Nathan Gross

Attention Zoning Board

My pre-fab garage is 10' by 20'
It is approximately 50 feet from each neighbor.

Nathan Gross
25 Glengrook Rd.
Wesley Hills, NT 10952

BUILDING DEPT.

DEC 13 2023

VILLAGE OF WESLEY HILLS

PART IName of Municipality VILLAGE OF WESLEY HILLS Date 12/6/23*Please check all that apply:*

☐ Planning Board	☐ Architectural Board
☒ Zoning Board of Appeals	☐ Historical Board
☐ Municipal Board	
☐ Subdivision	☐ Pre-preliminary/Sketch
☐ Number of Lots	☐ Preliminary
☐ Site Plan	☐ Final
☐ Special Permit	☐ Conditional Use
☐ Zoning Code Amendment	☐ Zone Change
☒ Variance * (Fill out Part II of this form.)	

Project Name: garage

Applicant: NATHAN GROSS Phone # 914-329-8879
 Address 25 GLENBROOK RD. WESLEY HILLS NY 10952
Street Name & Number (Post Office) State Zip code

Property Owner: NATHAN GROSS Phone # 914-329-8879
 Address 25 GLENBROOK RD. WESLEY HILLS NY 10952
Street Name & Number (Post Office) State Zip code

Engineer/Architect/Surveyor: / Phone # /
 Address /
Street Name & Number (Post Office) State Zip code

Attorney: / Phone # /
 Address /
Street Name & Number (Post Office) State Zip code

Contact Person: HENY YENOWITZ Phone # 917-239-6355
 Address 280 SUFFOLK G BOCA RATON FL 33434
Street Name & Number (Post Office) State Zip code

Tax Map Designation:

Section 41.10 Block 2 Lot(s) 28
 Section _____ Block _____ Lot(s) _____

Location: On the North side of Glenbrook Rd.,
0 feet North of Moccasin Pl.

Acreage of Parcel 0.661 **Zoning District** Wesley Hills
School District E. Ramapo **Postal District** Monsey

Project Description: *(If additional space required, please attach a narrative summary.)*

LETTER ATTACHED

If subdivision:

- 1) Is any variance from the subdivision regulations required? _____
- 2) Is any open space being offered? ____ If so, what amount? _____

Project History: Has this project ever been reviewed before? NO

If so, list case number, name, date, and the board you appeared before.

List tax map section, block & lot numbers for all other abutting properties in the same ownership as this project.

N/A

"Permission is hereby granted to the Village of Wesley Hills, its agents, servants and employees to enter upon the above described property solely for the purposes incidental to the within application at reasonable times upon reasonable notice to the owner or tenant in possession."

This property is within 500 feet of:
(Check all that apply)

IF ANY ITEM IS CHECKED, A REVIEW MUST BE DONE BY THE ROCKLAND COUNTY COMMISSIONER OF PLANNING UNDER THE STATE GENERAL MUNICIPAL LAW, SECTIONS 239 K, L, M, AND N.

_____ State or County Road
_____ Long Path
_____ Municipal Boundary

_____ State or County Park
_____ County Stream
_____ County Facility

List name(s) of facility checked above.

N/A See GML
report

Applicant's Signature and Certification

State of New York)
County of Rockland) SS:
Town/Village of Wesley Hills

I, NATHAN GROSS, hereby depose and say that all the
above statements contained in the papers submitted herewith are true.

Mailing Address

25 GLENBROOK RD
WESLEY HILLS, NY 19952
Nathan Gross

SWORN to before this

10 day of December, 2023

Notary Public

CAMILLE GUIDO-DOWNEY
NOTARY PUBLIC STATE OF NEW YORK
RESIDING IN ROCKLAND COUNTY
NO. 01308387245
MY COMMISSION EXPIRES 02/22/2024

Affidavit of Ownership/Owner's Consent

State of New York)
 County of Rockland) SS.:
 Town/Village of Wesley Hills

I, _____ being duly sworn, hereby
 depose and say that I reside at: 25 GLENBROOK RD.

in the county of ROCKLAND in the state of NEW YORK.

I am the * _____ owner in fee simple of premises located at:

described in a certain deed of said premises recorded in the Rockland County Clerk's
 Office in Liber _____ of conveyances, page _____.

Said premises have been in my/its possession since 19 86. Said premises are
 also known and designated on the Town of Ramapo Tax Map as:
 section 41.10 block 2 lot(s) 28

I hereby authorize the within application on my behalf, and that the statements of fact
 contained in said application are true, and agree to be bound by the determination of the
 board.

Owner
 Mailing Address

IVARIGAN GROSS
25 GLENBROOK RD.
North Star

SWORN to before this

day of

December, 2023

Notary Public

CAMILLE GUIDO-DOWNEY
 NOTARY PUBLIC STATE OF NEW YORK
 RESIDING IN ROCKLAND COUNTY
 NO. 01GU0337245
 MY COMMISSION EXPIRES 02/22/2024

* If owner is a corporation, fill in the office held by deponent and name of corporation,
 and provide a list of all directors, officers and stockholders owning more than 5% of
 any class of stock.

Affidavit Pursuant to Section 809 of the General Municipal Law

State of New York)

County of Rockland) SS.

Town/Village of Wesley Hills

I, NATHAN GROSS, being duly sworn, hereby depose and say that all the following statements and the statements contained in the papers submitted herewith are true and that the nature and extent of any interests set forth are disclosed to the extent that they are known to the applicant.

1. Print or type full name and post office address

NATHAN GROSS
25 GLENBROOK RD.
WESLEY HILLS, NY 10952

certifies that he is owner or agent of all that certain lot, piece or parcel of land and/or building described in this application **and if not the owner that he has been duly and properly authorized to make this application and to assume responsibility for the owner in connection with this application for the relief below set forth:**

2. To the Zoning Board of the Town/Village of
 (Board, Commission or Agency)
Wesley Hills, Rockland County, New York:

Application, petition or request is hereby submitted for:

- (☒) Variance or modification from the requirement of Section 230;
 () Special permit per the requirements of Section _____;
 () Review and approval of proposed subdivision plat;
 () Exemption from a plat or official map;
 () An order to issue a certificate, permit or license;
 () An amendment to the Zoning Ordinance or Official Map or change thereof;
 () Other (explain) _____;

To permit construction, maintenance and use of a garage (pre-made)

3. Premises affected are in an R-35 zone and from the town of
Ramapo tax map, the property is know as Section 41.10,
 Block, 2, Lot(s) 28.

4. There is no state officer, Rockland County Officer or employee or town/village officer or employee nor his or her spouse, brother, sister, parent, child or grandchild, or a spouse of any of these relatives who is the applicant or who has an interest in the person, partnership or association making this application, petition or request, or is an officer, director, partner or employee of the applicant, or that such officer or employee, if this applicant is a corporation, legally or beneficially owns or controls any stock of the applicant in excess of 5% of the total of the corporation if its stock is listed on the New York or American Stock Exchanges; or is a member or partner of the applicant, if the applicant is an association or a partnership; nor that such town/village officer or employee nor any member of his family in any of the foregoing classes is a party to an agreement with the applicant, express or implied, whereby such officer or employee may receive any payment or other benefit, whether or not for service rendered, which is dependent or contingent upon the favorable approval of this application, petition or request.

5. That to the extent that the same is known to your applicant, and to the owner of the subject premises **there is disclosed herewith** the interest of the following officer or employee of the State of New York or the County of Rockland or of the Town/Village of Wesley Hills in the petition, request or application or in the property or subject matter to which it relates:

(if none, so state)

- a. Name and address of officer or employee _____
- b. Nature of interest _____
- c. If stockholder, number of shares _____
- d. If officer or partner, nature of office and name of partnership _____
- e. If a spouse or brother, sister, parent, child, grandchild or the spouse of any of these blood relatives of such state, county or town/village officer or employee, state name and address of such relative and nature of relationship to officer and employee and nature and extent of office, interest or participation or association having an interest in such ownership or in any business entity sharing in such ownership. _____

f. In the event of corporate ownership: A list of all directors, officers and stockholders of each corporation owning more than five (5%) percent of any class of stock, must be attached, if any of these are officers or employees of the State of New York, or of the County of Rockland, or of the Town/Village of Wesley Hills.

I, NATHAN GROSS, do hereby depose and say that all the above statements and statements contained in the papers submitted herewith are true, knowing that a person who knowingly and intentionally violates this section is guilty of a misdemeanor.

Mailing Address

Nathan Gross
25 GLENBROOK RD.
WESLEY HILLS, NY 10952

SWORN to before this

04

day of

December

, 20 23

Notary Public

CAMILLE GUIDO-DOWNEY
 NOTARY PUBLIC STATE OF NEW YORK
 RESIDING IN ROCKLAND COUNTY
 NO. 1100137245
 MY COMMISSION EXPIRES 02/22/2024

VILLAGE OF WESLEY HILLS

432 Route 306
 Wesley Hills, New York 10952
 (845) 354-0400 Fax: (845) 354-4097

AFFIDAVIT OF OWNERSHIP

STATE OF NEW YORK }
 COUNTY OF ROCKLAND } SS:
 VILLAGE OF WESLEY HILLS }

NATHAN GRUSS being duly sworn, deposes and
 says that he/she resides at 25 GLENBROOK RD.
Wesley Hills, NY 10952
 in the County of Rockland, State of New York; that he/she is the owner in
 fee of all that certain lot, piece or parcel of land situated, lying and being
 in the Village of Wesley Hills, and designated on the Town of Ramapo
 Map as Section No. 4110 Lot No. 2-28 and that he/she hereby
 authorizes the attached application to be submitted in his/her behalf and
 that the statements of fact contained in said application are true.

The applicant is the (owner) (contract vendee) of the said property.

Nathan Gruss
 Owner: NATHAN GRUSS
 Address: 25 GLENBROOK RD.
Wesley Hills, NY 10952

Sworn to before me this

23 day of Dec 2023

Notary Public

CAMILLE CAIDO-DOWNEY
 NOTARY PUBLIC STATE OF NEW YORK
 RESIDING IN ROCKLAND COUNTY
 NO. 0130261243
 MY COMMISSION EXPIRES 06/24/24

AFFIDAVIT

State of New York)

County of Rockland) SS.:

Town/Village of Wesley Hills

I, Nathan Gross being duly sworn deposes and says
that he is the applicant, agent or attorney for applicant, in the matter of the petition before
the Zoning (board) in the town/village
of Wesley Hills affecting property located at
25 Glenbrook Road, Rockland County, New York.

That the following are all of the owners of property 750 feet (distance) from the premises as to which this application is being taken.

SECTION/BLOCK/LOT	NAME	ADDRESS
-------------------	------	---------

see attached

SWORN to before this

_____ day of _____, 20____

Notary Public

Notariz

VILLAGE OF WESLEY HILLS

432 Route 306
 Wesley Hills, New York 10952
 (845) 354-0400 Fax: (845) 354-4097

AFFIDAVIT OF POSTING

STATE OF NEW YORK }
 COUNTY OF ROCKLAND } SS:
 VILLAGE OF WESLEY HILLS }

_____ being duly sworn, deposes and
 says that he/she is the applicant in the matter of an application before the
 Village of Wesley Hills Zoning Board affecting property located at
 _____, Wesley Hills, Town of Ramapo,
 Rockland County, New York.

That on the _____ day of _____ 200__, he/she posted the
 posters provided by the Zoning Board of the Village of Wesley Hills
 giving notice of the hearing on this application in a conspicuous place
 visible from every street along the frontage of the plot affected by this
 application.

Sworn to before me this

_____ day of _____ 200__

 Notary Public

Notarize
 AFTER
 posting
 posters

DISCLAIMER

APPLICANT TAKES FULL RESPONSIBILITY FOR RESEARCHING THE TAX MAP FOR THE LIST OF NAMES OF PROPERTY OWNERS ON THE ENCLOSED *AFFIDAVIT OF MAILING LIST*, AND SUPPLYING THE NECESSARY AMOUNT OF SELF-ADDRESSED STAMPED ENVELOPES.

THE APPLICANT'S ENVELOPES MUST COINCIDE WITH THE LIST. THE CLERK'S RESPONSIBILITY IS LIMITED TO CHECKING NAMES ON THE ENVELOPES AGAINST THE AFOREMENTIONED AFFIDAVIT BEFORE MAILING THEM.

RECEIPT OF THIS DISCLAIMER IS ACKNOWLEDGED

APPLICANT

DATED

sign & d

PART II

Application before the Zoning Board of Appeals

Application, petition or request is hereby submitted for:

- ☒ Variance from the requirement of Section 230 _____;
- () Special permit per the requirements of Section _____;
- () Review of an administrative decision of the Building Inspector;
- () An order to issue a Certificate of Occupancy;
- () An order to issue a Building Permit;
- () An interpretation of the Zoning Ordinance or Map;
- () Certification of an existing non-conforming structure or use;
- () Other (*explain*) _____;
- _____

To permit construction, maintenance and use of _____

AS APPLICABLE, COMPLETE THE FOLLOWING:

- 1) SHORT ENVIRONMENTAL ASSESSMENT FORM
- 2) FULL ENVIRONMENTAL ASSESSMENT FORM

For access to the above State Environmental Quality Review forms:

<http://www.dec.ny.gov/public/6191.html>

INSTRUCTIONS

The following must be completed before the application is reviewed and scheduled for the Zoning Board of Appeals meeting:

7. Filing fee of \$150.00 for an existing residence, \$150.00 for actions involving new one-family residences plus \$100.00 per variance sought or \$350.00 plus \$100.00 per variance sought for all other applications plus actual publication sought.
8. Twelve copies of the application, twelve plot plans drawn to scale (showing setbacks and other dimensions) or twelve surveys that have been sworn or attested to as being true and accurate.
9. Twelve copies of a narrative describing why the applicant is appearing before the Board.
10. Twelve copies of reference to the Zoning Board of Appeals (Building Inspector's determination, Code Inspector's determination, referral from the Planning Board or for an interpretation of the Zoning Code). No application can come for a variance without first being denied by the Building Inspector or Code Inspector or referred from the Planning Board.
11. List of names and addresses, along with stamped self-addressed envelopes, of all property owners within a 750 foot radius of the property covered in the application.
12. Twelve copies of a vicinity map.

The application must be received at least four weeks prior to be scheduled for a Zoning Board of Appeals meeting and is subject to the review by the Zoning Board of Appeals attorney. You will be notified as the date of the meeting. You will be provided with posters giving notice of the hearing which shall be posted in a conspicuous place visible from every street along the frontage of the property referred to in the application. These notices must be posted 10 days prior to the scheduled meeting.

BUILDING DEPT.

DEC 13 2023

VILLAGE OF WESLEY HILLS

ROAD

FOR

CERTIFIED TO THE SUFFERN
SAVINGS & LOAN ASSN. TO
BE CORRECT AS SHOWN.

William A. Vidare

SURVEY
FOR

GLENBROOK KNOLLS

IN

VIOLA

ROCKLAND COUNTY - NEW YORK

SCALE 1"=50'

DATE 10-24-58

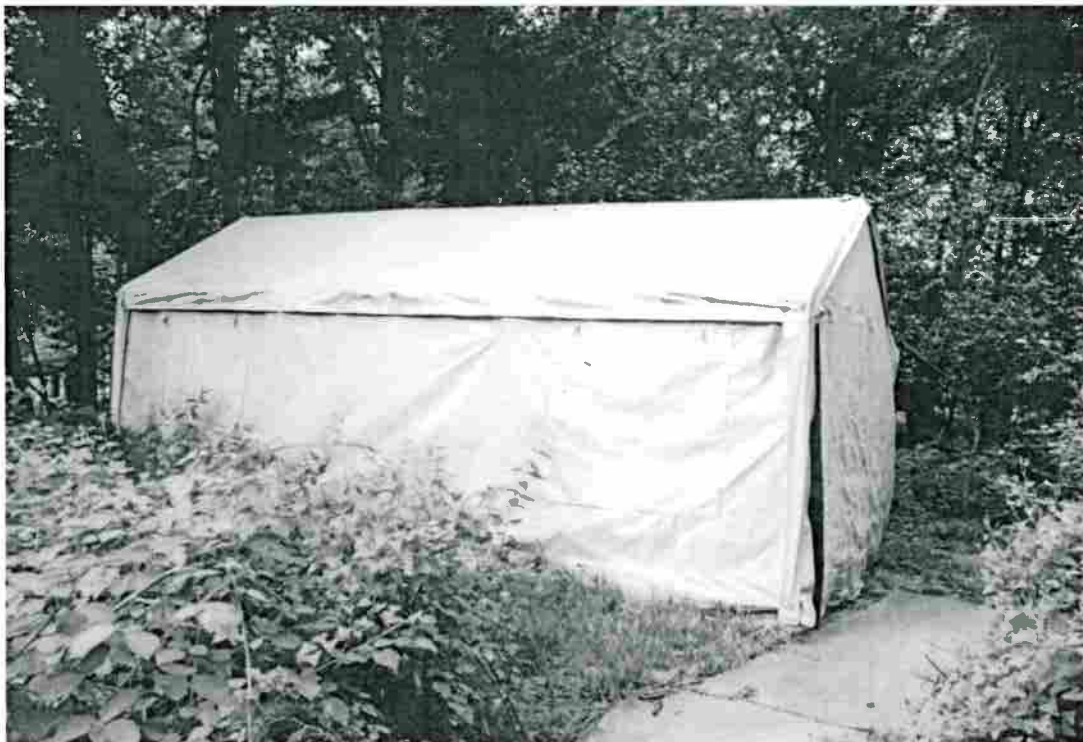
REV 4-16-59

WILLIAM A. VIDARE
WEST NYACK, N.Y.

Lot No. 11 in block B as shown on
map of GLENBROOK KNOLLS filed in
Rockland County Clerks Office on
9-21-56 as map 2452 page 29 book 57

Mr. Gross
9/14/23 - came to Village
to show pictures of pre-made
garage.

Item 2.



PUBLIC HEARING NOTICE

PLEASE TAKE NOTICE that a public hearing will be held by the Zoning Board of Appeals of the Village of Wesley Hills on the 18th day of June, 2024 at 7:30 P.M. at the Village Hall, 432 Route 306, Wesley Hills, New York 10952 to consider the application submitted by Nathan Gross for a variance from the provisions of Section 230-31 of the Code of the Village of Wesley Hills, to permit the maintenance and use of a single family residence that does not contain one indoor parking space.

The subject premises are situated on the north side of Glenbrook Road known as 25 Glenbrook Road, designated on the Tax Map as Section 41.10 Block 2 Lot 28, in an R-35 Zoning District.

Copies of the aforesaid application are available for public review at the office of the Village Clerk/Treasurer, Village of Wesley Hills, 432 Route 306, Wesley Hills, New York 10952 between the hours of 9 A.M. and 4 P.M. Mondays through Fridays, exclusive of holidays.

Dated: Wesley Hills, New York
June 3, 2024

File Attachments for Item:

3. Application submitted by Goldy Rosenfeld for variances from the provisions of Sections 230-14L(1) of the Code of the Village of Wesley Hills, to permit the maintenance and use of a fence 6 feet in height instead of the maximum permitted of 4 feet.

The subject premises are situated on the north side of Ardley Place at the intersection with Wilder Road, known as 2 Ardley Place, designated on the Tax Map as Section 41.10 Block I Lot 20, in an R 35 Zoning District.

DEC. 27 2023

PART I

VILLAGE OF WESLEY HILLS

Name of Municipality VILLAGE OF WESLEY HILLS Date 12/13/23

Please check all that apply:

☐ Planning Board	☐ Architectural Board
☒ Zoning Board of Appeals	☐ Historical Board
☐ Municipal Board	
☐ Subdivision	☐ Pre-preliminary/Sketch
☐ Number of Lots	☐ Preliminary
☐ Site Plan	☐ Final
☐ Special Permit	☐ Conditional Use
☐ Zoning Code Amendment	☐ Zone Change
☒ Variance * (Fill out Part II of this form.)	

Project Name: 2 Ardley PlaceApplicant: Goldy Rosenfeld Phone #

Address 2 Ardley Place Monsey NY 10952
 Street Name & Number (Post Office) State Zip code

Property Owner: Yitzchok Rosenfeld Phone #

Address 2 Ardley Place Monsey NY 10952
 Street Name & Number (Post Office) State Zip code

Engineer/Architect/Surveyor: Paul Gdanski Phone # 917-418-0999

Address 633 Woodmont Lane Sloatsburg NY 10974
 Street Name & Number (Post Office) State Zip code

Attorney: Paul S. Baum, Esq., Sarajian & Baum PLLC Phone # 845-206-4556

Address 155 North Main Street New City NY 10956
 Street Name & Number (Post Office) State Zip code

Contact Person: Attorney Phone #

Address
 Street Name & Number (Post Office) State Zip code

Tax Map Designation:Section 41.10 Block 1 Lot(s) 20

Section _____ Block _____ Lot(s) _____

Location: On the north side of Ardley Place,
 at the intersection feet of Wilder Road Road.

Acreage of Parcel 34,695 SF **Zoning District** R-35
School District East Ramapo **Postal District** Monsey

Project Description: *(If additional space required, please attach a narrative summary.)*See attached narrative summary.**If subdivision:**

- 1) Is any variance from the subdivision regulations required? _____
- 2) Is any open space being offered? ____ If so, what amount? _____

Project History: Has this project ever been reviewed before? _____

If so, list case number, name, date, and the board you appeared before.

List tax map section, block & lot numbers for all other abutting properties in the same ownership as this project.

"Permission is hereby granted to the Village of Wesley Hills, its agents, servants and employees to enter upon the above described property solely for the purposes incidental to the within application at reasonable times upon reasonable notice to the owner or tenant in possession."

This property is within 500 feet of:
(Check all that apply)

IF ANY ITEM IS CHECKED, A REVIEW MUST BE DONE BY THE ROCKLAND COUNTY COMMISSIONER OF PLANNING UNDER THE STATE GENERAL MUNICIPAL LAW, SECTIONS 239 K, L, M, AND N.

☒ State or County Road	☐ State or County Park
☐ Long Path	☐ County Stream
☐ Municipal Boundary	☐ County Facility

List name(s) of facility checked above. Wilder Road (County Highway 81)

Applicant's Signature and Certification

State of New York)
County of Rockland) SS.:
Town/Village of _____)

I, Goldy Rosenfeld - Schwartz, hereby depose and say that all the above statements contained in the papers submitted herewith are true.

Mailing Address

2 Ardley Place
Monsey, NY 10952

SWORN to before this

14 day of December, 2023

[Signature]
Notary Public

HIRSCH ROSENZWEIG
Notary Public, State of New York
Reg. No. 01RO0002288
Qualified in Rockland County
Commission Expires 03/06/2027

State of New York)
 County of Rockland) SS.:
 Town/Village of _____)

I, Yitzchok Rosenfeld being duly sworn, hereby
 depose and say that I reside at: _____

in the county of Rockland in the state of NY

I am the * _____ owner in fee simple of premises located at:
2 Ardley Place, Monsey, NY 10952

described in a certain deed of said premises recorded in the Rockland County Clerk's
 Office in Liber ^{Instrument #2019-20120} _____ of conveyances, page _____.

Said premises have been in my/its possession since 192019. Said premises are
 also known and designated on the Town of Ramapo Tax Map as:
 section 41.10 block 1 lot(s) 20

I hereby authorize the within application on my behalf, and that the statements of fact
 contained in said application are true, and agree to be bound by the determination of the
 board.

Owner

Mailing Address

2 Ardley Place

Monsey, NY 10952

SWORN to before this

14 day of December, 2023

 Notary Public

HIRSCH ROSENZWEIG
 Notary Public, State of New York
 Reg. No. 01RO0002288
 Qualified in Rockland County
 Commission Expires 03/06/2027

* *If owner is a corporation, fill in the office held by deponent and name of corporation,
 and provide a list of all directors, officers and stockholders owning more than 5% of
 any class of stock.*

Affidavit Pursuant to Section 809 of the General Municipal Law

State of New York)
 County of Rockland) SS.:
 Town/Village of _____)

I, Yitzchok Rosenfeld, being duly sworn, hereby depose and say that all the following statements and the statements contained in the papers submitted herewith are true and that the nature and extent of any interests set forth are disclosed to the extent that they are known to the applicant.

1. Print or type full name and post office address

Yitzchok Rosenfeld

2 Ardley Place

Monsey, NY 10952

certifies that he is owner or agent of all that certain lot, piece or parcel of land and/or building described in this application and if not the owner that he has been duly and properly authorized to make this application and to assume responsibility for the owner in connection with this application for the relief below set forth:

2. To the Zoning Board of Appeals of the Town/Village of _____
 (Board, Commission or Agency)
Wesley Hills, Rockland County, New York:

Application, petition or request is hereby submitted for:

- ☒ Variance or modification from the requirement of Section 230-17 and 230-14(O)(4)(a) ;
☐ Special permit per the requirements of Section _____;
☐ Review and approval of proposed subdivision plat;
☐ Exemption from a plat or official map;
☐ An order to issue a certificate, permit or license;
☐ An amendment to the Zoning Ordinance or Official Map or change thereof;
☐ Other (*explain*) _____;

To permit construction, maintenance and use of a single family home and pool. See narrative

3. Premises affected are in a R-35 zone and from the town of Ramapo tax map, the property is know as Section 41.10, Block, 1, Lot(s) 20.

4. There is no state officer, Rockland County Officer or employee or town/village officer or employee nor his or her spouse, brother, sister, parent, child or grandchild, or a spouse of any of these relatives who is the applicant or who has an interest in the person, partnership or association making this application, petition or request, or is an officer, director, partner or employee of the applicant, or that such officer or employee, if this applicant is a corporation, legally or beneficially owns or controls any stock of the applicant in excess of 5% of the total of the corporation if its stock is listed on the New York or American Stock Exchanges; or is a member or partner of the applicant, if the applicant is an association or a partnership; nor that such town/village officer or employee nor any member of his family in any of the foregoing classes is a party to an agreement with the applicant, express or implied, whereby such officer or employee may receive any payment or other benefit, whether or not for service rendered, which is dependent or contingent upon the favorable approval of this application, petition or request.

5. That to the extent that the same is known to your applicant, and to the owner of the subject premises **there is disclosed herewith** the interest of the following officer or employee of the State of New York or the County of Rockland or of the Town/Village of Wesley Hills in the petition, request or application or in the property or subject matter to which it relates:

(if none, so state)

- a. Name and address of officer or employee NONE
- b. Nature of interest _____
- c. If stockholder, number of shares _____
- d. If officer or partner, nature of office and name of partnership _____
- e. If a spouse or brother, sister, parent, child, grandchild or the spouse of any of these blood relatives of such state, county or town/village officer or employee, state name and address of such relative and nature of relationship to officer and employee and nature and extent of office, interest or participation or association having an interest in such ownership or in any business entity sharing in such ownership. _____

f. In the event of corporate ownership: A list of all directors, officers and stockholders of each corporation owning more than five (5%) percent of any class of stock, must be attached, if any of these are officers or employees of the State of New York, or of the County of Rockland, or of the Town/Village of _____.

I, Yitzchok Rosenfeld, do hereby depose and say that all the above statements and statements contained in the papers submitted herewith are true, knowing that a person who knowingly and intentionally violates this section is guilty of a misdemeanor.

Mailing Address

2 Ardley Place
Monsey, NY 10952

SWORN to before this

14 day of December, 2023

Notary Public

HIRSCH ROSENZWEIG
Notary Public, State of New York
Reg. No. 01RO0002288
Qualified in Rockland County
Commission Expires 03/06/2027

VILLAGE OF WESLEY HILLS

432 Route 306
 Wesley Hills, New York 10952
 (845) 354-0400 Fax: (845) 354-4097

AFFIDAVIT OF OWNERSHIP

STATE OF NEW YORK }
 COUNTY OF ROCKLAND } SS:
 VILLAGE OF WESLEY HILLS }

Yitzchok Rosenfeld being duly sworn, deposes and
 says that he/she resides at 2 Ardley Place, Monsey, NY 10952

in the County of Rockland, State of New York; that he/she is the owner in
 fee of all that certain lot, piece or parcel of land situated, lying and being
 in the Village of Wesley Hills, and designated on the Town of Ramapo
 Map as Section No. 41.10 Lot No. 1-20 and that he/she hereby
 authorizes the attached application to be submitted in his/her behalf and
 that the statements of fact contained in said application are true.
 The applicant is the (owner) (contract vendee) of the said property.

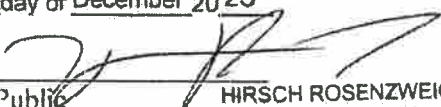
Owner: 

Address: 2 Ardley Place

Monsey, NY 10952

Sworn to before me this

14 day of December 2023

Notary Public 

HIRSCH ROSENZWEIG
 Notary Public, State of New York
 Reg. No. 01RO0002288
 Qualified in Rockland County
 Commission Expires 03/06/2027

Affidavit of Ownership/Owner's Consent

State of New York)
 County of Rockland) SS.:
 Town/Village of _____)

I, Yitzchok Rosenfeld being duly sworn, hereby
 depose and say that I reside at: _____

_____ in the county of Rockland in the state of NY

I am the * _____ owner in fee simple of premises located at:
2 Ardley Place, Monsey, NY 10952

described in a certain deed of said premises recorded in the Rockland County Clerk's
 Office in Liber ^{Instrument 42019-20120} of conveyances, page _____.

Said premises have been in my/its possession since 192019. Said premises are
 also known and designated on the Town of Ramapo Tax Map as:
 section 41.10 block 1 lot(s) 20

I hereby authorize the within application on my behalf, and that the statements of fact
 contained in said application are true, and agree to be bound by the determination of the
 board.

Owner
 Mailing Address

2 Ardley Place
Monsey, NY 10952

SWORN to before this

14 day of December, 2023

Notary Public

HIRSCH ROSENZWEIG
 Notary Public, State of New York
 Reg. No. 01RO0002288
 Qualified in Rockland County
 Commission Expires 03/06/2027

* If owner is a corporation, fill in the office held by deponent and name of corporation,
 and provide a list of all directors, officers and stockholders owning more than 5% of
 any class of stock.

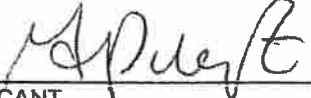
35

DISCLAIMER

APPLICANT TAKES FULL RESPONSIBILITY FOR RESEARCHING THE TAX MAP FOR THE LIST OF NAMES OF PROPERTY OWNERS ON THE ENCLOSED *AFFIDAVIT OF MAILING LIST*, AND SUPPLYING THE NECESSARY AMOUNT OF SELF-ADDRESSED STAMPED ENVELOPES.

THE APPLICANT'S ENVELOPES MUST COINCIDE WITH THE LIST. THE CLERK'S RESPONSIBILITY IS LIMITED TO CHECKING NAMES ON THE ENVELOPES AGAINST THE AFOREMENTIONED AFFIDAVIT BEFORE MAILING THEM.

RECEIPT OF THIS DISCLAIMER IS ACKNOWLEDGED


APPLICANT

12/14/23
DATED

PART II

Application before the Zoning Board of Appeals

Application, petition or request is hereby submitted for:

- ☒ Variance from the requirement of Section 230-17 and 230-14(O)(4)(a) _____;
- ☐ Special permit per the requirements of Section _____;
- ☐ Review of an administrative decision of the Building Inspector;
- ☐ An order to issue a Certificate of Occupancy;
- ☐ An order to issue a Building Permit;
- ☐ An interpretation of the Zoning Ordinance or Map;
- ☐ Certification of an existing non-conforming structure or use;
- ☐ Other (*explain*) _____;

To permit construction, maintenance and use of a single family home and pool. See narrative

**NARRATIVE SUMMARY
FOR
2 ARDLEY PLACE
S/B/L: 41.10-1-20**

INTRODUCTION

This narrative summary is submitted in support of the within application by Goldy Rosenfeld, the owner of the single-family dwelling located at 2 Ardley Place (the "Property"). The applicant is seeking variances in order to legalize the construction of a new single-family home and pool (the "Project"). The Project will require variances from the Table of Dimensional Requirements for the R-35 Zone as follows:

	Permitted	Proposed
Maximum Building Height	25 ft	26.18 ft.
Max. Impervious Surface Ratio	.25	.30
Rear Yard for Pool	15 ft.	11.5 ft.

The applicant has constructed a new single-family dwelling and inground swimming pool on the Property. A building permit for the construction of the home was issued on October 2, 2020. A copy of the building permit is attached as Exhibit A. A copy of the plot plan is attached as Exhibit B. Thereafter, an inground swimming pool was added. A permit for the pool was issued on January 10, 2022. A copy of the building permit is attached as Exhibit C. A copy of the plot plan is attached as Exhibit D.

Upon the final inspection to close out the permits and obtain the final certificates of occupancy for the house and pool, it was discovered that due to the grading of the property, the elevation of the house exceeded the 25-foot height requirement by 1.18 feet. It was further determined that the patio area around the pool was constructed 3.5 feet closer to the rear yard than the 15 feet permitted by the code. Further, upon the final calculation of the impervious surface ratio, the final calculation determined the ratio was .30.

The applicant seeks the variances to legalize these existing conditions.

SEQRA

The action is a Type II pursuant to 6 NYCRR 617.5(c)(2) replacement, rehabilitation or reconstruction of a structure or facility, in kind, on the same site); (11) construction or expansion of a single-family, a two-family or a three-family residence on an approved lot including provision of necessary utility connections); (12) construction, expansion or placement of minor accessory/appurtenant residential structures, including garages, carports, patios, decks, swimming pools, tennis courts, satellite dishes, fences, barns, storage sheds or other buildings not changing land use or density; (16) granting of individual setback and lot line variances and adjustments) and; (17) granting of an area variance for a single-family, two-family or three-family residence. It is not subject to environmental review pursuant to SEQRA. An SEAF Part 1 has been submitted.

GML

The property is within 500' of Wilder Road (County Highway 81). Pursuant to General

Municipal Law Section 239-m, a referral to the Rockland County Department of Planning is required.

VARIANCES

The requested variances will not impact any of the neighbors, will not change the character of the neighborhood or create any detriment to neighboring properties, nor will they cause an adverse effect or impact on the physical or environmental conditions of the neighborhood or district. The height of the home is only 22.95'. However, due to a high-water table, the first floor elevation was set at 525.23' instead of the originally proposed 524'. Because the average existing grade is 522' the house is considered to be 26.18' high instead of the 24.95' originally proposed in the plans so that the final building height, measured from average grade, exceeds the 25-foot height requirement by a minimal 1.8'. The deficiency is so slight that it will be undetectable from anyone viewing the home.

The deficiency in the rear yard for the pool is also minimal. The pool itself is set back more than the 15' required by the code, but the patio around the pool encroaches into the rear yard by 3.5'. The applicant also owns the property to the north that is most impacted by the pool variance.

At the time of the issuance of the pool permit, the impervious surface ratio was proposed to be .238 based on an area of 8,317 SF. The final calculated impervious area is 10,409 SF for a ratio of .30. The increase in impervious area is due to an increase in the actual size of the driveway/front walk from 1,627 SF to 2,121 SF (a gain of 494 SF), an increase in the pool area from 2,194 SF to 3,790 SF (a gain of 1596 SF), and a slight increase in the house from 4,204 to 4,318 (a gain of 114 SF). The additional impervious surface will be addressed by an appropriate storm water management system to be approved by the Village's Engineering Consultant so that there will be no net increase in the peak rate of runoff. The water will be appropriately detained and will not impact any neighbors.

There are no other feasible alternatives to the variances other than to tear off the roof of the house or tear out the additional pool patio in the rear yard. That would not be a practical approach based on the limited impacts these conditions have on the neighborhood. There is no other reasonable manner in which the property can be brought into compliance other than granting the variances.

Under the particular circumstances of this case, the benefit to the applicant from the grant of the variances significantly outweighs any detriment to the health, safety and welfare of the neighborhood. It is therefore respectfully requested that the Zoning Board grant the variances requested.

Dated: December 13, 2023

EXHIBIT A

BUILDING PERMIT FOR DWELLING

2 Ardley Pl
(Address)

Yitzchok Rosenfeld
(Owner)

VILLAGE OF WESLEY HILLS BUILDING ZONE ORDINANCE

THIS PERMIT

NOTICE

To be fastened on a part of the building to which it may be plainly seen by all

PERMIT NO. 4502 HAS BEEN
ISSUED FOR THIS BUILDING

This notice shall not be removed from Building until Building shall not be used until a Certificate of Occupancy has been issued by Building Inspector.

Date: 10.02.20
Permit expires one year from above date.

Joe Byrne
Building Inspector
Village of Wesley Hills
845.354.0700

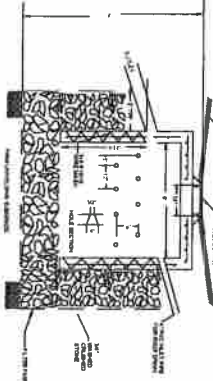
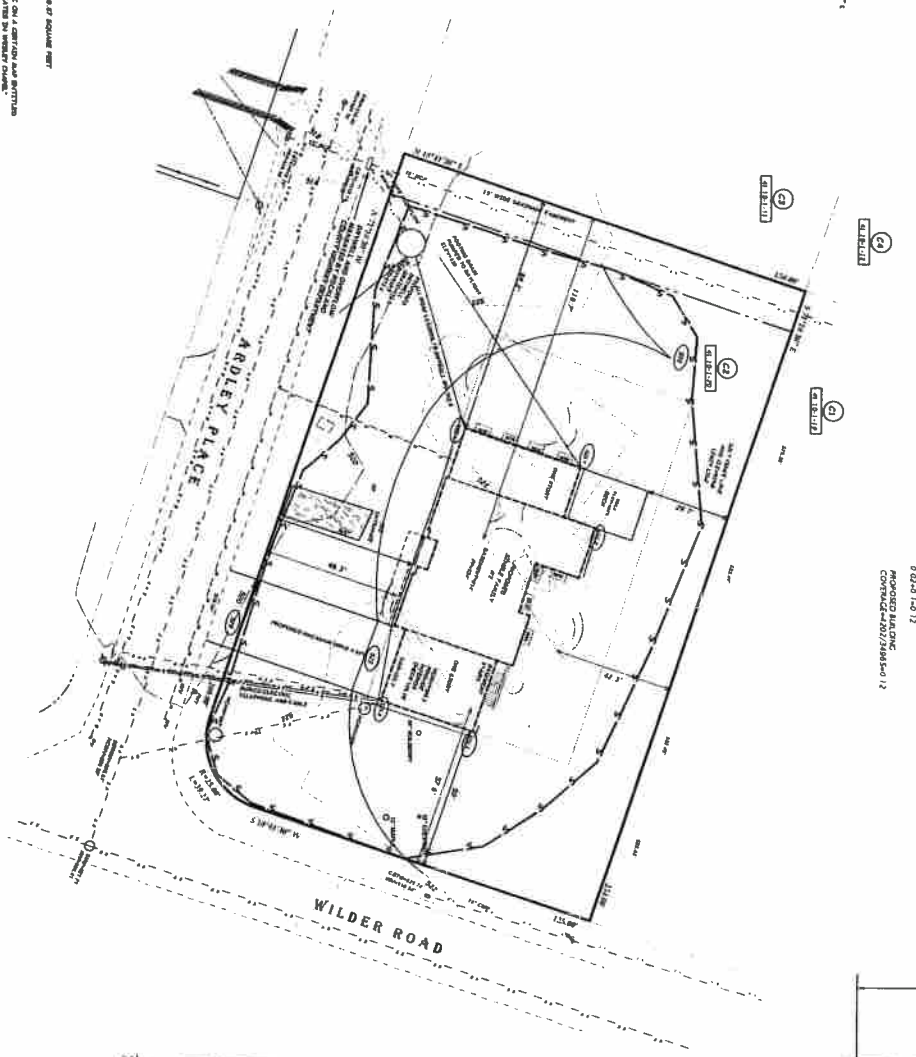
BY LAW THIS CARD MUST BE VISIBLE FROM THE ROAD DURING CONSTRUCTION

EXHIBIT B

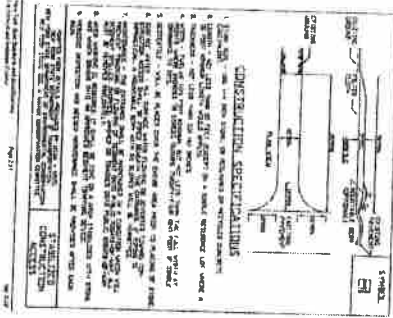
PLOT PLAN FOR DWELLING

B.E. REQUIREMENTS										ZONE: R-1.5 SINGLE FAMILY RESIDENTIAL										APPROVED BUILDING									
ITEM	DESCRIPTION	UNIT	QTY	PRICE	TOTAL	ITEM	DESCRIPTION	UNIT	QTY	PRICE	TOTAL	ITEM	DESCRIPTION	UNIT	QTY	PRICE	TOTAL	ITEM	DESCRIPTION	UNIT	QTY	PRICE	TOTAL	ITEM	DESCRIPTION	UNIT	QTY	PRICE	TOTAL
1	FOUNDATION	SQ. FT.	100	1.00	100.00	11	ROOFING	SQ. FT.	100	1.00	100.00	21	INTERIOR FINISH	SQ. FT.	100	1.00	100.00	31	EXTERIOR FINISH	SQ. FT.	100	1.00	100.00	41	PAINT	SQ. FT.	100	1.00	100.00
2	FLOORING	SQ. FT.	100	1.00	100.00	12	WALLS	SQ. FT.	100	1.00	100.00	22	CEILING	SQ. FT.	100	1.00	100.00	32	DOORS	EA	10	10.00	100.00	42	WINDOWS	EA	10	10.00	100.00
3	ROOFING	SQ. FT.	100	1.00	100.00	13	MECHANICAL	SQ. FT.	100	1.00	100.00	23	ELECTRICAL	SQ. FT.	100	1.00	100.00	33	PLUMBING	SQ. FT.	100	1.00	100.00	43	LANDSCAPE	SQ. FT.	100	1.00	100.00
4	WALLS	SQ. FT.	100	1.00	100.00	14	MECHANICAL	SQ. FT.	100	1.00	100.00	24	ELECTRICAL	SQ. FT.	100	1.00	100.00	34	PLUMBING	SQ. FT.	100	1.00	100.00	44	LANDSCAPE	SQ. FT.	100	1.00	100.00
5	CEILING	SQ. FT.	100	1.00	100.00	15	MECHANICAL	SQ. FT.	100	1.00	100.00	25	ELECTRICAL	SQ. FT.	100	1.00	100.00	35	PLUMBING	SQ. FT.	100	1.00	100.00	45	LANDSCAPE	SQ. FT.	100	1.00	100.00
6	DOORS	EA	10	10.00	100.00	16	MECHANICAL	SQ. FT.	100	1.00	100.00	26	ELECTRICAL	SQ. FT.	100	1.00	100.00	36	PLUMBING	SQ. FT.	100	1.00	100.00	46	LANDSCAPE	SQ. FT.	100	1.00	100.00
7	WINDOWS	EA	10	10.00	100.00	17	MECHANICAL	SQ. FT.	100	1.00	100.00	27	ELECTRICAL	SQ. FT.	100	1.00	100.00	37	PLUMBING	SQ. FT.	100	1.00	100.00	47	LANDSCAPE	SQ. FT.	100	1.00	100.00
8	PAINT	SQ. FT.	100	1.00	100.00	18	MECHANICAL	SQ. FT.	100	1.00	100.00	28	ELECTRICAL	SQ. FT.	100	1.00	100.00	38	PLUMBING	SQ. FT.	100	1.00	100.00	48	LANDSCAPE	SQ. FT.	100	1.00	100.00
9	LANDSCAPE	SQ. FT.	100	1.00	100.00	19	MECHANICAL	SQ. FT.	100	1.00	100.00	29	ELECTRICAL	SQ. FT.	100	1.00	100.00	39	PLUMBING	SQ. FT.	100	1.00	100.00	49	LANDSCAPE	SQ. FT.	100	1.00	100.00
10	MECHANICAL	SQ. FT.	100	1.00	100.00	20	MECHANICAL	SQ. FT.	100	1.00	100.00	30	ELECTRICAL	SQ. FT.	100	1.00	100.00	40	PLUMBING	SQ. FT.	100	1.00	100.00	50	LANDSCAPE	SQ. FT.	100	1.00	100.00

EXISTING OVERLAP
1) EXISTING DRIVE AND DRIVEWAY
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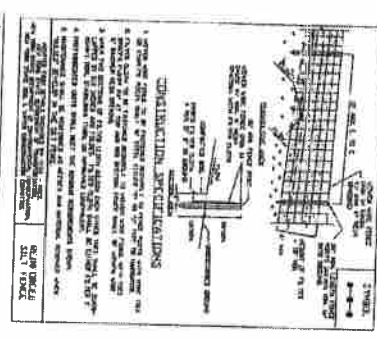
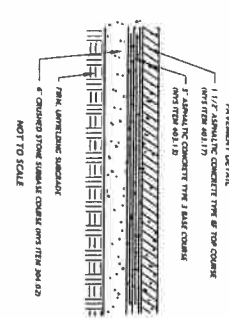


DRYWELL MANDATED BY
ROCKLAND COUNTY
HIGHWAY DEPARTMENT



EXISTING IMPERVIOUS
AREA=6920 SQFT
PROPOSED IMPERVIOUS
AREA=6392 SQFT

THEREFORE ZERO NET IS MET



2 ARDLEY PL
TOWN OF ROCKLAND
ROCKLAND COUNTY
NEW YORK
10985
SCALE: 1\"/>

EXHIBIT C

BUILDING PERMIT FOR POOL

2 Ardley Pl
(Address)

Yitzchok Rosenfeld
(Owner)

VILLAGE OF WESLEY HILLS BUILDING ZONE ORDINANCE

THIS PERMIT NOTICE

To be fastened on a part of building for which it is issued where it may be plainly seen by all

PERMIT NO. 4714 HAS BEEN
ISSUED FOR THIS BUILDING

This notice shall not be removed from Building to which it is attached and Building shall not be used until a Certificate of Occupancy has been issued by the Building Inspector.

Date: 01-10-21
Permit expires one year from above date.


Building Inspector
Village of Wesley Hills
845-354-0400

BY LAW THIS CARD MUST BE VISIBLE FROM THE ROAD DURING CONSTRUCTION

EXHIBIT D

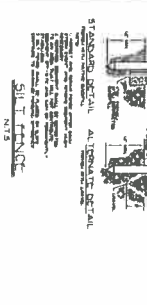
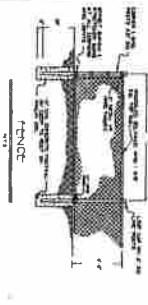
POOL PLOT PLAN

TAX SECTION 4110 BLOCK 1 LOT 20

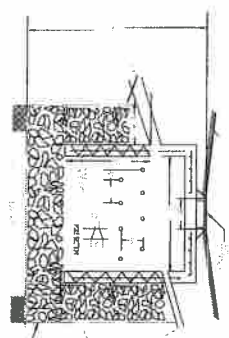
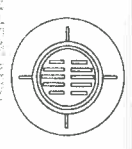
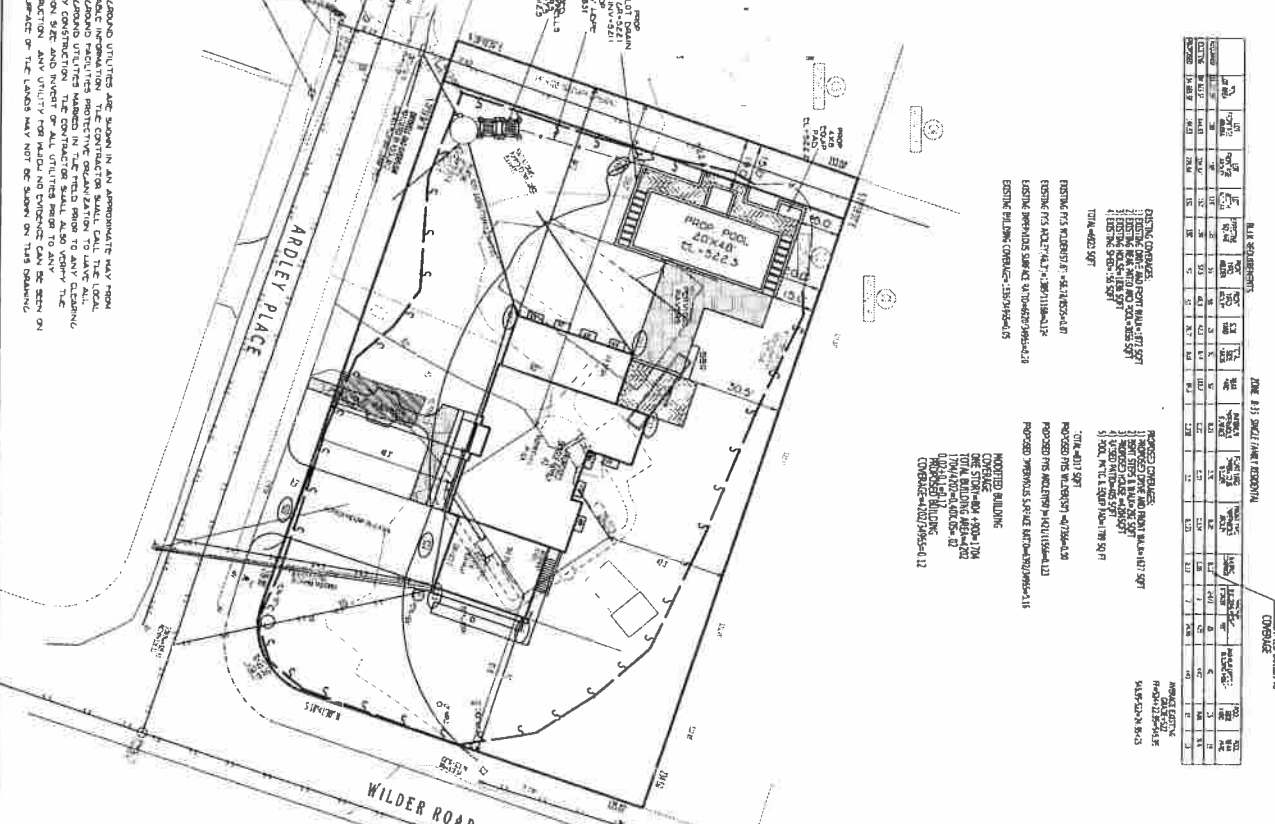
REFERENCES

ALL DIMENSIONS & TOLERANCES INFORMATION IS
DERIVED FROM A SURVEY PREPARED BY
ANTHONY R. CLEMENTE P.E. LAST REVISED
SCOTSDALE 24, 2020
DATE OF 2.000 IN 1.000 SCALE
THIS DRAWING IS NOT TO BE USED FOR ANY OTHER
PURPOSE WITHOUT THE WRITTEN CONSENT OF THE
DESIGNER.

SHEET 1 OF 2											
NO.	DESCRIPTION	DATE	BY	CHECKED	APPROVED	NO.	DESCRIPTION	DATE	BY	CHECKED	APPROVED
1	POOL	10/1/20	AC	AC	AC	1	POOL	10/1/20	AC	AC	AC
2	POOL DECK	10/1/20	AC	AC	AC	2	POOL DECK	10/1/20	AC	AC	AC
3	POOL FENCE	10/1/20	AC	AC	AC	3	POOL FENCE	10/1/20	AC	AC	AC
4	POOL LIGHTS	10/1/20	AC	AC	AC	4	POOL LIGHTS	10/1/20	AC	AC	AC
5	POOL COVER	10/1/20	AC	AC	AC	5	POOL COVER	10/1/20	AC	AC	AC
6	POOL PUMP	10/1/20	AC	AC	AC	6	POOL PUMP	10/1/20	AC	AC	AC
7	POOL FILTER	10/1/20	AC	AC	AC	7	POOL FILTER	10/1/20	AC	AC	AC
8	POOL HEATER	10/1/20	AC	AC	AC	8	POOL HEATER	10/1/20	AC	AC	AC
9	POOL SPA	10/1/20	AC	AC	AC	9	POOL SPA	10/1/20	AC	AC	AC
10	POOL SLIPSEAT	10/1/20	AC	AC	AC	10	POOL SLIPSEAT	10/1/20	AC	AC	AC
11	POOL LIFT	10/1/20	AC	AC	AC	11	POOL LIFT	10/1/20	AC	AC	AC
12	POOL STAIRS	10/1/20	AC	AC	AC	12	POOL STAIRS	10/1/20	AC	AC	AC
13	POOL CABINETS	10/1/20	AC	AC	AC	13	POOL CABINETS	10/1/20	AC	AC	AC
14	POOL TILES	10/1/20	AC	AC	AC	14	POOL TILES	10/1/20	AC	AC	AC
15	POOL FLOOR	10/1/20	AC	AC	AC	15	POOL FLOOR	10/1/20	AC	AC	AC
16	POOL WALLS	10/1/20	AC	AC	AC	16	POOL WALLS	10/1/20	AC	AC	AC
17	POOL ROOF	10/1/20	AC	AC	AC	17	POOL ROOF	10/1/20	AC	AC	AC
18	POOL GROUND	10/1/20	AC	AC	AC	18	POOL GROUND	10/1/20	AC	AC	AC
19	POOL PLANTING	10/1/20	AC	AC	AC	19	POOL PLANTING	10/1/20	AC	AC	AC
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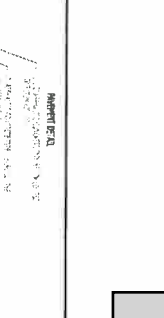
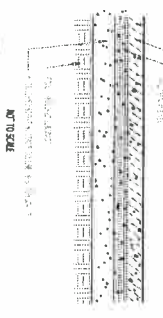
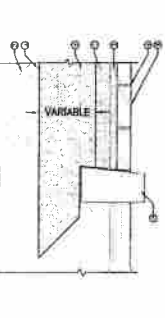
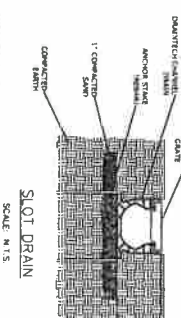
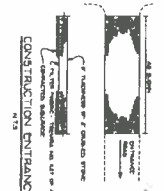


PAUL GDANSKI P.E. 073960 D



DRYWELL MANDATED BY
ROCKLAND COUNTY
HIGHWAY DEPARTMENT

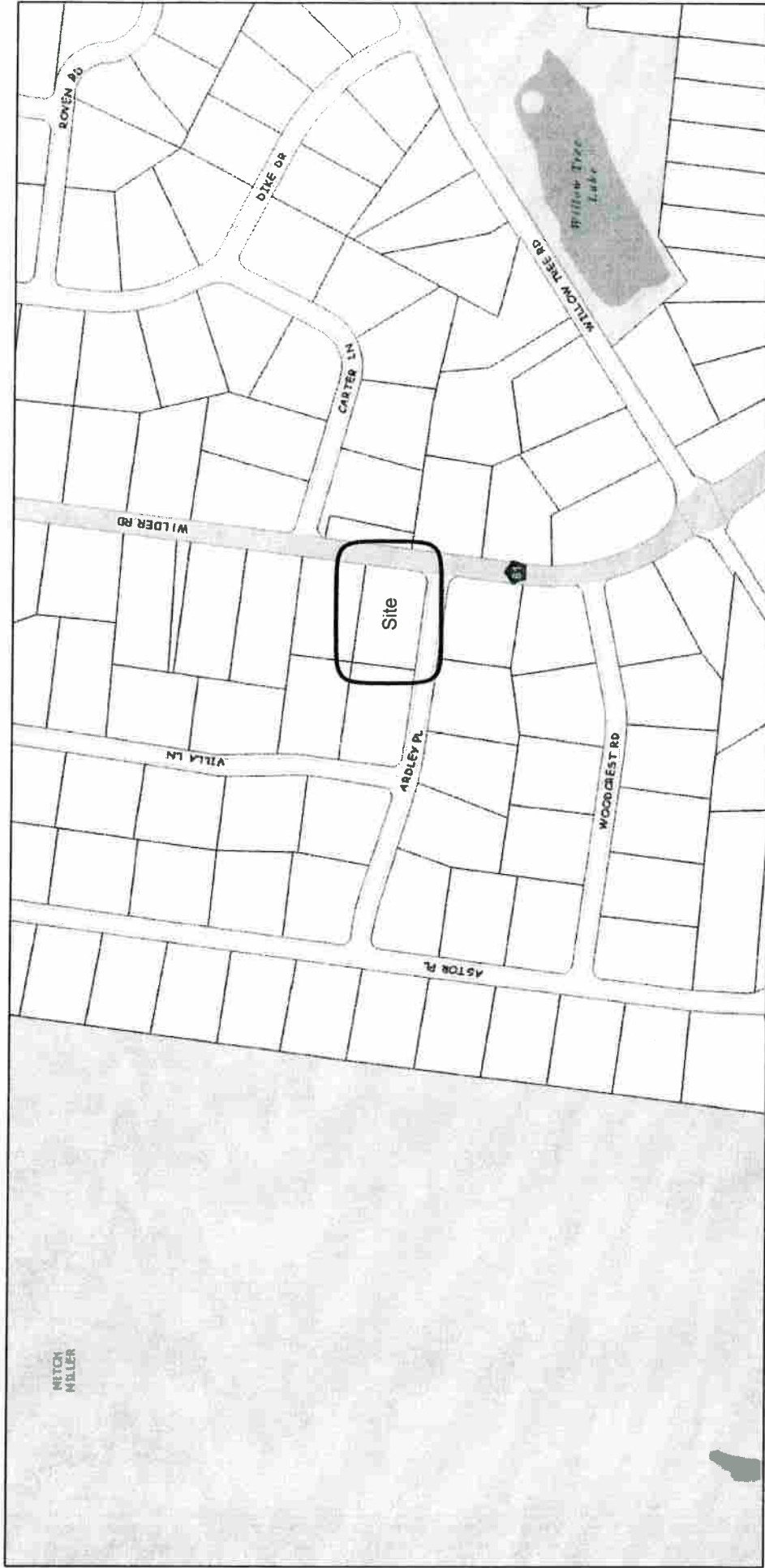
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3	POOL FENCE	10/1/20	AC	AC	AC
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11	POOL LIFT	10/1/20	AC	AC	AC
12	POOL STAIRS	10/1/20	AC	AC	AC
13	POOL CABINETS	10/1/20	AC	AC	AC
14	POOL TILES	10/1/20	AC	AC	AC
15	POOL FLOOR	10/1/20	AC	AC	AC
16	POOL WALLS	10/1/20	AC	AC	AC
17	POOL ROOF	10/1/20	AC	AC	AC
18	POOL GROUND	10/1/20	AC	AC	AC
19	POOL PLANTING	10/1/20	AC	AC	AC
20	POOL FURNITURE	10/1/20	AC	AC	AC



PAUL GDANSKI P.E., PLLC
633 WOODMONT LANE
SLATSBURG, NEW YORK 10974
(917) 418-0999
EMAIL: PGSKI@ARTLINK.NET

POOL PLAN FOR
2 ARDLEY
VILLAGE OF WESTLY HILLS
TOWN OF RAMAPO
ROCKLAND COUNTY, NEW YORK

ArcGIS Web Map



12/22/2023, 2:02:04 PM

ROW County Highway

Parcel Layer

1:2,800



2 Ardley Place Vicinity Map

BUILDING DEPT.

DEC 27 2023

VILLAGE OF WESLEY HILLS

Web AppBuilder for ArcGIS

Item 3.

Short Environmental Assessment Form

Part 1 - Project Information

Item 3.

DEC 29 2023

Instructions for Completing

Part 1 – Project Information. The applicant or project sponsor is responsible for the completion of Part 1. Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification. Complete Part 1 based on information currently available. If additional research or investigation would be needed to fully respond to any item, please answer as thoroughly as possible based on current information.

Complete all items in Part 1. You may also provide any additional information which you believe will be needed by or useful to the lead agency; attach additional pages as necessary to supplement any item.

Part 1 – Project and Sponsor Information			
Name of Action or Project: 2 Ardley Place			
Project Location (describe, and attach a location map): 2 Ardley Place, Wesley Hills, NY 10952			
Brief Description of Proposed Action: Variances for height, rear yard and maximum impervious surface ratio			
Name of Applicant or Sponsor: Yitzchok Rosenfeld		Telephone:	
		E-Mail:	
Address: 2 Ardley Place			
City/PO: Wesley Hills		State: NY	Zip Code: 10952
1. Does the proposed action only involve the legislative adoption of a plan, local law, ordinance, administrative rule, or regulation?		NO	YES
If Yes, attach a narrative description of the intent of the proposed action and the environmental resources that may be affected in the municipality and proceed to Part 2. If no, continue to question 2.		☒	☐
2. Does the proposed action require a permit, approval or funding from any other government Agency?		NO	YES
If Yes, list agency(s) name and permit or approval:		☒	☐
3. a. Total acreage of the site of the proposed action?		34,965 SF acres	
b. Total acreage to be physically disturbed?		_____ acres	
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor?		_____ acres	
4. Check all land uses that occur on, are adjoining or near the proposed action:			
☐ Urban ☐ Rural (non-agriculture) ☐ Industrial ☐ Commercial ☒ Residential (suburban)			
☐ Forest ☐ Agriculture ☐ Aquatic ☐ Other(Specify):			
☐ Parkland			

		NO	YES	Item 3.
5.	Is the proposed action,			
	a. A permitted use under the zoning regulations?	☐	☒	☐
	b. Consistent with the adopted comprehensive plan?	☐	☒	☐
6.	Is the proposed action consistent with the predominant character of the existing built or natural landscape?	NO ☐	YES ☒	
7.	Is the site of the proposed action located in, or does it adjoin, a state listed Critical Environmental Area?	NO	YES	
	If Yes, identify: _____	☒	☐	
8.	a. Will the proposed action result in a substantial increase in traffic above present levels?	NO ☒	YES ☐	
	b. Are public transportation services available at or near the site of the proposed action?	☐	☒	
	c. Are any pedestrian accommodations or bicycle routes available on or near the site of the proposed action?	☒	☐	
9.	Does the proposed action meet or exceed the state energy code requirements?	NO	YES	
	If the proposed action will exceed requirements, describe design features and technologies: _____ _____	☐	☒	
10.	Will the proposed action connect to an existing public/private water supply?	NO	YES	
	If No, describe method for providing potable water: _____ _____	☐	☒	
11.	Will the proposed action connect to existing wastewater utilities?	NO	YES	
	If No, describe method for providing wastewater treatment: _____ _____	☐	☒	
12.	a. Does the project site contain, or is it substantially contiguous to, a building, archaeological site, or district which is listed on the National or State Register of Historic Places, or that has been determined by the Commissioner of the NYS Office of Parks, Recreation and Historic Preservation to be eligible for listing on the State Register of Historic Places?	NO ☒	YES ☐	
	b. Is the project site, or any portion of it, located in or adjacent to an area designated as sensitive for archaeological sites on the NY State Historic Preservation Office (SHPO) archaeological site inventory?	☐	☐	
13.	a. Does any portion of the site of the proposed action, or lands adjoining the proposed action, contain wetlands or other waterbodies regulated by a federal, state or local agency?	NO ☒	YES ☐	
	b. Would the proposed action physically alter, or encroach into, any existing wetland or waterbody?	☒	☐	
	If Yes, identify the wetland or waterbody and extent of alterations in square feet or acres: _____ _____ _____			

14. Identify the typical habitat types that occur on, or are likely to be found on the project site. Check all that apply:		
☐ Shoreline ☐ Forest ☐ Agricultural/grasslands ☐ Early mid-successional ☐ Wetland ☐ Urban ☒ Suburban		
15. Does the site of the proposed action contain any species of animal, or associated habitats, listed by the State or Federal government as threatened or endangered?	NO ☒	YES ☐
16. Is the project site located in the 100-year flood plan?	NO ☒	YES ☐
17. Will the proposed action create storm water discharge, either from point or non-point sources?	NO ☐	YES ☒
If Yes,	☒	☐
a. Will storm water discharges flow to adjacent properties?	☒	☐
b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)?	☐	☒
If Yes, briefly describe: _____ _____		
18. Does the proposed action include construction or other activities that would result in the impoundment of water or other liquids (e.g., retention pond, waste lagoon, dam)?	NO ☒	YES ☐
If Yes, explain the purpose and size of the impoundment: _____ _____		
19. Has the site of the proposed action or an adjoining property been the location of an active or closed solid waste management facility?	NO ☒	YES ☐
If Yes, describe: _____ _____		
20. Has the site of the proposed action or an adjoining property been the subject of remediation (ongoing or completed) for hazardous waste?	NO ☒	YES ☐
If Yes, describe: _____ _____		
I CERTIFY THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE Applicant/sponsor/name: <u>Yitzchok Rosenfeld</u> Date: _____ Signature: _____ Title: _____		

VILLAGE OF WESLEY HILLS**432 Route 306****Wesley Hills, N.Y. 10952-1221****Phone: 845-354-0400 Fax: 845-354-4097 www.wesleyhills.org**

Dated: December 27, 2023

Tax Parcel ID: 41.10-1-20

Address: 2 Ardley Place

Applicant: Goldy Rosenfeld

BUILDING AND ZONING DEPARTMENT:

Please be advised that your application for a building permit for maintenance and use of a single-family home and inground pool has been denied. The requirements of the Zoning Law of the Village of Wesley Hills have not been satisfied. The following variances are required:

- Maximum impervious surface ratio of 0.30 when 0.25 is required.
- Maximum building height of 26.18' when 25' is required.
- Maximum rear yard for pool of 11.5' when 15' is required.

In addition, the Zoning Board of Appeals may review any existing non-conforming items and previously granted variances.



John Layne
Building Inspector

Cc: Zoning Board of Appeals

Mayor: Marshall Katz Deputy Mayor: Edward McPherson

Trustees: Ruth Ivey, Yisroel Cherns, Milton Schwartz

Village Clerk: Camille Guido-Downey Village Attorneys: Frank Brown, Benjamin Selig

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

Municipality: Village of Wesley Hills

Date Sent: 12/28/2023

Board: ☐ Planning ☒ ZBA ☐ Town/Village

Meeting Date: 1/17/2024

File Name Goldv Rosenfeld

Contact Person Alicia Schultz, Deputy Village Clerk

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 (Village of New Hempstead)
☐ Other _____

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

239 (n): ☐ Subdivision

239 (l) & (m): ☐ Site Plan ☒ Variance ☐ Special Permit ☐ Zone Change/Amendment
☐ Other – Please list _____

Location of Parcel(s) 2 Ardley Place

Acreage of Parcel (s) 0.806

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 (Vill. of New Hemp.) |
| ☐ County or State Facility | ☐ The Long Path |

Map 41.10 **Block** 1 **Lot(s)** 20 **Map Date:** 3/10/2023

Current Zoning: R-35

**Brief Project Description: APPLICATION FOR VARIANCES PERMITTING THE
MAINTAINENCE AND USE OF A SINGLE-FAMILY RESIDENCE AND INGROUND
SWIMMING POOL.**

Variances Needed (<i>if applicable</i>)	Required	Existing	Proposed
Maximum impervious surface ratio	0.25	0.20	0.30
Maximum building height	25'	<25'	26.18'
Maximum rear yard for pool	15'	N/A	11.5'

Rockland County Department of Planning 9/13 {G:\All\GML\GML Referral Form}

GML Report

Property Information:

Parcel ID: 41.10-1-20	Date Parcel: February 2023
OLD ID: 9-30CC2	Address: 2 ARDLEY PL
Address 2:	Alternative:
City: MONSEY	State: NY
Zip: 10952	Book Page:
Deed Date: 10/2/2019 12:00:00 AM	Instrument: 2019-00028120
Municipality: Wesley Hills	Deed Acres: 0
GIS Acres: 0.806	

GML Criteria:

GML Review: YES	Palisades Parkway: NO
Thruway: NO	County Road: YES
State Road: NO	County Regulated Streams: NO
Long Path: NO	County Park: NO
State Park: NO	State Property: NO
County Property: NO	Village Boundary: NO
Town Boundary: NO	Orange County Boundary: NO
X Coordinate: 606596	Y Coordinate: 846459

HIGHWAY DEPARTMENT

23 New Hempstead Road
New City, New York 10956
Phone: (845) 638-5060 Fax: (845) 638-5037
Email: highway@co.rockland.ny.us

Charles H. "Skip" Vezzetti
Superintendent of Highways

January 16, 2024

Ms. Alicia Schultz
Deputy Village Clerk
Village of Wesley Hills
432 Route 306
Wesley Hills, NY 10952

**Re: Site Plan Review for Single-Family Residence and In-Ground Pool
2 Ardley Place in Wesley Hills, NY
Tax Lot #41.10-1-20; R-35 Zoning District**

Dear Ms. Schultz:

The Rockland County Highway Department ("RCHD") was in receipt of the above application along with a site plan prepared by Anthony R. Celentano, P.L.S., dated 03.10.23, as part of the GML review process. The review has been complete now and we offer the following comments.

1. It appears the evergreen hedge/trees planted in the Rockland County Right of Way ("ROW") is causing a traffic safety issue at the intersection as the line of sight is restricted. The trees/hedge shall be removed, and the line of sight shall be enhanced to promote traffic safety at the intersection.
2. A drainage report shall be prepared to demonstrate that the existing/proposed drainage system in the parcel is adequately designed to produce no net increase in the peak rate of discharge from the site at all design points.
3. A road work permit must be secured from the RCHD prior to starting any construction work in the site.

We appreciate you for the opportunity to review the site plan. Please feel free to contact us at 845 638 5060 with any question or concern you may have regarding this matter.

Thank you.



Dyan Rajasingham
Engineer III

CC: Rockland County Department of Planning
Anthony R. Celentano, P.L.S. – Professional Land Surveyor



RECEIVED

JAN 25 2024

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

VILLAGE OF WESLEY HILLS

Douglas J. Schuetz
Acting Commissioner

Richard M. Schiafo
Deputy Commissioner

January 19, 2024

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

Tax Data: 41.10-1-20

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

Map Date: 12/04/2023

Date Review Received: 01/02/2024

Item: **GOLDY ROSENFELD/2 ARDLEY PLACE (Whi-204)**

Variances to legalize an existing single-family dwelling with a pool located on 0.80 acres in the R-35 zoning district. The requested variances include building height, rear yard to the pool, and maximum impervious surface ratio.

Northwest corner of Wilder Road and Ardley Place

Reason for Referral:

Wilder Road (CR 81)

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:

****Recommend the following modifications***

It is normally our policy to advise caution when granting a variance for impervious surface ratio that exceeds the maximum standard by 20 percent. However, the site features have already been constructed and appear to be consistent with other lots in the immediate vicinity. We therefore offer the following comments on the requested variances.

1 The applicant shall comply with the comments made by the Rockland County Highway Department in their letter dated January 16, 2024.

2 A review must be completed by the County of Rockland Department of Health, any comments or concerns addressed, and any required permits obtained.

3 A review must be completed by the County of Rockland Sewer District No. 1, any comments or concerns addressed, and all required permits obtained.

4 The bulk table indicates a variance is needed from Section 230-14L for fence height. This is not indicated anywhere else in the application materials. This variance must be confirmed and, if required, the materials must be revised so that all application materials remain consistent. If the public hearing notice did not contain all required variances, it must be revised and reissued.

GOLDY ROSENFELD/2 ARDLEY PLACE (Whi-204)

5 Pursuant to General Municipal Law (GML) Section 239-m and 239-n, if any of the conditions of this GML review are overridden by the board, then the local land use board must file a report with the County Commissioner of Planning of the final action taken. If the final action is contrary to the recommendation of the Commissioner, the local land use board must state the reasons for such action.

6 In addition, pursuant to Executive Order 01-2017 signed by County Executive Day on May 22, 2017, County departments are prohibited from issuing a County permit, license, or approval until the report is filed with the County Commissioner of Planning. The applicant must provide to any County agency which has jurisdiction of the project: 1) a copy of the Commissioner report approving the proposed action; or 2) a copy of the Commissioner of Planning recommendations to modify or disapprove the proposed action, and a certified copy of the land use board statement overriding the recommendations to modify or disapprove, and the stated reasons for the land use board's override.

7 The following additional comments are offered strictly as observations and are not part of our General Municipal Law (GML) review. The board may have already addressed these points or may disregard them without any formal vote under the GML process:

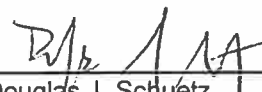
7.1 This application was officially received by the Rockland County Planning Department on January 2, 2024. The application materials indicate that the public hearing was held on January 17, 2024. As a reminder, State General Municipal Law, Section 239 (m) 4.(b) states that "Such county planning agency or regional planning council, or an authorized agent of said agency or council, shall have thirty days after receipt of a full statement of such proposed action, or such longer period as may have been agreed upon by the county planning agency or regional planning council and the referring body, to report its recommendations to the referring body, accompanied by a statement of the reasons for such recommendations." Adequate time must be provided to the Rockland County Planning Department in order for us to do our review before the public hearing is scheduled and the matter heard before the board.

7.2 The bulk table shall not include estimations. The actual exposed building height must be indicated on the bulk table.

7.3 The site plan shall contain map notes that list all appropriate information, including the district details and parcel specific information such as lot area, zoning designation, owner, and existing and proposed use. The applicant's engineer has been reminded of this requirement, and the importance of providing these details.

7.4 The site plan must contain a vicinity map that has a north arrow and scale.

7.5 A revision table must be provided on the site plan. The revision dates shall be listed chronologically.


 Douglas J. Schuetz
 Acting Commissioner of Planning

cc: Mayor Marshall Katz, Wesley Hills
 Rockland County Department of Health
 Rockland County Highway Department
 Rockland County Sewer District No. 1
 Anthony R. Celentano P.L.S.

Rockland County Planning Board Members

**NYS General Municipal Law Section 239 requires a vote of a 'majority plus one' of your agency to act contrary to the above findings. 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.*

GOLDY ROSENFELD/2 ARDLEY PLACE (Whi-204)

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.

CENTER FOR ENVIRONMENTAL HEALTH

Dr. Robert L. Yeager Health Center
50 Sanatorium Road, Building D
Pomona, New York 10970
Phone: (845) 364-2608 Fax: (845) 364-2025



EDWIN J. DAY
County Executive

SAMUEL RULLI, PE
Director, Environmental Health

January 26, 2024

Alicia Schultz, Deputy Village Clerk
Village of Wesley Hills
432 Route 306
Wesley Hills, New York 10952

RECEIVED

FEB - 1 2024

VILLAGE OF WESLEY HILLS

Re: Municipal Referral
2 Ardley Place
Variances for a Single-Family Dwelling
Tax lot 41.10-1-20

Dear Ms. Schultz:

We have received an application and plans as prepared by Anthony R. Celentano, PLS, revised through December 04, 2023, for the above referenced project. Comments are as follows:

1. Application is to be made to the RCDOH for review of the storm water management system for compliance with the County Mosquito Code. The drainage structures on the final survey differ from the original approval issued by this office.

If you have any questions regarding this matter, do not hesitate to call.

Very truly yours,



Brandon Durant
Assistant Public Health Engineer
(845) 364-2642

cc: Michael Kezner, Rockland County Department of Planning
Anthony R. Celentano, PLS
MBSP (via email)

June 9, 2023

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

Attn: Alicia Shultz, Building Department

Re: 2 Ardley Place
As-built Review (x2)

Dear Ms. Schultz,

Our office has reviewed the "Final Survey for 2 Ardley Pl", prepared by Anthony Celentano, P.L.S. last revised May 10, 2023. A site visit was last performed on June 6, 2023. At this time, we do not recommend the issuance of a Certificate of Occupancy. It is noted that the two properties are under the same ownership, however, they're still considered two separate lots which may cause issues with zoning and the approval for the adjacent neighborhood gathering based on how the overall site is being utilized. We offer the following comments:

1. Swing set/play area to be shown on survey. Material of play area to be indicated. Trampoline and playset improvements are not consistent with the adjacent neighborhood gathering's special permit. Location of accessory structure(s) may require a variance for side setback and front yard setback.
2. Existing drainage easement on the north side of 29 Wilder should be labeled. The filed subdivision Map #3252 indicates that this 15' drainage easement is to the County of Rockland.
3. Please note that our office did not have the opportunity to review the pool plan. It is noted that a building permit was issued from the Village in January 2022. A swale was proposed in the location of the constructed pool/patio. Applicant shall demonstrate equivalent measure to replace the proposed swale to mitigate any negative impacts to the adjacent neighbors. Additional topography information in the northwesterly corner and pool/patio area shall be provided.
4. Due to the as-built impervious surface ratio and, Applicant to confirm that the installed drywell system provides sufficient volume to demonstrate a net decrease in peak runoff rates for the 100-year, 24-hour storm. Additional drainage mitigation may be required.
5. The maximum building height calculation has been corrected and is measured at 26.18' as noted in the Bulk Table. This requires a variance and is referred to the Zoning Board of Appeals for further consideration.
6. The pool patio encroaches the 15' pool setback requirements along the northern property line. This requires a variance and is referred to the Zoning Board of Appeals for further consideration.
7. The Bulk Table has been updated to indicate a maximum impervious surface ratio of 0.30, exceeding the allowable ratio of 0.25. This requires a variance and is referred to the Zoning Board of Appeals for further consideration.
8. The installed 4"/6" SDR-35 drainage pipes on the north side of building are shown encroaching into the adjacent property to the North (29 Wilder) and daylighting into a 15'-wide drainage easement on the North side of 29 Wilder. Drainage pipes to be removed/modified or appropriate easements shall be filed. Applicant to review the potential of rerouting the drainage pipes to the existing catch basin on the South side of the property.
9. During the site visit, it was found that the 4" and 6" SDR-35 drainage pipes are installed on top of the other at the point of daylight. Applicant to provide additional information on how these pipes were

installed and where the secondary line is from. Standing water was found in all four of the installed catch basins on the north side of the building. Inverts of the pipes to be provided on the survey and positive conveyance of runoff through the installed pipes to be demonstrated.

10. Fence and hedges appear to be located within the westerly 15' wide drainage easement on top of an existing drainage pipe. Fence & hedges shall be relocated east outside of the easement.
11. Fence, hedges, and grading along eastern property line to be relocated within the property or Applicant to seek approval from the Village Board. Please note that the allowable height for a fence along the front lot line is 4 feet. A 6-foot fence in the front yard must be setback at least 4 feet (2/3rds its height) from the property line to be in conformance. In the most recent site visit, it appears the fence has been relocated to the west side of the fence. Survey shall be updated to reflect this and confirm appropriate setbacks. Based upon field measurements, the fence appears to encroach within the allowable setback, possibly the R.O.W., and is not in conformance. Furthermore, a concern was raised for fence/hedge location as it relates to sufficient sight distance. The setbacks required per code will assist with this issue.
12. Soil to be removed from the existing catch basin in the Wilder Road R.O.W.
13. Signoff from the Town of Ramapo for sewer connection to be provided.
14. During the site visit, the water service curb box could not be found. Contractor to confirm location and curb box to be brought to grade if not done so already.
15. Roof leader inverts to be provided once drywells are cleaned of accumulated soil.
16. It appeared that the ripped inlet protection and accumulated soil remain within the two drywells. Drywell shall be cleaned of sediment, as necessary. Inlet protection for the two drywells to be removed.
17. Disturbed areas with the Wilder Road R.O.W. are to be repaired with topsoil and seed. Remains of the concrete base for fence poles to be removed.

Our office will continue our review upon submission of a revised survey and satisfaction to the outstanding comments above.

Very truly yours,



Matthew Trainor, P.E.

Project Engineer

BROOKER ENGINEERING, PLLC

Y:\VILLAGES\WH Wesley Hills\WH0171 - 2020 Plot Plans\2 Ardley Place\2023-06-09 As-Built Survey Review x2.docx

ROCKLAND COUNTY TIMES

Offices: 119 Main Street (2nd Floor) • Nanuet, NY 10954-2882 • Tel (845) 627-1414 • Fax (845) 627-1411
VILLAGE OF WESLEY HILLS

Legal Notice:

(Ref. No.: 27179)

JAN 08 2024

VILLAGE OF WESLEY HILLS

AFFIDAVIT OF PUBLICATION

BUILDING,
PLANNING & ZONING

STATE OF NEW YORK)
) ss:
COUNTY OF ROCKLAND)

TERESA WARNER of the Town of Orangetown, County of Rockland,
State of New York, being duly sworn says that she is the Principal Clerk of the
ROCKLAND COUNTY TIMES, a newspaper published in the Town of Clarkstown,
County of Rockland, State of New York, and that the legal notice of which the
annexed is a copy was published in the issue of: *January 4, 2024.*

Teresa Warner
TERESA WARNER

Sworn to before me this

4 day of *January* 2024

[Signature]

NOTARY PUBLIC, STATE OF NEW YORK

WALTER H SANCHEZ
Notary Public, State of New York
Registration No. 01SA4857488
Qualified in Queens County
Filed in Rockland County
Commission Expires April 21, 2026

PUBLIC HEARING NOTICE

PLEASE TAKE NOTICE that a public hearing will be held by the Zoning Board of Appeals of the Village of Wesley Hills on the 17th day of January, 2024 at 7:30 P.M. at the Village Hall, 432 Route 306, Wesley Hills, New York 10952 to consider the application submitted by Goldy Rosenfeld for variances from the provisions of Sections 230-17 Attachment I and 230-140(4)(a) to permit the maintenance and use of a single family residence and inground swimming pool having building height of 26.18 feet instead of the maximum permitted of 25 feet, impervious surface ratio of .30 instead of the maximum permitted of .25 and rear yard for the pool of 11.5 feet instead of the minimum required of 15 feet.

The subject premises are situated on the north side of Ardley Place at the intersection with Wilder Road, known as 2 Ardley Place, designated on the Tax Map as Section 41.10 Block 1 Lot 20, in an R-35 Zoning District.

Copies of the aforesaid application are available for public review at the office of the Village Clerk/Treasurer, Village of Wesley Hills, 432 Route 306, Wesley Hills, New York 10952 between the hours of 9 A.M. and 4 P.M. Mondays through Fridays, exclusive of holidays.

Dated: Wesley Hills, New York
January 3, 2024

Camille Guido-Downey
Village Clerk/Treasurer
Village of Wesley Hills

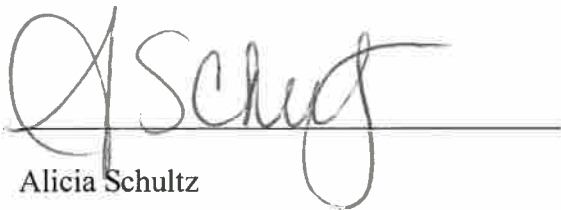
1x1-427179

**Village of Wesley Hills
432 Route 306
Wesley Hills, NY 10952**

Applicant Name: 2 Ardley Drive

CERTIFICATION

I, Alicia Schultz, Deputy Village Clerk of the Village of Wesley Hills, hereby certify that on the 2nd day of Jan., 2024, I mailed the attached notice by regular first class mail in all envelopes submitted to me by the Applicant addressed to all those names appearing on the affidavit of Property Owners by depositing same in an official depository under exclusion care and custody of the United States Postal Office within the State of New York.

A handwritten signature in cursive script, appearing to read "A Schultz", is written over a horizontal line.

Alicia Schultz

Deputy Village Clerk

ACTUAL SIZE

PUBLIC HEARING NOTICE

PLEASE TAKE NOTICE that a public hearing will be held by the Zoning Board of Appeals of the Village of Wesley Hills on the 17th day of January, 2024 at 7:30 P.M. at the Village Hall, 432 Route 306, Wesley Hills, New York 10952 to consider the application submitted by Goldy Rosenfeld for variances from the provisions of Sections 230-17 Attachment I and 230-140(4)(a) to permit the maintenance and use of a single family residence and inground swimming pool having building height of 26.18 feet instead of the maximum permitted of 25 feet, impervious surface ratio of .30 instead of the maximum permitted of .25 and rear yard for the pool of 11.5 feet instead of the minimum required of 15 feet.

The subject premises are situated on the north side of Ardley Place at the intersection with Wilder Road, known as 2 Ardley Place, designated on the Tax Map as Section 41.10 Block 1 Lot 20, in an R-35 Zoning District.

Copies of the aforesaid application are available for public review at the office of the Village Clerk/Treasurer, Village of Wesley Hills, 432 Route 306, Wesley Hills, New York 10952 between the hours of 9 A.M. and 4 P.M. Mondays through Fridays, exclusive of holidays.

Dated: Wesley Hills, New York
January 3, 2024

Camille Guido-Downey
Village Clerk/Treasurer
Village of Wesley Hills

1x1-4/27179

PUBLIC HEARING NOTICE

PLEASE TAKE NOTICE that a public hearing will be held by the Zoning Board of Appeals of the Village of Wesley Hills on the 17th day of January, 2024 at 7:30 P.M. at the Village Hall, 432 Route 306, Wesley Hills, New York 10952 to consider the application submitted by Mark Maidique/Bridger AAD for variances from the provisions of Section 230-17 Attachment I of the Code of the Village of Wesley Hills to permit the construction, maintenance and use of non-building site improvements having impervious surface ratio of .23 instead of the maximum permitted of .20.

The subject premises are situated on the north side of Grandview Avenue and on the west side of Fieldcrest Drive, known as 191 Grandview Avenue, designated on the Tax Map as Section 41.14 Block 1 Lot 12, in an R-50 Zoning District.

Copies of the aforesaid application are available for public review at the office of the Village Clerk/Treasurer, Village of Wesley Hills, 432 Route 306, Wesley Hills, New York 10952 between the hours of 9 A.M. and 4 P.M. Mondays through Fridays, exclusive of holidays.

Dated: Wesley Hills, New York
January 3, 2024

Carmille Guido-Downey
Village Clerk/Treasurer
Village of Wesley Hills

File Attachments for Item:

4. Application submitted by Nancy Rubin on behalf of Mark Schwartz and Goldie Slater for variances from the provisions of Sections 230-17 Attachment I and 230-14O(4)(a) to permit the maintenance and use of a single-family residence, inground swimming pool, cabana, circular driveway and other structures having front yard impervious surface ratio of .46 instead of the maximum permitted of .20, impervious surface ratio of .36 instead of the maximum permitted of .25, side yard of 19.9 feet instead of the minimum required of 25 feet, cabana side yard of 14.8 feet instead of the minimum required of 25 feet and the variance previously granted of 18 feet and cabana rear yard of 17 feet instead of the minimum required of 50 feet and the variance previously granted of 18 feet.

The subject premises are situated on the south side of Ardley Place approximately 700 feet west of Wilder Road, known as 7 Ardley Place, designated on the Tax Map as Section 41.10 Block 1 Lot 24. in an R-35 Zoning District.

PART I

Name of Municipality VILLAGE OF WESLEY HILLS Date 11/13/23

Please check all that apply:

☐ Planning Board	☐ Architectural Board
☒ Zoning Board of Appeals	☐ Historical Board
☐ Municipal Board	
☐ Subdivision	☐ Pre-preliminary/Sketch
☐ Number of Lots	☐ Preliminary
☐ Site Plan	☐ Final
☐ Special Permit	☐ Conditional Use
☐ Zoning Code Amendment	☐ Zone Change
☒ Variance * <i>(Fill out Part II of this form.)</i>	

Project Name:_____

Applicant: Nancy Rubin, Project Manager Phone # 845-424-0244
Address 16 Squadron Blvd, New City NY 10956
Street Name & Number (Post Office) State Zip code

Property Owner: Mark Schwartz + Goldie Slater Phone # 718-288-1653
Address 7 Ardley Place Manhasset Neck NY 10952
Street Name & Number (Post Office) State Zip code

Engineer/Architect/Surveyor: Civil Tec Phone # 845-547-2241
Address 139 Lafayette Ave, Suffern, NY 10901
Street Name & Number (Post Office) State Zip code

Attorney: N/A Phone # _____

Address _____

Street Name & Number	(Post Office)	State	Zip code
----------------------	---------------	-------	----------

Contact Person: Nancy Rubin Phone # 845-424-0244
Address 16 Squadron Blvd, New City NY 10956
 Street Name & Number (Post Office) State Zip code

Tax Map Designation:Section 41-10 Block 1 Lot(s) 24

Section _____ Block _____ Lot(s) _____

Location: On the South side of Ardley,
700 feet left of Wilder.Acreage of Parcel 36,542 SF Zoning District R-35School District East Ramapo Postal District 10952**Project Description:** (If additional space required, please attach a narrative summary.)We are applying to the ZBA for variances for the following:Side yard for accessory structure, rear yard for accessory structure, side yard and impervious surface ratio.The narrative attached goes into deeper detail.**If subdivision:**

- 1) Is any variance from the subdivision regulations required? _____
- 2) Is any open space being offered? ____ If so, what amount? _____

Project History: Has this project ever been reviewed before? Yes

If so, list case number, name, date, and the board you appeared before.

This project appeared twice previously before the ZBA.See attached resolutions. The public hearings were held on5/19/21,
6/16/21,
and
11/16/22.

List tax map section, block & lot numbers for all other abutting properties in the same ownership as this project.

"Permission is hereby granted to the Village of Wesley Hills, its agents, servants and employees to enter upon the above described property solely for the purposes incidental to the within application at reasonable times upon reasonable notice to the owner or tenant in possession."

This property is within 500 feet of:
(Check all that apply)

IF ANY ITEM IS CHECKED, A REVIEW MUST BE DONE BY THE ROCKLAND COUNTY COMMISSIONER OF PLANNING UNDER THE STATE GENERAL MUNICIPAL LAW, SECTIONS 239 K, L, M, AND N.

☐ State or County Road	☐ State or County Park
☐ Long Path	☐ County Stream
☐ Municipal Boundary	☐ County Facility

List name(s) of facility checked above. _____

Applicant's Signature and Certification

State of New York
County of ~~Rockland~~ ^{Putnam} SS.:
Town/Village of Wesley Hills

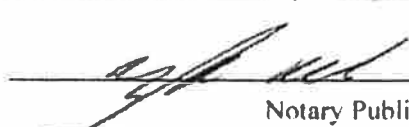
I, Nancy Rubin, hereby depose and say that all the above statements contained in the papers submitted herewith are true.

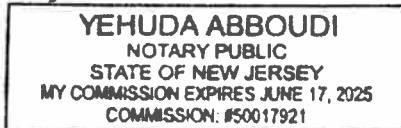
Mailing Address

Nancy Rubin
16 Squadron Blvd
New City, NY 10956
NR

SWORN to before this

16th day of November, 2022


Notary Public



Affidavit of Ownership/Owner's Consent

State of New York)
 County of Rockland) SS.:
 Town/Village of _____)

I, Mark Schwartz being duly sworn, hereby
 depose and say that I reside at: 7 Ardley Place, Monsey, NY 10952

in the county of Rockland in the state of NY

I am the * _____ owner in fee simple of premises located at:

7 Ardley Place, Monsey, NY 10952

described in a certain deed of said premises recorded in the Rockland County Clerk's
 Office in Liber _____ of conveyances, page _____.

Said premises have been in my/its possession since 19 2020. Said premises are
 also known and designated on the Town of Ramapo Tax Map as:
 section 41.10 block 1 lot(s) 24

I hereby authorize the within application on my behalf, and that the statements of fact
 contained in said application are true, and agree to be bound by the determination of the
 board.

Owner
 Mailing Address

7 Ardley Place
Monsey, NY 10952

SWORN to before this

10th day of October, 20 23

Virginia M. Smith
 Notary Public

* If owner is a corporation, fill in the office held by deponent and name of corporation,
 and provide a list of all directors, officers and stockholders owning more than 5% of
 the class of stock.

VIRGINIA M. SMITH
 Notary Public, State of New York
 My Commission Expires Dec 15, 2026

Affidavit Pursuant to Section 809 of the General Municipal Law

State of New York)

County of Rockland) SS.:

Town/Village of Westley Hills)

I, Nancy Rubin, being duly sworn, hereby depose and say that all the following statements and the statements contained in the papers submitted herewith are true and that the nature and extent of any interests set forth are disclosed to the extent that they are known to the applicant.

1. Print or type full name and post office address

Nancy Rubin

116 Squadron Blvd Suite 104

New City, NY 10956

certifies that he is owner or agent of all that certain lot, piece or parcel of land and/or building described in this application and if not the owner that he has been duly and properly authorized to make this application and to assume responsibility for the owner in connection with this application for the relief below set forth:

2. To the Zoning Board of the Town/Village of
(Board, Commission or Agency)
Westley Hills, Rockland County, New York:

Application, petition or request is hereby submitted for:

- (☒) Variance or modification from the requirement of Section 230-17;
() Special permit per the requirements of Section _____;
() Review and approval of proposed subdivision plat;
() Exemption from a plat or official map;
() An order to issue a certificate, permit or license;
() An amendment to the Zoning Ordinance or Official Map or change thereof;
() Other (explain) _____;

To permit construction, maintenance and use of We are requesting variances due to fact that we are looking for less side yard, rear yard for accessory structure, side yard for accessory structure and additional impervious surface ratio.

3. Premises affected are in a R-35 zone and from the town of Westley Hills tax map, the property is know as Section 41.10, Block, 1, Lot(s) 24.

4. There is no state officer, Rockland County Officer or employee or town/village officer or employee nor his or her spouse, brother, sister, parent, child or grandchild, or a spouse of any of these relatives who is the applicant or who has an interest in the person, partnership or association making this application, petition or request, or is an officer, director, partner or employee of the applicant, or that such officer or employee, if this applicant is a corporation, legally or beneficially owns or controls any stock of the applicant in excess of 5% of the total of the corporation if its stock is listed on the New York or American Stock Exchanges; or is a member or partner of the applicant, if the applicant is an association or a partnership; nor that such town/village officer or employee nor any member of his family in any of the foregoing classes is a party to an agreement with the applicant, express or implied, whereby such officer or employee may receive any payment or other benefit, whether or not for service rendered, which is dependent or contingent upon the favorable approval of this application, petition or request.

5. That to the extent that the same is known to your applicant, and to the owner of the subject premises **there is disclosed herewith** the interest of the following officer or employee of the State of New York or the County of Rockland or of the Town/Village of Wesley Hills in the petition, request or application or in the property or subject matter to which it relates:

(if none, so state)

- a. Name and address of officer or employee N/A
- b. Nature of interest _____
- c. If stockholder, number of shares _____
- d. If officer or partner, nature of office and name of partnership _____
- e. If a spouse or brother, sister, parent, child, grandchild or the spouse of any of these blood relatives of such state, county or town/village officer or employee, state name and address of such relative and nature of relationship to officer and employee and nature and extent of office, interest or participation or association having an interest in such ownership or in any business entity sharing in such ownership. _____

f. In the event of corporate ownership: A list of all directors, officers and stockholders of each corporation owning more than five (5%) percent of any class of stock, must be attached, if any of these are officers or employees of the State of New York, or of the County of Rockland, or of the Town/Village of _____.

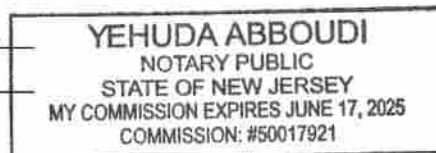
I, Nancy Rubin, do hereby depose and say that all the above statements and statements contained in the papers submitted herewith are true, knowing that a person who knowingly and intentionally violates this section is guilty of a misdemeanor.

Mailing Address

Nancy Rubin
16 Squadron Blvd
New City, NY 10958 *NR*

SWORN to before this

16th day of March, 2023
[Signature]
 Notary Public



VILLAGE OF WESLEY HILLS

432 Route 306
 Wesley Hills, New York 10952
 (845) 354-0400 Fax: (845) 354-4097

AFFIDAVIT OF OWNERSHIP

STATE OF NEW YORK }
 COUNTY OF ROCKLAND }
 VILLAGE OF WESLEY HILLS } SS:

Mark Schum being duly sworn, deposes and

says that he/she resides at 7 Ardley Place

Monsey, NY 10952

in the County of Rockland, State of New York; that he/she is the owner in

fee of all that certain lot, piece or parcel of land situated, lying and being

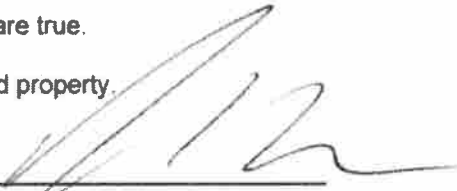
in the Village of Wesley Hills, and designated on the Town of Ramapo

Map as Section No. 41.10 Lot No. 24 and that he/she hereby

authorizes the attached application to be submitted in his/her behalf and

that the statements of fact contained in said application are true.

The applicant is the (owner) (contract vendee) of the said property.

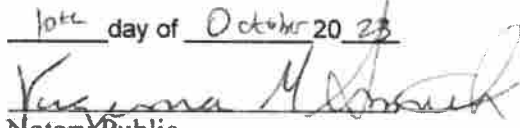
Owner: 

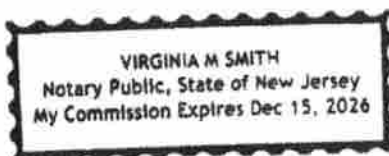
Address: 7 Ardley Place

Monsey, NY 10952

Sworn to before me this

10th day of October 20 23


 Notary Public



Town/Village of Westley Hills

I, Nancy Robin being duly sworn ^{affirms} deposes and says
that he is the applicant, agent or attorney for applicant, in the matter of the petition before
the Zoning (board) in the town/village
of Westey Hills affecting property located at
7 Ardley Place, Monsey, NY 10952, Rockland County, New York.

That the following are all of the owners of property 750 feet (distance) from the premises as to which this application is being taken.

SECTION/BLOCK/LOT	NAME	ADDRESS
-------------------	------	---------

See attached.

SWORN to before this

16th day of November, 2023



Notary Public

YEHUDA ABOUDI
NOTARY PUBLIC
STATE OF NEW JERSEY
MY COMMISSION EXPIRES JUNE 17, 2025
COMMISSION: #50017921

DISCLAIMER

APPLICANT TAKES FULL RESPONSIBILITY FOR RESEARCHING THE TAX MAP FOR THE LIST OF NAMES OF PROPERTY OWNERS ON THE ENCLOSED *AFFIDAVIT OF MAILING LIST*, AND SUPPLYING THE NECESSARY AMOUNT OF SELF-ADDRESSED STAMPED ENVELOPES.

THE APPLICANT'S ENVELOPES MUST COINCIDE WITH THE LIST. THE CLERK'S RESPONSIBILITY IS LIMITED TO CHECKING NAMES ON THE ENVELOPES AGAINST THE AFOREMENTIONED AFFIDAVIT BEFORE MAILING THEM.

RECEIPT OF THIS DISCLAIMER IS ACKNOWLEDGED

Nancy Rubin
APPLICANT

11/13/23
DATED

PART II

Application before the Zoning Board of Appeals

Application, petition or request is hereby submitted for:

- ☒ Variance from the requirement of Section 230-17 _____;
- ☐ Special permit per the requirements of Section _____;
- ☐ Review of an administrative decision of the Building Inspector;
- ☐ An order to issue a Certificate of Occupancy;
- ☐ An order to issue a Building Permit;
- ☐ An interpretation of the Zoning Ordinance or Map;
- ☐ Certification of an existing non-conforming structure or use;
- ☐ Other (*explain*) _____;

To permit construction, maintenance and use of _____

For additional impervious surface ratio and for lots
near to accessory, side to accessory and side yard.



Staples.

04A-U1

label size 1" x 2-5/8" compatible with Avery® 5160/8160

11/41.10-1-41
SHIMOFF WARREN & ROBIN
188 WILLOW TREE RD
MONSEY, NY 10952

11/41.10-1-42
WILLOW TREE TRUST
PH1203
9401 COLLINS AVENUE
SURFSIDE, FL 33154

11/41.10-1-40
KING ARICKA
186 WILLOW TREE RD
MONSEY, NY 10952

11/41.10-2-2
HAMERMAN JACOB
32 WILDER ROAD
MONSEY, NY 10952

11/41.10-1-35
MARKOWITZ HILLEL & RUTH
5 WOODCREST RD
MONSEY, NY 10952

11/41.10-1-36
SCHWARTZ ARON Z
6 SOUNDVIEW DR
SPRING VALLEY, NY 10977

11/41.10-1-38
OFFMAN FREDERICK &
DEBORAH
16 ASTOR PL
MONSEY, NY 10952

11/41.10-2-45.3
ONE HUNDRED FIFTY SIX
WILLOW TREE ROAD LLC
2 WILDER ROAD
MONSEY, NY 10952

11/41.10-1-29
REISS DANIEL P & BLANCHE
6 WOODCREST RD
MONSEY, NY 10952

11/41.10-1-52
GOLDBRENNER ASHER &
ALIZA
19 ASTOR PLACE
MONSEY, NY 10952

11/41.10-1-49
KATZ ISRAEL & DASYA
13 ASTOR PL
MONSEY, NY 10952

11/41.10-1-48
HIDALGO NELSON D &
GARCENIA G
11 ASTOR PL
MONSEY, NY 10952

11/41.10-1-25
STERNBUCH MICHEL & TZIPPY
9 ARDLEY PLACE
MONSEY, NY 10952

11/41.10-1-13
KLEIN JEFFREY A & CHERYL
6 VILLA LA
MONSEY, NY 10952

11/41.10-1-34
LIPSCHITZ NEAL & SUSAN J
3 WOODCREST RD
MONSEY, NY 10952

11/41.10-1-32
RIEDER SHIMON
1 WOODCREST RD
WESLEY HILLS, NY 10952

11/41.10-2-45.1
LEVINSON SAM & MICHELLE
2 WILDER ROAD
MONSEY, NY 10952

11/41.10-1-30
HERSZFELD LEGACY TRUST
4 WOODCREST RD
MONSEY, NY 10952

11/41.10-1-27
MATHIOS RACHELLE
10 WOODCREST RD
WESLEY HILLS, NY 10952

11/41.10-2-45.2
CSYKB 1-20 TRUST
8 WILDER RD
MONSEY, NY 10952

11/41.10-1-39
RIEDER SHIMON &
FRIEDMAN NICOLE
14 ASTOR PLACE
MONSEY, NY 10952

11/41.10-1-47
WIZMAN KAREN ANNE &
WIZMAN ELIEZER JOEL
12 ASTOR PL
MONSEY, NY 10952

11/41.10-2-59
ACS REAL ESTATE TRUST
1 CARTER LA
MONSEY, NY 10952

11/41.10-1-33
1 WILDER LLC
C/O BEN LEV
18039 BURBANK BLVD
ENCINO, CA 90316

11/41.10-1-50
ROSENBERG SAMUEL L
15 ASTOR PL
MONSEY, NY 10952

11/41.10-1-37
STEWART JEFFREY M &
ELIZABETH
9 WOODCREST RD
MONSEY, NY 10952

11/41.10-1-51
MITTEL YAAKOV & REBECCA
17 ASTOR PL
MONSEY, NY 10952

11/41.10-1-31
GREENBLATT JACOB & RACHEL
2 WOODCREST RD
MONSEY, NY 10952

11/41.10-1-28
HAAS JOSEPH & BATSHEVA
8 WOODCREST RD
MONSEY, NY 10952

11/41.10-1-20
ROSENFELD YITZCHOK
2 ARDLEY PL
MONSEY, NY 10952

Staples.

label size 1" x 2-5/8" compatible with Avery® 5160/8160

04A-U1

Staples.

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label size 1" x 2-5/8" compatible with Avery® 5160/8160

11/41.10-1-54
SUN CAPITAL PROPERTIES
LLC
C/O ROBERT RAVIT
23 ASTOR PL
MONSEY, NY 10952
11/41.10-1-26
BALBAN MORTON & HILDA
22 ASTOR PL
MONSEY, NY 10952

11/41.10-1-23
FELBERMAN SARA D
5 ARDLEY PL
MONSEY, NY 10952

11/41.10-1-24
SCHWARTZ MARK &
SLATER GOLDIE
7 ARDLEY PL
MONSEY, NY 10952

11/41.10-1-5
LAST IRA & VIVIAN
26 ASTOR PL
MONSEY, NY 10952

11/41.10-1-6
EGENHAUSER JACK & LINDA
28 ASTOR PL
MONSEY, NY 10952

11/41.10-1-9
NACHFOLGER ISRAEL &
MIRIAM
3 VILLA LANE
MONSEY, NY 10952

11/41.10-1-2
LNMD GROUP REALTY LLC
C/O ROBERT RAVIT
23 ASTOR PLACE
MONSEY, NY 10952

11/41.10-1-15
HOLTZBERG SHLOMO A &
MOLLIE N
35 WILDER RD
MONSEY, NY 10952-7126

11/41.06-1-75
TWERSKY GITTEL
9 VILLA LA
MONSEY, NY 10952

11/41.10-2-58
WEINER ALFRED J + DORIS R
3 CARTER LA
MONSEY, NY 10952

11/41.10-1-21
MELOHN JOSEPH ALEXANDER
& ROSEMARIE RICKY
1 ARDLEY PL
MONSEY, NY 10952

11/41.10-1-53
STILLMAN NORMAN A +
MARILYN
21 ASTOR PL
MONSEY, NY 10952

11/41.10-1-10
PANCER AVROM & BASTZION
1 VILLA LANE
MONSEY, NY 10952

11/41.10-1-4
RUBINSTEIN ARYE
25 ASTOR PL
MONSEY, NY 10952

11/41.10-1-18
BALLOU MARY K
C/O KASEY SCHMID
70 NELSON RD
MONROE, NY 10950

11/41.10-1-17
BALLOU MARY K
C/O KACEY SCHMID
70 NELSON RD
MONROE, NY 10950

11/41.10-1-8
KOPCIEL ELIEZER TRUST
7 VILLA LA
MONSEY, NY 10952

11/41.10-1-14
GARTENBERG GARY N & MALKI
A
8 VILLA LA
MONSEY, NY 10952-1020

11/41.06-1-76
34 ASTOR PLACE REALTY LLC
32 ASTOR PL
MONSEY, NY 10952

11/41.10-1-11
DOBERMAN ALAN & CHERYL
4 ARDLEY PL
MONSEY, NY 10952

11/41.10-1-22
MARKOWITZ BARRY & IDA
3 ARDLEY PL
WESLEY HILLS, NY 10952

11/41.10-2-61
GOLD ABRAHAM
1 CARTER LANE
WESLEY HILLS, NY 10952

11/41.10-1-19
ROSENFELD YITZCHOK
4 CARTER LANE
MONSEY, NY 10952

11/41.10-1-12
JACOBS SANFORD & STACY
4 VILLA LA
MONSEY, NY 10952

11/41.10-1-3
WOLFSET BRADLEY S &
ESTHER
27 ASTOR PL
MONSEY, NY 10952

11/41.10-1-16
BALLOU MARY K
C/O KASEY SCHMID
70 NELSON RD
MONROE, NY 10950

11/41.10-1-7
GREENSTEIN-DEUTSCH ALIZA
30 ASTOR PLACE
MONSEY, NY 10952

11/41.10-1-1
WIEDER DEVORAH
31 ASTOR PL
MONSEY, NY 10952

11/41.06-1-72
LEBOVICS JACOB & DEBORAH
10 VILLA LANE
MONSEY, NY 10952

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label size 1" x 2-5/8" compatible with Avery® 5160/8160

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Staples.

04A-U1

label size 1" x 2-5/8" compatible with Avery® 5160/8160

11/41.06-1-78
NUSSEN MARK & GILA T
33 ASTOR PL
MONSEY, NY 10952

11/41.09-1-15
RAMAPO TOWN OF
237 RT 59
SUFFERN, NY 10901

Staples.

label size 1" x 2-5/8" compatible with Avery® 5160/8160

04A-U1

VILLAGE OF WESLEY HILLS

432 Route 306
 Wesley Hills, New York 10952
 (845) 354-0400 Fax: (845) 354-4097

AFFIDAVIT OF POSTING

STATE OF NEW YORK }
 COUNTY OF ROCKLAND } SS:
 VILLAGE OF WESLEY HILLS }

Nancy Rubin being ^{affirm} ~~duly sworn~~, deposes and
 says that he/she is the applicant in the matter of an application before the
 Village of Wesley Hills Planning Board affecting property located at
7 Ardley Place, Wesley Hills, Town of Ramapo,
 Rockland County, New York.

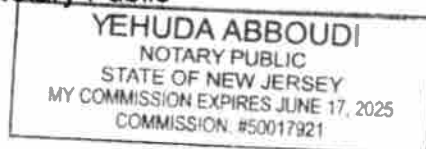
That on the 29th day of November 2023, he/she posted the
 posters provided by the Planning Board of the Village of Wesley Hills
 giving notice of the hearing on this application in a conspicuous place
 visible from every street along the frontage of the plot affected by this
 application.

[Signature]

Sworn to before me this

29th day of November 2023

[Signature]
 Notary Public



RESOLVED, that the Zoning Board hereby makes the following Findings of Fact:

1. That the variances are not substantial, each one being less than 20% of the requirement;
2. That there is no feasible alternative to granting the variances since the architect has testified that the entire design of the residence would be changed if the height were reduced;
3. That the reason for the variance is the flat roof, i.e., if the residence had a gabled roof the Village definition of height would be complied with;
4. That the benefit to the applicant by granting the variances is substantial whereas no detriment to neighboring properties or to the environment has been identified.

**Item #9 –Public Hearing- Mark Schwartz and Goldie Slater
7 Ardley Place**

Chairman Schwab read the public hearing notice into the record. Mark Schwartz, homeowner, was present and affirmed to tell the truth. Mr. Schwartz stated that there had been a site visit of his property last weekend. Mr. Schwartz agreed that the driveway should not be 20 feet wide. Mr. Schwartz stated that the current plan states that the driveway is 15.9 feet wide.

Doris Ulman asked why the need for the four (4) additional feet than currently exist. Mr. Schwartz stated that it is current difficult to get out of the driveway, requiring a K-turn to exit in many situations. Mr. Schwartz stated that this request is purely a practical matter.

Chairman Schwab asked if anyone from the public wished to be heard. No one wished to be heard.

Chairman Schwab asked if anyone from the Board wished to be heard. Stefanie Collantes-Bouvry stated that this seemed to be a reasonable request.

Chairman Schwab made a motion to close the public hearing, seconded by Stefanie Collantes-Bouvry. Upon vote, this motion carried unanimously.

Dennis Dale made a motion to approve this application, seconded by Carole Anderson. Upon vote, this motion carried unanimously.

In the Matter of the Application of
Nancy Rubin as Project Manager for
Mark Schwartz and Goldie Slater
Premises situated on the south side of Ardley Place
Approximately 700 feet west of Wilder Road, known
As 7 Ardley Place, designated on the Tax Map as
Section 41.10 Block 1 Lot 24, in an R-35 Zoning District

WHEREAS, application had been made to the Zoning Board of Appeals of the Village of Wesley Hills by Nancy Rubin as Project Manager for Mark Schwartz and Goldie Slater for a variance from the provisions of Section 230-34(D)(4) to permit a new circular driveway that is 20 feet wide instead of the maximum permitted of 12 feet wide, and

WHEREAS, after due notice, a public hearing on said application was held by the Zoning Board of Appeals on October 19, 2022, which hearing was continued on November 16, 2022, and

WHEREAS, the applicant, Mark Schwartz, appeared in person and testified as follows:

That the driveway is bordered by a wall on each side so that the maximum width of 12 feet is less than 12 and makes it difficult for cars to turn around to leave the driveway;

That applicant has reduced the request for the variance and is now requesting that the circular driveway be permitted at 16 feet wide;

That members of the Zoning Board of Appeals visited the site and noted that the existing 12 foot wide driveway does not permit vehicles to turnaround in order to exit the property; and

WHEREAS, no one appeared in opposition to the application,

NOW, THEREFORE, IT IS HEREBY DETERMINED that the proposed action is a Type II action and that no SEQRA determination is required, and be it further

RESOLVED, that the application submitted by Nancy Rubin as Project manager for Mark Schwartz and Goldie Slater for a variance from the provisions of Section 230-34(D)(4) of the Code of the Village of Wesley Hills, to permit the construction, maintenance and use of a circular driveway having a width of 16 feet instead of the maximum permitted of 12 feet is hereby approved, and be it further

RESOLVED, that the Zoning Board of Appeals hereby makes the following Findings of Fact:

1. That the way this driveway is constructed, the 12-foot width impedes the ability to turnaround to drive out of the property;
2. That there is no feasible alternative to granting the variance because of the safety issue;
3. That the benefit to the applicant by granting the variance is substantial whereas no detriment to adjoining properties or to the neighborhood has been identified.

**Item #8 –Public Hearing- Gartenberg
8 Villa Lane**

Insert B

In the Matter of the Application of
Mark and Goldie Schwartz
Premises situated on the south side of Ardley Place
approximately 250 feet east of Astor Place, known as
7 Ardley Place, designated on the Tax Map as Section
41.20 Block 1 Lot 24, in an R-35 Zoning District

WHEREAS, application has been made to the Zoning Board of Appeals of the Village of Wesley Hills by Mark and Goldie Schwartz for variances from the provisions of Section 230-17 Attachment I of the Code of the Village of Wesley Hills, to permit the construction, maintenance and use of a single family residence and cabana having a side yard of 20.3 feet instead of the minimum required of 25 feet on the west side of the property, a side yard of 15.9 feet instead of the minimum required of 25 feet on the east side of the property, rear yard of 16.2 feet instead of the minimum required of 50 feet, total side yard of 58.4 feet instead of the minimum required of 60 feet, building coverage of .134 instead of the maximum permitted of .12 and front yard impervious surface ratio of .28 instead of the maximum permitted of .20, and

WHEREAS, after due notice, a public hearing was held by the Zoning Board of Appeals on May 19, 2021, which hearing was continued on June 16, 2021, and

WHEREAS, the applicants appeared in person and by their architect, who testified as follows:

That after the site visit and at the request of the Board, the applicant has revised the site plan 1) to install pervious pavers in the majority of the driveway so that the variance for front yard impervious surface ratio has been eliminated and 2) to move the cabana two feet further from the side and rear property lines so that the variances for the cabana have been reduced to 18 feet from the side property line and 18 feet from the rear property line;

That applicant has retained Yost Design Landscape Architects who have prepared a landscaping plan to reduce or eliminate any potential impacts on adjacent properties;

That the cabana is only 450 square feet of which 175 square feet is open porch so that the impact of the building will be minimal since there will be substantial open space within the side and rear yards;

That the next door neighbor has requested that the cabana be placed in the proposed location so that it is not intrusive;

That only one corner of the cabana is 18 feet from the property lines since the building will be placed on an angle; and

WHEREAS, members of the Zoning Board of Appeals visited the site and viewed the placement of the structures; and

WHEREAS, no one appeared in opposition to the application and applicant submitted several letters in support;

NOW, THEREFORE, IT IS HEREBY DETERMINED that the proposed action is a Type II action and that no SEQRA determination is required, and be it further

RESOLVED, that the application submitted by Mark and Goldie Schwartz for variances from the provisions of Section 230-17 Attachment I of the Code of the Village of Wesley Hills, to permit the construction, maintenance and use of a single family residence and cabana having one side yard of 20.3 feet for an open decorative archway instead of the minimum required of 25 feet, having the other side yard of 18 feet instead of the minimum required of 25 feet for a cabana, rear yard of 18 feet instead of the minimum required of 50 feet for the cabana, total side yard of 58.4 feet instead of the minimum required of 60 feet and building coverage of .134 instead of the maximum permitted of .12 is hereby approved, subject to the condition that applicants install and maintain landscaping in accordance with the landscaping plan prepared by Yost Design Landscape Architecture dated November 16, 2020, and be it further

RESOLVED, that the Zoning Board of Appeals hereby makes the following Findings of Fact:

1. That none of the variances are substantial except for the rear yard variance for the cabana and, because the cabana will be constructed on a slant, only one corner of the cabana will be 18 feet from the property line; in addition the entire front on the cabana will be open porch so that only 275 square feet of the cabana will encroach into the rear yard;
2. That because of the clearing limit line that prevents construction throughout much of the rear yard of the property and the need to have the cabana in close proximity to the pool, the space within which the cabana can be placed is very limited;
3. That the landscaping plan provides adequate screening to limit the impacts on adjacent properties;
4. That the Zoning Board of Appeals appreciates applicants' efforts to reduce the size and number of variances and the submission of a revised site plan that eliminates the need for the front yard impervious surface variance and reduces the size of the side and rear yard variances for the cabana;
5. That the benefit to the applicant by granting the variances is substantial whereas no evidence of detriment to adjacent properties or to the community has been identified.

This property is within 500 feet of:
(Check all that apply)

IF ANY ITEM IS CHECKED, A REVIEW MUST BE DONE BY THE ROCKLAND COUNTY COMMISSIONER OF PLANNING UNDER THE STATE GENERAL MUNICIPAL LAW, SECTIONS 239 K, L, M, AND N.

_____ State or County Road
_____ Long Path
_____ Municipal Boundary

_____ State or County Park
_____ County Stream
_____ County Facility

List name(s) of facility checked above. _____

Applicant's Signature and Certification

State of New York
County of Rockland SS.:
Town/Village of Wesley Hills

I, Nancy Rubin, hereby depose and say that all the above statements contained in the papers submitted herewith are true.

Mailing Address

Nancy Rubin
16 Squadron Blvd
New City, NY 10956
NR

SWORN to before this

16th day of November, 2023

[Signature]
Notary Public

YEHUDA ABBOUDI
NOTARY PUBLIC
STATE OF NEW JERSEY
MY COMMISSION EXPIRES JUNE 17, 2025
COMMISSION: #50017921

ACTUAL SIZE

PUBLIC HEARING NOTICE

PLEASE TAKE NOTICE that a public hearing will be held by the Zoning Board of Appeals of the Village of Wesley Hills on the 20th day of December, 2023 at 7:30 P.M. at the Village Hall, 432 Route 306, Wesley Hills, New York 10952 to consider the application submitted by Nancy Rubin on behalf of Mark Schwartz and Goldie Slater for variances from the provisions of Sections 230-17 Attachment I and 230-14O(4) (a) to permit the maintenance and use of a single family residence, inground swimming pool, cabana, circular driveway and other structures having front yard impervious surface ratio of .46 instead of the maximum permitted of .20, impervious surface ratio of .36 instead of the maximum permitted of .25, side yard of 19.9 feet instead of the minimum required of 25 feet, cabana side yard of 14.8 feet instead of t

minimum required of 25 feet and the variance previously granted of 18 feet and cabana rear yard of 17 feet instead of the minimum required of 50 feet and the variance previously granted of 18 feet.

The subject premises are situated on the south side of Ardley Place approximately 700 feet west of Wilder Road, known as 7 Ardley Place, designated on the Tax Map a

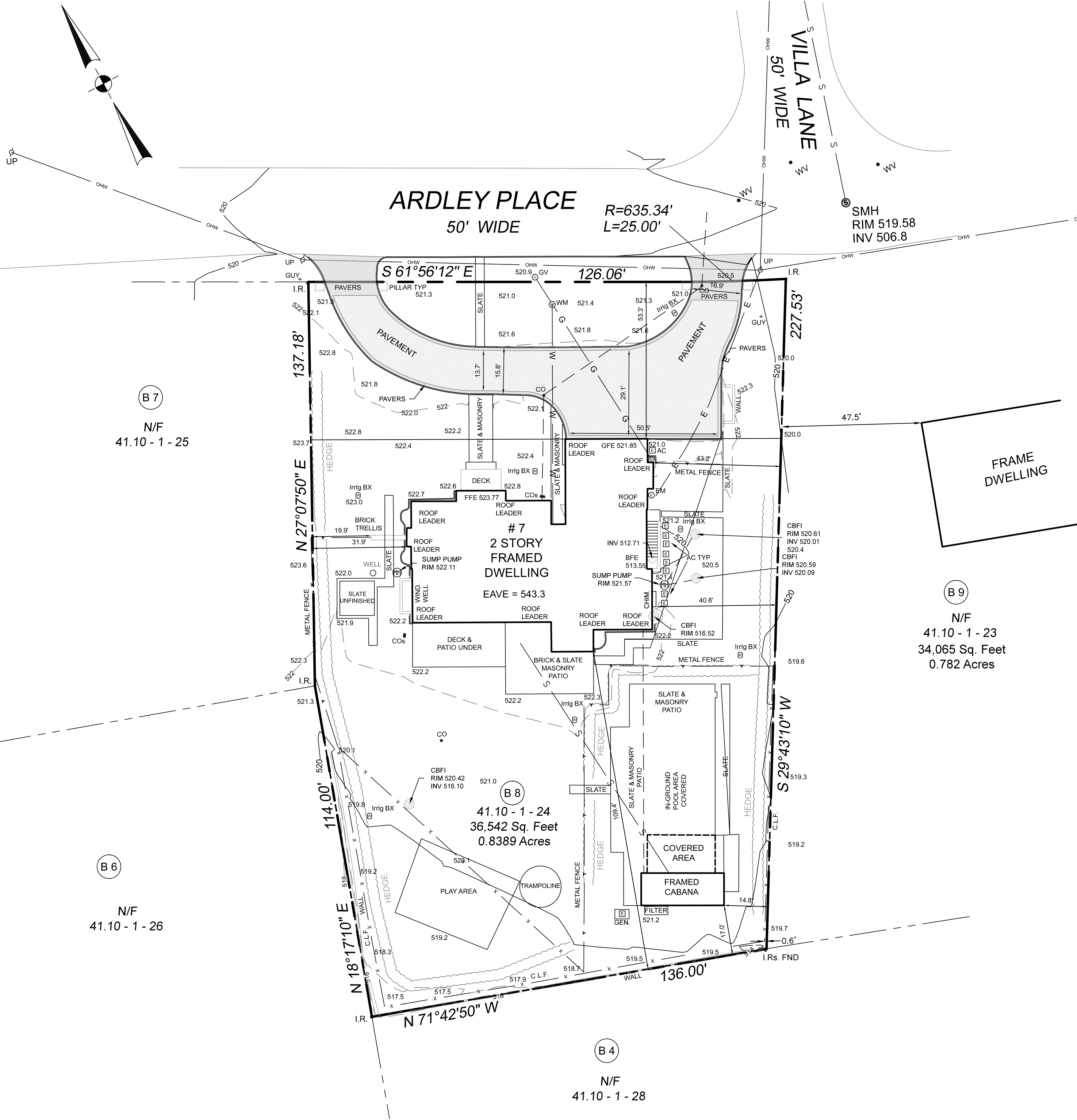
Section 41.1-0 Block 1 Lot 24. in an R-35 Zoning District.

Copies of the aforesaid application are available for public review at the office of the Village Clerk/Treasurer, Village of Wesley Hills, 432 Route 306, Wesley Hills, Ne

York 10952 between the hours of 9 A.M. and 4 P.M. Mondays through Fridays, exclusive of holidays.

Dated: Wesley Hills New York
November 29, 2023
Camille Guido-Downey
Village Clerk/Treasurer
Village of Wesley Hills

1x12-7/27147



SURVEY NOTES:

- IT IS A VIOLATION OF THE STATE EDUCATION LAW SECT 7209 (2) FOR ANY PERSON, UNLESS ACTING UNDER THE DIRECTION OF A LICENSED LAND SURVEYOR, TO ALTER AN ITEM IN ANY WAY ONLY COPIES OF THIS SURVEY MARKED WITH THE LAND SURVEYOR'S SIGNATURE AND AN ORIGINAL EMBOSSED SEAL ARE A VALID ORIGINAL PRODUCT OF THE LAND SURVEYOR. THIS SURVEY IS PREPARED ONLY FOR THE PARTIES AND PURPOSE INDICATED HEREON ANY CLAIM FOR LIABILITY SHALL NOT EXCEED THE AMOUNT OF THE AGREEMENT ANY EXTENSION OF USE BEYOND THE PURPOSE AGREED TO BETWEEN THE CLIENT AND THE SURVEYOR EXCEEDS THE SCOPE OF THE ENGAGEMENT HOLDS THE SURVEYOR HARMLESS FOR UNAUTHORIZED USE BY OTHER PARTIES PERSONS OR GOVERNMENTAL APPROVALS AND RENDERS THIS SURVEY MAP NULL & VOID. THIS SURVEY MAP IS SUBJECT TO AN ACCURATE ABSTRACT OF TITLE.
- THIS SURVEY MAP IS BASED ON AN ACTUAL FIELD SURVEY CONDUCTED FOR A SPECIFIC PURPOSE AND IS BASED ON SPECIFIC CONTRACTUAL REQUIREMENTS FOR THIS TRANSACTION. USE OF THIS MAP FOR SURVEY INSPECTION UPDATES IS STRICTLY PROHIBITED. THIS MAP MAY NOT BE COPIED IN WHOLE OR IN PART, THIS MAP MAY NOT BE USED FOR OTHER PURPOSES OR TRANSACTIONS. THIS MAP MAY NOT BE SOLD, RENTED, LEASED, PHOTOCOPIED, ENLARGED, REDUCED, TRACED OR TRANSFERRED IN ANY OTHER WAY WITHOUT THE PRIOR WRITTEN CONSENT OF A CIVIL TEC ENGINEERING & SURVEYING PC REPRESENTATIVE WHO'S SIGNATURE & SEAL APPEAR HEREON.
- VERTICAL DATUM IS NAVD88.
- ALL NONE VISIBLE UNDERGROUND UTILITIES (SUCH AS GAS, ELECTRIC, WATER AND OTHERS), SANITARY CONNECTIONS AND DRAINAGE CONNECTIONS ARE SHOWN AS PER CONTRACTOR, AND OR SHOWN AS PER PROPOSED PLAN AS PER THE TOWN ENGINEER'S REQUEST.

Lot Coverage	
Driveway (pavers)	512 SF
Driveway (pavement)	3,031 SF
Dwelling	4,151 SF
Decks	575 SF
Brick & Slate Patio	585 SF
Stairs	120 SF
Pool/Pool Patio	1,924 SF
Cabana/Covered Area	645 SF
Walkways & Arch	1,336 SF
Pool Equipment	137 SF
Garbage & Utilities	58 SF
Pillars	36 SF
Total	13,074 SF
Total Impervious Coverage	
13,074 SF/36,542 SF	0.36

IMPERVIOUS IN FRONT YARD:
3,955 SF

AREA OF FRONT YARD: 8,583 SF

FRONT YARD IMPERVIOUS RATIO:
3,955 SF IMPERVIOUS/8,583 SF AREA OF FRONT YARD = 0.46
0.46 > 0.2

BUILDING COVERAGE CALCULATION FROM ARCHITECT:
1.5 STORY @ 1,957 SF + 2.5 STORY @ 2,895 SF TOTAL = 4,852 SF

4,852 SF = ACTUAL BUILDING COVERAGE
1,957/4,852 = 0.4 X 0.05 = 0.02 + 0.10 = 0.12
36,542 SF X 0.12 = 4,385 MAXIMUM ALLOWABLE BUILDING COVERAGE

PROVIDED BUILDING COVERAGE
HOUSE 4,151 SF + CABANA & COVERED AREA 645 SF = 4,796 SF

4,796 SF/36,542 SF = 0.131
VARIANCE WAS GRANTED FOR 0.134
0.131-0.134 SO OK

NO STEEP SLOPES

PARKING CALCULATION:
SINGLE FAMILY HOME REQUIRES 2 SPACES
2 GARAGE SPACES PROVIDED



VICINITY MAP
1" = 300'

REFERENCES

- BEING SECTION 41.10, BLOCK 1, LOT 24 OF THE VILLAGE OF WESLEY HILLS AND TOWN OF RAMAPO TAX MAPING.
- LOT DESCRIBED BY DEED IN INSTRUMENT NO. 2006 AT PAGE 59187 AT THE ROCKLAND COUNTY CLERKS OFFICE.
- BEING LOT 8 IN BLOCK B ON A MAP ENTITLED "SECTION ONE OVERLOOK ESTATES", FILED IN THE ROCKLAND COUNTY CLERK'S OFFICE ON JULY 8, 1964 IN BOOK 68 ON PAGE 41 AS MAP NUMBER 3252.
- TOTAL AREA = 36,542 SQUARE FEET OR 0.838 ACRES.

Bulk Requirements: R-35 Single Family Residence													
	Min. Lot Area	Min. Lot Frontage	Min. Lot Width	Min. Front Yard	Min. Side Yard	Min. Side Accessory >100 SF	Min. Side Pool	Min. Total Side Yards	Min. Rear Yard	Min. Rear Accessory >100 SF	Min. Rear Pool	Max. Impervious Surface Ratio	Max. Front Yard Impervious Surface Ratio
Required	35,000 SF	100 FT	125 FT	50 FT	25 FT	25 FT	15 FT	60 FT	50 FT	50 FT	15 FT	0.25	0.2
Actual	36,542 SF	162.2 FT	159.9 FT	53.3 FT	19.9 FT	14.8 FT	16.6 FT	60.7 FT	109.4 FT	17 FT	15.3 FT	0.36	0.46
Variance	No	No	No	No	Granted 20.3 FT/ Variance Required	Granted 18 FT/ Variance Required	No	Granted 58.4 FT	No	Granted 18 FT/ Variance Required	No	Yes	Yes

VARIANCES GRANTED BY ZBA ON JUNE 16, 2021

DATE	ISSUE	DESCRIPTION	REVISIONS
		S.B.L. 41:10-1-23 & 24	
		ZBA PLAN	
		FOR	
		7 ARDLEY PLACE	
		VILLAGE OF WESLEY HILLS - ROCKLAND COUNTY - NEW YORK	
		CIVIL TEC Engineering & Surveying PC	
		139 Lafayette Avenue, 2nd Fl. Suffern, NY 10901 P 845.547.2241 - F 845.547.2243	DATE: 11/27/23 DRAWN BY: WPD
		111 Main Street Chester, NY 10918 845.610.3621	CHKD BY: SPD/RB
		Civil Engineering & Land Surveying Services that Build Confidence www.Civil-Tec.com	JOB No. 3779
		<i>Rachel B. Barese</i> Rachel B. Barese, P.E. N.Y. Lic. No. 90143	SCALE: 1"=20'
			DWG No. 1 OF 90

VILLAGE OF WESLEY HILLS
432 Route 306
Wesley Hills, N.Y. 10952-1221
Phone: 845-354-0400 Fax: 845-354-4097 www.wesleyhills.org

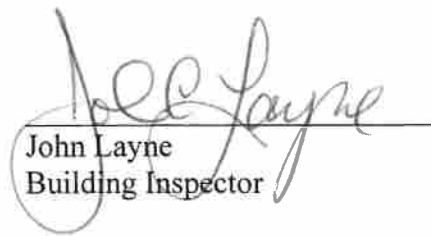
Dated: October 24, 2023
Tax Parcel ID: 41.10-1-24
Address: 7 Ardley Place
Applicant: Rubin/Schwartz & Slater

BUILDING AND ZONING DEPARTMENT:

Please be advised that your application for a building permit for the construction of a new single-family home, patio, and cabana has been denied. The requirements of the Zoning Law of the Village of Wesley Hills have not been satisfied. The following variances are required:

- Minimum side yard of 25 feet, proposing 19.9 feet
- Minimum side yard for accessory structure of 25 feet, proposing 14.8 feet
- Minimum rear yard for accessory structure of 50 feet, proposing 17 feet
- Maximum impervious surface ratio of 0.25, proposing 0.36
- Maximum front yard impervious surface ratio of 0.20, proposing 0.46

In addition, the Zoning Board of Appeals may review any existing non-conforming items and previously granted variances.

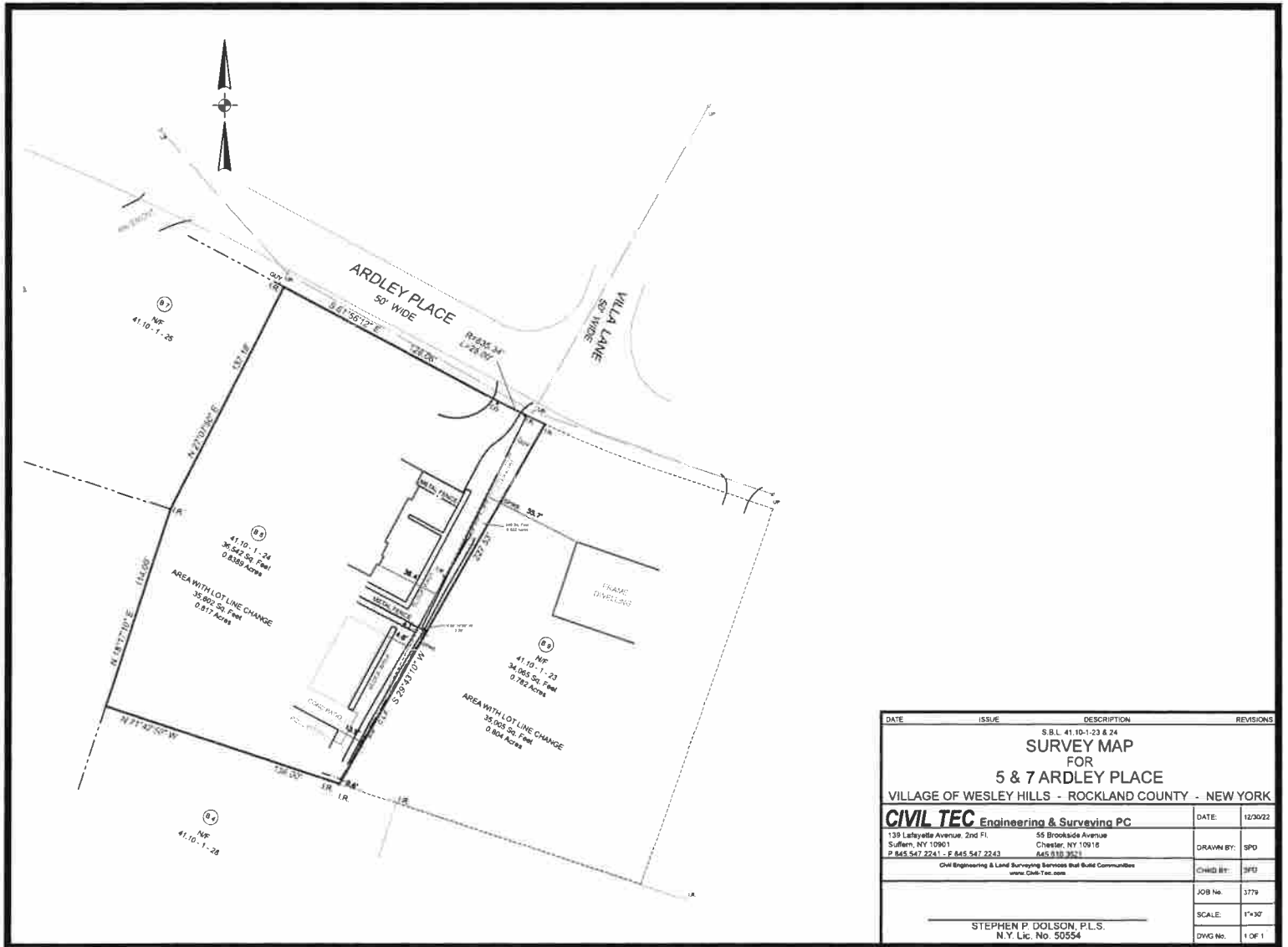

John Layne
Building Inspector

Cc: Zoning Board of Appeals

BUILDING DEPT.

DEC 6 2023

VILLAGE OF WESLEY HILLS



File Attachments for Item:

5. April 17, 2024



ZONING BOARD OF APPEALS MEETING MINUTES

April 17, 2024, at 7:30 PM

432 Route 306, Wesley Hills, NY 10952

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

MEMBERS PRESENT: Stefanie Collantes-Bouvry, Acting Chairwoman
 Richard Weinberger, Member
 Randi Marlin, Member
 Stuart Zelmanovitz, Member
 Barry Rozenberg, Ad Hoc
 Anita Hajioff, Ad Hoc (Late)

ABSENT: Jonathan Gewirtz, Chairman

OTHERS PRESENT: Doris Ulman, Assistant Village Attorney
 Alicia Schultz, Deputy Village Clerk

Chairwoman Collantes-Bouvry opened the meeting at 7:30 pm.

ITEM #1 –PUBLIC HEARING – 1 VILLA LANE

Chairwoman Collantes-Bouvry read the public hearing notice into the record.

Kalman Herschkowitz, the applicant's expeditor, was present and affirmed. Mr. Herschkowitz stated that this addition is 1000 square feet and if placed anywhere else could cause damage to the home. Mr. Herschkowitz mentioned that they are a family of 11, so they need more space to dwell. Mr. Herschkowitz stated that they are only requesting a single variance for a total of 12.2', as the minimum allowed is 50' and the applicant is proposing 37.8' with this addition.

Doris Ulman questioned why the addition sticks out and is not flush with the rest of the front of the home. Ms. Ulman stated that by the next meeting on May 15, 2024, the applicant should have an answer as to why the addition is being built in that manner.

Chairwoman Collantes-Bouvry questioned if anyone from the public would like to speak.

Nobody from the audience chose to speak.

Chairwoman Collantes-Bouvry made a motion to adjourn this application to the May 15, 2024 meeting, with a site visit on May 5, 2024, seconded by Randi Marlin. Upon vote, this motion was carried unanimously.

ITEM #2 –PUBLIC HEARING –6 TERRACE ROAD

Chairwoman Collantes-Bouvry read the public hearing notice into the record.

Kevin Conway, Esq., the applicant's attorney, Kevin Rodriguez, the applicant's Architect, and Mr. Buchinger, the applicant, were present and affirmed. Mr. Conway stated the property is an undersized lot and a handful of items on the bulk table are preexisting nonconforming, as the lot is about half the average size lot for the R-50 zone. Mr. Conway stated that the lots in the surrounding area are mostly undersized lots and require variances. Mr. Conway stated that they are demolishing the existing house and constructing a new one, but keeping the existing footprint. Mr. Rodriguez stated that most of the front yard impervious surface on Terrace Road is from the driveway and the covered front porch. Mr. Rodriguez stated that they are installing a drywell system to ensure no net increase in the runoff.

Richard Weinberger read the following review letters into the record:

1. New York State Department of Transportation
2. Rockland County Department of Planning
3. Rockland County Sewer District #1
4. Rockland County Center of Environmental Health

Mr. Conway stated that they will comply with all of the items in the County letters and will supply us with a response letter to the agency letters by the May 15th Zoning Board meeting.

Doris Ulman questioned if this property was part of an original subdivision by the Town of Ramapo. Ms. Ulman stated that the old Town survey may have smaller setbacks and therefore the requested variances may be smaller in size, if the established setbacks on the old map are lower. Barry Rozenberg questioned if they are knocking the entire home down, why did they not propose to move the home further back from the front property line, as it would not affect the rear setback and they would require one less variance. Mr. Buchalter stated that to comply with the request of his rear neighbor, as his lot is undersized as well, they placed the home where it is.

Baruch Klein, 8 Buena Vista Road, was present and affirmed. Mr. Klein stated that he lives to the rear of the applicant and does not object to the placement of the proposed home.

Chairwoman Collantes-Bouvry questioned if anyone else from the public would like to speak.

Nobody else from the public chose to speak.

Chairwoman Collantes-Bouvry made a motion to adjourn this application to the May 15, 2024 meeting, with a site visit on May 5, 2024, seconded by Randi Marlin. Upon vote, this motion was carried unanimously.

ITEM #3 - PUBLIC HEARING – 5 GLENBROOK ROAD

Chairwoman Collantes-Bouvry read the public hearing notice into the record.

Todd Rosenblum, the applicant's architect, was present and affirmed. Mr. Rosenblum stated that at the site visit, the Board will notice that this property is an oddly shaped lot. The variances required are, side

yard of 20 feet instead of the minimum required of 25 feet, total side yard of 53.6 feet instead of the minimum required of 60 feet and building coverage of .122 instead of the maximum permitted of .115. The fourth variance originally sought, front yard of 40 feet instead of the minimum required of 50 feet, has been eliminated due to the fact that the old Town of Ramapo approved plot plan, much like the last application, has a front yard setback “grandfathered in” at 40 feet.

Chairwoman Collantes-Bouvry questioned if anyone from the public would like to speak.

Nobody from the audience chose to speak.

Chairwoman Collantes-Bouvry made a motion to adjourn this application to the May 15, 2024 meeting, with a site visit on May 5, 2024, seconded by Randi Marlin. Upon vote, this motion was carried unanimously.

ITEM #4 – CONTINUED PUBLIC HEARING – 2 ARDLEY PLACE

Chairwoman Collantes-Bouvry read the public hearing notice into the record.

Doris Ulman stated that Paul Baum, the applicant’s Attorney, has submitted an email requesting an adjournment to the May 15, 2024 meeting.

Chairwoman Collantes-Bouvry made a motion to adjourn this application to the May 15, 2024 meeting, seconded by Randi Marlin. Upon vote, this motion was carried unanimously.

ITEM #5 – CONTINUED PUBLIC HEARING – 89 SPOOK ROCK ROAD

Chairwoman Collantes-Bouvry read the public hearing notice into the record.

Bassie Hurwitz, the applicant, was present and affirmed. Ms. Hurwitz stated that the Board was out to look at her property on April 7, 2024, and she showed the Board how changing the driveway would be inconvenient and make it difficult to maneuver vehicles. Ms. Hurwitz stated that leaving the driveway as it currently is, would not change the current zero net runoff and she has never had any flooding or drainage issues on the property in 17 years.

Chairwoman Collantes-Bouvry questioned if anyone from the public would like to speak.

Nobody from the audience chose to speak.

All parties wishing to be heard having been heard, Chairwoman Collantes-Bouvry made a motion to close the Public Hearing.

Stuart Zelmanovitz made a motion to approve the application, subject to compliance with the following Rockland County agency letters, seconded by Randi Marlin:

1. Rockland County Department of Planning
2. Rockland County Sewer District #1
3. Rockland County Highway Department
4. Rockland County Center of Environmental Health
5. Rockland County Drainage Agency

In the Matter of the Application of
 Bassie Hurwitz
 Premises situated on the west side of Spook Rock Road at
 the intersection with Oren Court, known as 89 Spook
 Rock Road, designated on the Tax Map as
 Section 40.16 Block 1 Lot 10.21 in an R-50 Zoning District

WHEREAS, application has been made to the Zoning Board of Appeals of the Village of Wesley Hills by Bassie Hurwitz for a variance from the provisions of Section 230-17 Attachment I of the Code of the Village of Wesley Hills, to permit the maintenance and use of a driveway to a single family residence having impervious surface ratio of .29 instead of the prior variance granted of .26, and

WHEREAS, after due notice, a public hearing on said application was held by the Zoning Board of Appeals on February 21, 2024, which hearing was continued on March 20, 2024 and April 17, 2024, respectively, and

WHEREAS, the applicant appeared in person and by her representative and testified as follows:

That a two lot flag-lot subdivision was granted by the Wesley Hills Planning Board in 2017 and several variances were granted at that time;

That the front lot which is the subject of this application and on which applicant resides, was created by that subdivision;

That one of the variances granted at that time was for impervious surface ratio of .26 for the front lot;

That a condition of the Planning Board subdivision approval was for applicant to saw cut a portion of the then-existing driveway on the front lot in order to achieve the .26 impervious surface ratio;

That the Planning Board has agreed to remove the aforesaid condition if the Zoning Board grants the additional variance to .29;

That to sawcut the driveway as required 'Will leave a large opening in the driveway that will make it difficult for applicant to turn vehicles around and could be a hazard for persons walking in that area;

That the additional impervious surface ratio is for an existing condition and applicant has not experienced flooding or drainage problems in the many years that the driveway has been in place; and

WHEREAS, members of the Zoning Board of Appeals visited the site and saw the area that was to be sawcut; and

WHEREAS, no one appeared in opposition to the application;

NOW, THEREFORE, IT IS HEREBY DETERMINED that the proposed action is a Type I action and that no SEQRA determination is required, and be it further

RESOLVED, that the application submitted by Bassie Hurwitz for a variance from the provisions of Section 230-17 Attachment I of the Code of the Village of Wesley Hills, to permit the maintenance and use of a driveway to a single family residence having impervious surface ratio of .29 instead of the variance previously granted of .26 is hereby approved, subject to the following conditions:

1. Compliance with letter from Rockland County Planning dated February 8, 2024;
2. Compliance with letter from Rockland County Highway dated January 24, 2024;
3. Compliance with letter from Rockland County Drainage Agency dated January 30, 2024.
4. Compliance with letter from Rockland County Sewer District No. 1 dated January 25, 2024
5. Compliance with Rockland County Center for Environmental Health dated February 16, 2024; and be it further

RESOLVED, that the Zoning Board of Appeals hereby makes the following Findings of Fact:

1. That the variance is for an existing condition driveway that became necessary because of the creation of a two-lot subdivision that reduced the size of the front lot on which the driveway was situated;
2. That the variance will not create a detriment to the environment or the ecology of the neighborhood;
3. That there has been no evidence of drainage or flooding problems caused by the existing driveway;
4. That the benefit to the applicant by granting the variance is substantial whereas no detriment to the neighborhood or the community has been identified.

Upon vote, this motion was carried unanimously.

ITEM #6 – CONTINUED PUBLIC HEARING – 7 ARDLEY PLACE

Chairwoman Collantes-Bouvry read the public hearing notice into the record.

Ryan Karben, the applicant's attorney, and Isaac Steinfeld, the applicant's contractor, were present and affirmed. Mr. Karben stated that the Board was out to the property on April 7, 2024 for a site visit. Mr. Karben stated that the applicant's engineer submitted information that there would be no impact on the land from the construction that was done, which unfortunately went beyond the approved variance by the Zoning Board.

Chairwoman Collantes-Bouvry questioned if anyone from the public would like to speak.

Sara Felberman, 5 Ardley Place, was present and affirmed. Ms. Felberman stated that in November 2022 they discovered a discrepancy with the filed map for #5 and #7 Ardley Place, and that the lot line in question is the side that the applicant needs a variance on. Ms. Felberman asked that the Board not make any decisions until the lot line discrepancy is settled, as the area in question is 1,300 square feet.

Mr. Steinfeld stated that CivilTec Engineering sent a letter to the Board stating that the calculation they came up with for square footing of the property on November 21, 2022, of 35,277 square feet was incorrect, and the correct square footage of the property is 36,542 square feet, the calculation submitted on this Zoning Board application.

There was discussion amongst the Board members as to whether a decision can be made when there is a boundary dispute as to the property.

Doris Ulman requested that Mr. Karben provide a memorandum of law to the Board, as to whether the Zoning Board of Appeals has authority to make a decision when there is a boundary dispute.

Chairwoman Collantes-Bouvry made a motion to adjourn this application to the May 15, 2024 meeting, seconded by Randi Marlin. Upon vote, this motion was carried unanimously.

ITEM #7 – CONTINUED PUBLIC HEARING – 53 GRANDVIEW AVENUE

Chairwoman Collantes-Bouvry read the public hearing notice into the record.

Stanley Mayerfeld, the applicant's architect, was present and affirmed. Mr. Mayerfeld stated that this is the second renovation they are doing to the home and is for a covered front porch. Mr. Mayerfeld stated that it is intended to be used mostly for a safe place for children to wait for the bus as it is a main county road that can be very dangerous at times.

Richard Weinberger read the following review letter into the record:

1. Rockland County Highway Department
2. Rockland County Department of Planning
3. Town of Ramapo Department of Public Works
4. Rockland County Sewer District #1
5. Rockland County Center of Environmental Health

Mr. Mayerfeld stated that they will not comply and will not be preparing a new drainage report for the Rockland County Highway Department letter, as they do not require a permit from them.

Stuart Zelmanovitz stated that at the site visit on April 7, 2024, he noticed that there is plenty of screening on the property, so you will more than likely not be able to see the covered porch once it is constructed.

Chairwoman Collantes-Bouvry questioned if anyone from the public would like to speak.

All parties wishing to be heard having been heard, Chairwoman Collantes-Bouvry made a motion to close the Public Hearing.

Chairwoman Collantes-Bouvry made a motion to approve the application, subject to compliance with the Rockland County agency letters, seconded by Barry Rozenberg:

In the Matter of the Application of Shalom Moskowitz
Premises situated on the north side of Grandview
Avenue approximately 270 feet west of Sansberry Lane,
known as 53 Grandview Avenue, designated on the Tax
Map as Section 41.16 Block 2 Lot 23, in an R-3S
Zoning District

WHEREAS, application has been made to the Zoning Board of Appeals of the Village of Wesley Hills by Shalom Moskowitz for a variance from the provisions of Section 230-17 Attachment I of the Code of the Village of Wesley Hills, to permit the construction, maintenance and use of a front porch to an existing single family residence having a front yard of 43 feet instead of the minimum required of 50 feet and building coverage of .13 instead of the maximum permitted of .10 and

WHEREAS, after due notice, a public hearing on said application was held by the Zoning Board of Appeals on March 20, 2024, which hearing was continued on April 17, 2024, and

WHEREAS, the applicant appeared by his architect, who testified as follows:

That the front porch is being constructed primarily so that applicant's children will have a safe place to wait for the school buses and carpool out of the rain;

That Grandview Avenue is a very busy, dangerous road;

That there is screening at the front of the property of evergreen trees that will block the view of the front porch to some extent;

That applicant does not need a County Highway Department work permit so does not have to comply with the County Highway's request for a new drainage report; and

WHEREAS, members of the Zoning Board of Appeals visited the site and viewed the location of the proposed front porch and the front yard screening; and

WHEREAS, no one appeared in opposition to the application,

NOW, THEREFORE, IT IS HEREBY DETERMINED that the proposed action is a Type II action and that no SEQRA determination is required, and be it further

RESOLVED, that the application submitted by Shalom Moskowitz for a variance from the provisions of Section 230-17 Attachment I of the Code of the Village of Wesley Hills, to permit the construction, maintenance and use of a front porch to an existing single family residence having a front yard of 43 feet instead of the minimum required of 50 feet and building coverage of .13 instead of the maximum permitted of .10 is hereby approved subject to compliance with the various GML review letters, and be it further

RESOLVED, that the Zoning Board of Appeals hereby makes the following Findings of Fact:

1. That the variances are not substantial in relation to the requirement, the front yard variance being less than 20% and the building coverage variance being 30%;
2. That the front yard screening will screen most of the porch so that the impact to the front yard will be minimal;
3. That the need for the variances is one of safety and the granting of the variances will not change the character of the neighborhood nor be detrimental to adjacent properties or to the community;
4. That the benefit to the applicant by granting the variances is substantial whereas no detriment to the neighborhood or to the community has been identified.

Upon vote, this motion was carried 4-0. Randi Marlin and Richard Weinberger abstained.

ITEM #8 – CONTINUED PUBLIC HEARING – 49 TRANQUILITY ROAD

Chairwoman Collantes-Bouvry read the public hearing notice into the record.

Stanley Mayerfeld, the applicant's architect, was present and affirmed. Mr. Mayerfeld stated that this is a very odd shaped property and most of the property is in the wetland and that at the site visit on April 7, 2024, it was apparent to the Board that any addition to the home no matter where they decide to put it, would require a wetlands permit as it would be within the 100-foot wetlands buffer area. Mr. Mayerfeld also stated that the Planning Board already granted the applicant the required wetlands permit for the proposed addition. Mr. Mayerfeld stated that there is no additional impervious surface because the driveway area is being used for the addition.

Chairwoman Collantes-Bouvry questioned if anyone from the public would like to speak.

Nobody from the audience chose to speak.

All parties wishing to be heard having been heard, Chairwoman Collantes-Bouvry made a motion to close the Public Hearing.

Randi Marlin made a motion to approve the application, seconded by Anita Hajioff:

In the Matter of the Application of
Isaac Wieder
Premises situated on the west side of Tranquility
Road approximately 1000 feet south of Joy Road,
known as 49 Tranquility Road, designated on the
Tax Map as Section 41.09 Block I Lot 28, in an
R-50 Zoning District

WHEREAS, application has been made to the Zoning Board of Appeals of the Village of Wesley Hills by Isaac Wieder for variances from the provisions of Section 230-17 Attachment I of the Code of the Village of Wesley Hills, to permit the construction, maintenance and use of an addition to a single family residence having a front yard of 46.7 feet instead of the minimum required of 50 feet

and front yard impervious surface ratio of .228 instead of the maximum permitted of .20, and

WHEREAS, after due notice, a public hearing on said application was held by the Zoning Board of Appeals on March 20, 2024, which hearing was continued on April 17, 2024, and

WHEREAS, the applicant appeared by his architect, who testified as follows:

That the addition is being constructed over a pre-existing section of the driveway so that there is actually a reduction in impervious surface ratio;

That *this* is an odd-shaped property and a portion of the property is actually in the Willow Tree Pond so that almost all of the property *is* in the wetlands;

That the applicant has already received a Wetlands Permit from the Wesley Hills Planning Board for the addition;

That there is natural screening on the property so that adjoining properties will not be impacted by the addition; and

WHEREAS, members of the Zoning Board of Appeals visited the site and viewed the property's location on the water and that neighbors will not be impacted because of the screening; and

WHEREAS, no one appeared in opposition to the application,

NOW, THEREFORE, IT IS HEREBY DETERMINED that the proposed action is a Type II action and that no SEQRA determination is required., and be it further

RESOLVED, that the application submitted. by Isaac Wieder for variances from the provisions of Section 230-17 Attachment I of the Code of the Village of Wesley Hills, to permit the construction, maintenance and use of an addition to a single family residence having a front yard of 46.7 feet instead of the minimum required of 50 feet and front yard impervious surface ratio of .228 instead of the maximum permitted of .20 is hereby granted, and be it further

RESOLVED, that the Zoning Board of Appeals hereby makes the following Findings of Fact:

1. That the front yard of this property is on the water not on the road so that the usual impact of a front yard variance does not exist;
2. That the variances are not substantial in that they are both less than 10%;
3. That the variance for front yard impervious surface ratio is actually a reduction of the existing ratio since the addition is being constructed on a portion of the existing driveway;
4. That the benefit to the applicant by granting the variances is substantial whereas no detriment to neighboring properties or to the community has been identified.

Upon vote, this motion was carried unanimously.

ITEM #9 - APPROVAL OF MINUTES – MARCH 20, 2024

Chairwoman Collantes-Bouvry made a motion to approve the March 20, 2024 minutes, seconded by Barry Rozenberg. Upon vote, this motion was carried unanimously.

ADJOURNMENT

Chairwoman Collantes-Bouvry made a motion to adjourn the meeting, seconded by Randi Marlin. Upon vote, this motion was carried unanimously.

Respectfully submitted,
Alicia Schultz

File Attachments for Item:

6. May 15, 2024



ZONING BOARD OF APPEALS MEETING MINUTES

May 15, 2024, at 7:30 PM

432 Route 306, Wesley Hills, NY 10952

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

MEMBERS PRESENT: Stefanie Collantes-Bouvry, Acting Chairwoman
 Richard Weinberger, Member (Late)
 Randi Marlin, Member
 Stuart Zelmanovitz, Member
 Barry Rozenberg, Ad Hoc (Late)
 Anita Hajioff, Ad Hoc

ABSENT: Jonathan Gewirtz, Chairman

OTHERS PRESENT: Doris Ulman, Assistant Village Attorney
 Alicia Schultz, Deputy Village Clerk

Chairwoman Collantes-Bouvry opened the meeting at 7:30 pm.

ITEM #1 –CONTINUED PUBLIC HEARING – 1 VILLA LANE- PANCER

Chairwoman Collantes-Bouvry read the public hearing notice into the record.

Kalman Herschkowitz, the applicant's expeditor, was present and affirmed. Mr. Herschkowitz stated that this addition is 1000 square feet on the side of the house but fronting on Ardley Place and if placed anywhere else could cause damage to the home. Mr. Herschkowitz mentioned that they are a family of 11, so they need more space to dwell. Mr. Herschkowitz stated that they are only requesting a single variance for front yard of 12.2', as the minimum allowed is 50' and the applicant is proposing 37.8' with this addition.

Chairwoman Collantes-Bouvry questioned if the front porch addition sticks out and is not flush with the rest of the front of the home and is going to remain that way. Mr. Herschkowitz stated that it is going to remain the way it is on the proposed plans, as it would be more aesthetically pleasing. Mr. Herschkowitz added that it does not require a variance as they are within the allowed setbacks for the property.

Chairwoman Collantes-Bouvry questioned if anyone from the public would like to speak.

Nobody from the audience chose to speak.

Chairwoman Collantes-Bouvry made a motion to close the public hearing, seconded by Stuart Zelmanowitz. Upon vote, this motion was carried unanimously.

Randi Marlin made a motion to approve the application, seconded by Anita Hajioff:

In the Matter of the Application of
Avrom and Bastzion Pancer
Premises situated on the west side of Villa Lane
0 feet from the intersection with Ardley Place,
known as 1 Villa Lane, designated on the Tax Map
as Section 41.10 Block 1 Lot 10, in an R-35 Zoning District

WHEREAS, application has been made to the Zoning Board of Appeals of the Village of Wesley Hills by Avrom and Bastzion Pancer for a variance from the provisions of Section 230- 17 Attachment I of the Code of the Village of Wesley Hills, to permit the construction, maintenance and use of an addition to a single family residence having a front yard on Ardley Place of 37.8 feet instead of the minimum required of 50 feet, and

WHEREAS, after due notice, a public hearing on said application was held by the Zoning Board of Appeals on the 17¹ day of April, 2024, which hearing was continued on May 15, 2024, and

WHEREAS, the applicants appeared by their representative, who testified as follows: That the applicants have a family of 11 and the existing house is too small for them;

That the addition is 1000 square feet on the side of the existing residence and is in the only location feasible and that requires only one variance;

That only one corner of the addition is 37.8 feet from the front property line; the balance of the addition is further away from the front line;

That the addition cannot be moved further back because if it is placed anywhere else it could cause damage to the home; and

WHEREAS, members of the Zoning Board of Appeals visited the site and viewed the proposed location of the addition; and

WHEREAS, no one appeared in opposition to the application,

NOW, THEREFORE, IT IS HEREBY DETERMINED that the proposed action is a Type II action and that no SEQRA determination is required. and be it further

RESOLVED, that the application submitted by Avrom and Bastzion Pancer for a

variance from the provisions of Section 230-17 Attachment I of the Code of the Village of Wesley Hills, to permit the construction, maintenance and use of an addition to a single family residence having a front yard of 37.8 feet instead of the minimum required of 50 feet is hereby approved, and be it further

RESOLVED, that the Zoning Board of Appeals hereby makes the following Findings of Fact:

1. That there is no feasible alternative to granting the variance since the applicant's representative has stated that the addition could cause damage to the existing residence if placed anywhere else;
2. That the addition is far from the adjacent property and will not adversely affect adjoining properties or the neighborhood;
3. That no environmental or ecological detriment 'Will result from the granting of the variance;
4. That this is a comer lot and will not change the character of the neighborhood;
5. That the benefit to the applicant by granting the application is substantial whereas no detriment to adjacent properties or to the community has been identified.

Upon vote, this motion was carried unanimously.

ITEM #2 –CONTINUED PUBLIC HEARING –6 TERRACE ROAD-BUCHINGER

Chairwoman Collantes-Bouvry read the public hearing notice into the record.

Kevin Conway, Esq., the applicant's attorney, and Mr. Buchinger, the applicant, were present and affirmed. Mr. Conway stated the property is an undersized lot and a handful of items on the bulk table are preexisting nonconforming, as the lot is about half the average size lot for the R-50 zone. Mr. Conway stated that the lots in the surrounding area are mostly undersized lots and require variances. Mr. Conway stated that the following variances are needed: front yard on Terrace Road of 23.1 feet instead of the minimum required of 50 feet, a front yard on Serven Road of 24.5 feet instead of the minimum required of 50 feet, front yard impervious surface ratio on Terrace Road of .159 instead of the maximum permitted of .15 and building coverage of .125 instead of the maximum permitted of .10.

Chairwoman Collantes-Bouvry stated that during the very well staked out site visit, that the existing nonconforming variances are apparent, and the additional variances are understandable. Mendy Ortnier of Fast Forward Permits, the applicant's expeditor, was present and affirmed. Mr. Ortnier stated that they were responsible for marking out the site for the May 5, 2024 site visit. Barry Rozenberg questioned if there was going to be any screening on Serven Road. Mr. Ortnier responded, yes there will be screening along that front yard area.

Chairwoman Collantes-Bouvry questioned if anyone from the public would like to speak.

Jeffrey Nulman, 14 Glenbrook Road, questioned why the variances for this application are large.

Chairwoman Collantes-Bouvry answered that most were pre-existing conditions of the property, and the lot is an undersized lot, therefore the variances are on the larger side.

Doris Ulman stated that the Town of Ramapo approved a subdivision with lots of 5,000 square feet in 1921, this property is a combination of FIVE (5) of those lots, and the applicant is going to demo the current home to rebuild it with the same footprint.

Chairwoman Collantes-Bouvry questioned if anyone else from the public would like to speak.

Nobody else from the public chose to speak.

All parties wishing to be heard having been heard, Randi Marlin made a motion to close the Public Hearing, seconded by Barry Rozenberg. Upon vote, this motion was carried unanimously.

Richard Weinberger made a motion to approve the application, subject to compliance with the following Rockland County agency letters, seconded by Barry Rozenberg:

1. Town of Ramapo Department of Public Works
2. Rockland County Department of Planning
3. Rockland County Sewer District #1
4. Rockland County Center of Environmental Health

In the Matter of the Application of
David Buchinger

Premises situated on the north side of Terrace Road 0 feet from the intersection with Serven Road, known as 6 Terrace Road, designated on the Tax Map as Section 32.19 Block 1 Lot 53, in an R-50 Zoning District

WHEREAS, application has been made to the Zoning Board of Appeals of the Village of Wesley Hills by David Buchinger for variances from the provisions of Section 230-17 Attachment I of the Code of the Village of Wesley Hills, to permit the construction, maintenance and use of a single family residence having a front yard on Terrace Road of 23.1 feet instead of the minimum require of 50 feet, front yard on Serven Road of 24.5 feet instead of the minimum required of 50 feet, front yard impervious surface ratio on Terrace Road of .159 instead of the maximum permitted of .15 and building coverage of .125 instead of the maximum permitted of .10, and

WHEREAS, after due notice, a public hearing on said application was held by the Zoning Board of Appeals on April 17, 2024, which hearing was continued on May 15, 2024, and

WHEREAS, the applicant appeared in person, by his attorney, his architect and his

contractor, and testified as follows:

That the existing house will be demolished and a new residence constructed on the existing footprint;

That the lot is non-conforming at only 24,914 square feet;

That all of the lots in this neighborhood are undersized;

That applicant is aware of the necessity to keep variances at a minimum and almost all of the setbacks for the new residence are the same as pre-existed for the existing residence;

That the placement of the new residence is at the request of applicant's neighbor, who asked that the distances between houses remain the same;

That most of the impervious surface in the front yard are for the driveway and the covered front porch;

That applicant is proposing screening along the front yard at Terrace Road; and

WHEREAS, members of the Zoning Board of Appeals visited the site and viewed the size of the lot, neighboring lots and the pre-existing building; and

WHEREAS, no one appeared in opposition to the application,

NOW, THEREFORE, IT IS HEREBY DETERMINED that the proposed action is a Type II action and that no SEQRA determination is required, and be it further

RESOLVED, that the application submitted by David Buchinger for variances from the provisions of Section 230-17 Attachment I of the Code of the **Village** of Wesley Hills to permit the construction, maintenance and use of a single family residence having front yard on Terrace Road of 23.1 feet instead of the minimum required of 50 feet, front yard on Serven Road of 24.5 feet instead of the minimum required of 50 feet, front yard impervious surface ratio on Terrace Road of .159 instead of the maximum permitted of .15 and building coverage of .125 instead of the maximum permitted of .10 are hereby granted, subject to the following conditions:

1. Installation of trees as shown on the plot plan dated March 11, 2024 and continued maintenance of said trees;
2. Compliance with GML review letter from Rockland County Department of Planning dated April 16, 2024;
3. Compliance with letter from Rockland County Sewer District No. I dated April 16, 2024;

4. Compliance with letters from Rockland County Center for Environmental Health dated April 17, 2024 and April 29, 2024;

5. Compliance with letter from Town of Ramapo Department of Public Works dated April 15, 2024, and be it further

RESOLVED, that the Zoning Board of Appeals hereby makes the following Findings of Fact:

1. That the Zoning Board of Appeals takes judicial notice of the fact that the lots in this area were created by subdivision by the Town of Ramapo in 1927 and that five of those lots were merged by the original owner to construct the pre-existing residence; that all of the lots in the neighborhood are undersized;

2. That although the setback variances are substantial, applicant had no alternative to the placement of the house because of the size of the lot and the intent to keep the new residence on the same footprint as the existing so as not to impact on the neighbor's property;

3. That there will be no adverse impact on the character of the neighborhood;

4. That there will be no adverse impact on the environment or the ecology of the area;

5. That the benefit to the applicant by granting the variances is substantial whereas no detriment to neighboring properties or to the neighborhood has been identified.

Upon vote, this motion was carried unanimously.

ITEM #3 – CONTINUED PUBLIC HEARING – 5 GLENBROOK ROAD- POMERANZ

Chairwoman Collantes-Bouvry read the public hearing notice into the record.

Todd Rosenblum, the applicant's architect, was present and affirmed. Mr. Rosenblum stated that at the site visit, the Board noticed that this property is an oddly shaped lot and that the neighboring properties have similar side yard setbacks. The variances required are, side yard of 20 feet instead of the minimum required of 25 feet, total side yard of 53.6 feet instead of the minimum required of 60 feet and building coverage of .122 instead of the maximum permitted of .115. The fourth variance originally sought, front yard of 40 feet instead of the minimum required of 50 feet, has been eliminated due to the fact that the old Town of Ramapo approved plot plan, much like the last application, has a front yard setback "grandfathered in" at 40 feet.

Chairwoman Collantes-Bouvry read letters of support for the following addresses:

1. Sara Lichtenstein, 32 Glenbrook Road
2. Sam Yurowitz, 21 Glenbrook Road

Chairwoman Collantes-Bouvry questioned if anyone from the public would like to speak.

Nobody from the audience chose to speak.

All parties wishing to be heard having been heard, Chairwoman Collantes-Bouvry made a motion to close the Public Hearing, seconded by Randi Marlin. Upon vote, this motion was carried unanimously.

Stuart Zelmanovitz made a motion to approve the application, seconded by Randi Marlin:

In the Matter of the Application of
Norman Pomeranz
Premises situated on the north side of Glenbrook
Road approximately 260 feet west of Van Winkle
Lane, known as 5 Glenbrook Rd, designated on
the Tax Map as Section 41.11 Block 1 Lot 57, in an
R-35 Zoning District

WHEREAS, application has been made to the Zoning Board of Appeals of the Village of Wesley Hills by Norman Pomeranz for variances from the provisions of Section 230-17 Attachment I of the Code of the Village of Wesley Hills, to permit the construction, maintenance and use of a single family residence having side yard of 20 feet instead of the minimum required of 25 feet, total side yard of 53.6 feet instead of the minimum required of 60 feet and building coverage of .122 instead of the maximum permitted of .115, and

WHEREAS, after due notice, a public hearing on said application was held by the Zoning Board of Appeals on April 17, 2024, which hearing was continued on May 15, 2024, and

WHEREAS, the applicant appeared by his architect, who testified as follows:

That this lot, like most other lots in the Glenbrook Road neighborhood, is narrower than lots in other R-35 neighborhoods;

That the side yard variance is required at only one point where the property narrows and the rest of the residence is more than 25 feet from the side property line;

That the total side yard variance is caused by the same narrowness as stated above;

That the building coverage variance is minimal, being less than 10%;

That the front yard variance stated in the Public Hearing Notice is not needed because the Town of Ramapo established the front yard requirement at 40 feet when the subdivision was approved; and

WHEREAS, members of the Zoning Board of Appeals visited the site and viewed the proposed location of the residence; and

WHEREAS, several neighbors submitted letters in support of the application and no one

appeared in opposition;

NOW, THEREFORE, IT IS HEREBY DETERMINED that the proposed action is a Type II action and that no SEQRA determination is required, and be it further

RESOLVED, that the application submitted by Norman Pomeranz for variances from the provisions of Section 230-17 Attachment I of the Code of the Village of Wesley Hills, to permit the construction, maintenance and use of a single family residence having a side yard of 20 feet instead of the minimum required of 25 feet, total side yard of 53.6 feet instead of the minimum required of 60 feet and building coverage of .122 instead of the maximum permitted of .115 is hereby approved, and be it further

RESOLVED, that the Zoning Board of Appeals hereby makes the following Findings of Fact:

1. That this lot, like others in the Glenbrook Road neighborhood is narrower than most lots in the R-35 Zoning District;
2. That the need for the side yard and total side yard variances is caused by the narrowness of the lot and, in this case, at only one point, and will not change the character of the neighborhood;
3. That because of the above, the variances will not cause detriment to adjoining properties or to the neighborhood;
4. That no evidence of environmental or ecological detriment has been identified;
5. That the benefit to the applicant by granting the variances is substantial whereas no detriment to adjoining properties or to the community has been identified.

Upon vote, this motion was carried unanimously.

ITEM #4 – CONTINUED PUBLIC HEARING – 2 ARDLEY PLACE- ROSENFELD

Chairwoman Collantes-Bouvry read the public hearing notice into the record.

Paul Baum, the applicant's Attorney, as well as Mr. & Mrs. Rosenfeld, the applicants, were present and affirmed. Mr. Baum stated that at the March 20, 2024 meeting the building height variance was granted, and they have remaining variances for impervious surface ratio of .30 instead of the maximum permitted of .25 and rear yard for the pool of 11.5 feet instead of the minimum required of 15 feet. Mr. Baum stated the applicant had a traffic/sight analysis done, to determine whether the trees in the County right-of-way must be moved, as stated in the Rockland County Highway Department's letter, and they determined that TWO (2) trees must be removed. Mr. Baum added that the Certificate of Occupancy for the pool was issued in summer of 2023,

even though the Village Engineer stated that the property needed variances after doing their review.

Goldy Rosenfeld stated that the reason they changed their plans so hastily was due to the fact that as they were putting in their pervious pavers, her neighbor informed them that the pavers got very hot in the summer. Mrs. Rosenfeld stated that she had to make an on-the-spot decision to change her patio materials and was not aware that she had to check with her engineer if it changed the bulk table and needed review from the Building Inspector.

Doris Ulman questioned if the fence height was approved by the County Highway Department. Mr. Baum stated that he has not received notice from the County as of yet and submitted an amended application for the fence height variance.

Richard Weinberger read the following review letters into the record:

1. Rockland County Highway Department, dated January 16, 2024
2. Rockland County Center of Environmental Health, dated January 26, 2024
3. Rockland County Department of Planning, dated January 19, 2024
4. Village Engineering Department (Brooker Engineering), dated April 5, 2024

Chairwoman Collantes-Bouvry made a motion to approve the impervious surface and pool rear yard variances only, seconded by Stuart Zelmanovitz:

In the Matter of the Application of
Goldy Rosenfeld
Premises situated on the north side of
Ardley Place known as 2 Ardley Place,
designated on the Tax Map as Section
41.10 Block 1 Lot 20, in an R-35 Zoning
District

WHEREAS, application has been made to the Zoning Board of Appeals of the Village of Wesley Hills by Goldy Rosenfeld for variances from the provisions of Section 230-17 Attachment I and Section 230-14O(4)(a) of the Code of the Village of Wesley Hills, to permit the maintenance and use of a single family residence and inground swimming pool having building height of 26.18 feet instead of the maximum permitted of 25 feet, impervious surface ratio of .30 instead of the maximum permitted of .25 and rear yard for the pool of 11.5 feet instead of the minimum required of 15 feet, and

WHEREAS, after due notice, a public hearing on said application was held by the Zoning Board of Appeals on February 21, 2024, which hearing was continued on March 20, 2024, April 17, 2024 and May 15, 2024, and

WHEREAS, on March 20, 2024 the Zoning Board of Appeals granted the variance to permit the height of the residence to be 26,18 feet instead of the maximum permitted of 25 feet, and

WHEREAS, as stated in the decision of March 20, 2024 members of the Zoning Board of Appeals visited the site and viewed the conditions relating to this application, and

WHEREAS, at the public hearing held on May 15, 2024 the applicant appeared in person and by her attorney and testified as follows:

That applicant owns the property to the rear of 2 Ardley as well as the property that is the subject of this application;

That the rear yard variance for the pool is to accommodate the pool patio which was enlarged in order to construct a diving board for the pool;

That the property at the rear of 2 Ardley and adjacent to the pool is owned by applicant and, if that property is ever sold, applicant agrees to install dense screening so that any potential impact will be eliminated;

That the pool itself is more than 15 feet from the rear property line;

That applicant had intended to install pervious pavers in order to eliminate the need for the impervious surface variance but was told by a neighbor that the pavers retain heat and become very hot in the summer and difficult to walk on;

That applicant's representatives have contacted the Rockland County Highway Department for permission to maintain the fence on County property in its present location but has not yet had a response from the County;

That applicant's property is on a corner lot adjacent to Ardley Place and Wilder Road;

That Wilder Road is a heavily travelled County Road and the 6 foot high fence was installed to reduce the noise from the Road and for aesthetic purposes; and

WHEREAS, no one appeared in opposition to the application,

NOW, THEREFORE, IT IS HEREBY DETERMINED that the proposed action is a Type II action and that no SEQRA determination is required, and be it further

RESOLVED, that the application submitted by Goldy Rosenfeld is hereby amended to add thereto a request for a variance from the provisions of Section 230-17 Attachment I of the Code of the Village of Wesley Hills, to permit the maintenance and use of a 6 foot high fence which is 4 feet from the property line with Wilder Road instead of the maximum permitted height of 4 feet, and be it further

RESOLVED, that the application submitted by Goldy Rosenfeld for variances from the provisions of Section 230-17 Attachment I and Section 230-140(4)(a) to permit the maintenance and use of an inground swimming pool having a rear yard of 11.5 feet instead of the minimum required of 15 feet and impervious surface ratio of .30 instead of the maximum

permitted of .25 is hereby granted subject to the following conditions:

1. That if the property at the rear of 2 Ardley is ever sold the applicant will install dense screening, the height, number and type of tree to be determined by the Building Inspector;
2. Compliance with the GML review letter from Rockland County Planning Department dated January 19, 2024;
3. Compliance with Rockland County Highway Department letter dated January 16, 2024
4. Compliance with Rockland County Center for Environmental Health letter dated January 26, 2024;
5. Compliance with letter from Brooker Engineering dated April 25, 2024; and be it further

RESOLVED, that the Zoning Board of Appeals hereby makes the following Findings of Fact:

1. That the variances only impact the property to the rear which is owned by applicant and will be shielded by dense screening in the event the property is sold;
2. That no environmental or ecological detriment to adjoining properties or to the neighborhood has been identified;
3. That the benefit to the applicant by granting the variances is substantial whereas no detriment to adjacent properties or to the community has been identified.

Upon vote, this motion was carried unanimously.

Chairwoman Collantes-Bouvry made a motion to amend the application to add a height variance for the fence to be 6 feet instead of the required 4 feet, and to adjourn the fence variance portion of the application to the June 18, 2024 meeting, seconded by Randi Marlin. Upon vote, this motion was carried unanimously.

ITEM #5 – CONTINUED PUBLIC HEARING – 7 ARDLEY PLACE- SCHWARTZ

Chairwoman Collantes-Bouvry read the public hearing notice into the record.

Doris Ulman stated that Isaac Steinfeld, the applicant's contractor, has submitted an email requesting an adjournment to the June 18, 2024 meeting. Ms. Ulman stated that the Board will have a workshop regarding this application prior to the next meeting.

Chairwoman Collantes-Bouvry made a motion to adjourn this application to the June 18, 2024 meeting, seconded by Randi Marlin. Upon vote, this motion was carried unanimously.

ITEM #6 – AMENDMENT FOR WIEDER – 49 TRANQUILITY ROAD- WIEDER

Doris Ulman stated that the prior resolution from the April 17, 2024 minutes for Isaac Wieder at 49 Tranquility Road needs to be amended.

Chairwoman Collantes-Bouvry made a motion to approve the amended resolution, seconded by Randi Marlin:

RESOLVED, that the decision made by the Zoning Board of Appeals on April 17, 2024 for premises known as 49 Tranquility Road is hereby amended by adding thereto a paragraph to follow the first **RESOLVED** paragraph, to read as follows:

RESOLVED, that this decision is subject to compliance with the GML review letter to be received from the Rockland County Planning Department.

Upon vote, this motion was carried unanimously.

ITEM #7 - APPROVAL OF MINUTES – APRIL 17, 2024

Barry Rozenberg asked that the decisions for 53 Grandview Avenue and 49 Tranquility Road be amended by removing findings that the variances are not substantial. The minutes for the April 17, 2024 meeting will be reviewed at the June meeting.

ADJOURNMENT

Chairwoman Collantes-Bouvry made a motion to adjourn the meeting, seconded by Randi Marlin. Upon vote, this motion was carried unanimously.

Respectfully submitted,
Alicia Schultz