



ZONING BOARD OF APPEALS MEETING MINUTES

February 19, 2025, 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
Stuart Zelmanovitz, Member
Randi Marlin, Member
Barry Rozenberg, Ad Hoc

ABSENT:

Jonathan Gewirtz, Chairman
Anita Hajioff, Ad Hoc

OTHERS PRESENT:

Doris Ulman, Assistant Village Attorney
Camille Guido-Downey, Village Clerk-Treasurer

Acting Chairwoman Collantes-Bouvry opened the meeting at 7:35 pm followed by a roll call.

ITEM #1-PUBLIC HEARING – 4 Kentor Lane

Acting Chairwoman Collantes-Bouvry read the following public hearing notice into the record:

Application submitted by Yisroel Sandel 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 40 feet instead of the minimum required of 50 feet and rear yard of 20.4 feet instead of the minimum required of 50 feet.

The subject premises are situated on the south side of Kentor Lane approximately 200 feet east of Route 306, known as 4 Kentor Lane, designated on the Tax Map as Section 41.11 Block 2 Lot 36, in an R-35 Zoning District.

Yisroel Sandel was present and was affirmed to tell the truth. Mr. Sandel stated that his family wished to construct an addition to their existing home that requires and front and rear yard variance. Mr. Sandel stated that he is a contractor and will be the GC on the project. Mr. Sandel stated that his family is growing, and additional space is needed. The addition will be placed on the right side of the home and the main entrance to the home will be relocated to the side of the home of the new addition.

Acting Chairwoman Collantes-Bouvry read into the record an email from Howard Richman from 4 Kentor Lane who objects to the front yard variance request.

Mrs. Sandel was present and affirmed to tell the truth and stated that when designing the addition they decided to move everything to one side of the property to lessen the noise to the neighbors.

Lilli Bernstein, 6 Kentor Lane was present and affirmed to tell the truth and stated that she objects to any variance that places a structure closer to her lot lines. Ms. Bernstein stated that she does yoga outside and wants her privacy. Mrs. Bernstein stated that the area is wet and cautions the homeowner when constructing the addition.

Joshua Stein, 12 Kentor Lane was present and affirmed to tell the truth and noted that this property borders' Town wetlands.

John Hughs, 5 Earl Court was present and affirmed to tell the truth and stated that he is concerned with the wetlands and wants to ensure that the contractor/homeowner does not disturb the water table in the area.

Stuart Zelmanovitz made a motion to adjourn this application to the March 19, 2025, meeting and further schedule a site visit on March 9, 2025, seconded by Randi Marlin. Upon vote, this motion carried unanimously.

ITEM #2-PUBLIC HEARING – 6 HASTINGS ROAD

Acting Chairwoman Collantes-Bouvry read the following public hearing notice into the record:

Application submitted by Nancy Rubin on behalf of Avrohom Orzel 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 construction, maintenance and use of a single family residence, inground swimming pool and other structures having building coverage of .14 instead of the maximum permitted of .10, impervious surface ratio of .40 instead of the maximum permitted of .25, front yard impervious surface ratio of .24 instead of the maximum permitted of .20, side yard setback of 14.5 feet to the swimming pool instead of the minimum required of 15 feet and rear yard setback of 14.7 feet to the swimming pool instead of the minimum required of 15 feet.

The subject premises are situated on the north side of Hastings Road approximately 750 feet east of Forshay Road, known as 6 Hastings Road, designated on the Tax Map as Section 41.14 Block 1 Lot 35, in an R-35 Zoning District.

Stanley Mayerfeld, Architect, was present and affirmed to tell the truth. Mr. Mayerfeld stated that the family is seeking to construct a new home with a pool for themselves and extended family. Mr. Mayerfeld stated that he was recently retained and that the family is reviewing the proposed plans for a reduction in all the variances. The family wants to respect their neighbors and their privacy.

Doris Ulman requested that the revised plan be submitted to the Board by the March 9 site visit.

Jeffrey Nulman, 14 Glenbrook was present and affirmed to tell the truth and stated that he is concerned as the homeowner has removed all the trees on the property. Mr. Mayerfeld noted that Mr. Nulman is mistaken as they do not share the same rear yards.

Barry Rozenberg questioned if the homeowner will be installing landscaping?

Malky Orzel was present and affirmed to tell the truth. Mrs. Orzel answered yes, they will be installing landscaping and screening from the neighbors. Mrs. Orzel stated that they have not removed any trees on their property and noted that during a recent storm some trees fell down due to nature.

Richard Weinberger requested letters of support from the neighbors.

Mr. Brody, 8 Carter Lane was present and affirmed to tell the truth and stated that the Board should grant the requested variances as the home will be a beautiful improvement to the community. Mr. Brodie stated that the proposed home is smaller than the surrounding homes.

Randi Marlin made a motion to adjourn this application to the March 19, 2025, meeting and further schedule a site visit on March 9, 2025, seconded by Stuart Zelmanovitz. Upon vote, this motion carried unanimously.

ITEM #3 – PUBLIC HEARING – 16 AMSTERDAM AVE

Acting Chairwoman Collantes-Bouvry read the following public hearing notice into the record:

Application submitted by Mark Mindick 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 and deck having front yard of 38.6 feet on Amsterdam Avenue instead of the minimum required of 50 feet, 29.7 feet on Jodi Court instead of the minimum required of 50 feet and building coverage of .154 instead of the maximum permitted of .10.

The subject premises are situated on the south side of Amsterdam Avenue 0 feet west of the intersection with Jodi Court, known as 16 Amsterdam Avenue, designated on the Tax Map as Section 41.11 Block 1 Lot 45, in an R-35 Zoning District.

Stanley Mayerfeld, Architect, was present and affirmed to tell the truth. Mr. Mayerfeld stated that the existing home is a ranch style home with one level. The homeowners are proposing an addition to the existing home which includes a dining room and two bedrooms. The Applicant is also replacing the existing pool deck material which is impervious with pervious pavers to reduce the variances being sort.

Doris Ulman stated that the Applicant has received variances in 2017 and 2019.

Stanley Mayerfeld stated that variances were granted in 2017, but construction never occurred. The Applicant modified their plan and came back to the ZBA in 2019 for revised variances.

Mrs. Mindick was present and sworn in and stated that while this is the second addition to the home, she stated that the lot is oddly shaped and undersized. Mrs. Mindick provided the Board with a list of homeowners who are in support of the project. The following names and addresses were on the list:

Fruchthandler, 21 Amsterdam Ave
Schlisselfeld, 19 Amsterdam Ave
Koblick, 17 Amsterdam Ave
Kram, 15 Amsterdam Ave

Schlisselfeld, 11 Amsterdam Ave
Jacobson, 5 Jodi Court
Hershkowitz, 1 Jodi Court

Barry Rozenberg questioned if the homeowner will be installing landscaping? Mr. Rozenberg also mentioned that the calculations on the bulk table seem to be off, please review.

Stanley Mayerfeld answered yes landscaping screening will be provided and he will review the calculations.

Acting Chairwoman Collantes-Bouvry made a motion to adjourn this application to the March 19, 2025, meeting and further schedule a site visit on March 9, 2025, seconded by Stuart Zelmanovitz. Upon vote, this motion carried unanimously.

ITEM #4 – PUBLIC HEARING – 57 EAST WILLOW TREE ROAD

Acting Chairwoman Collantes-Bouvry read the following public hearing notice into the record:

Application submitted by Pablo Umansky for variances from the provisions of Section 230-17 Attachment I and Section 230-14O(a)(4) and (5) of the Code of the Village of Wesley Hills to permit the construction, maintenance and use of a two story addition and terraces to a single family residence having a side yard of 11.5 feet instead of the minimum required of 25 feet, building coverage of .12 instead of the maximum permitted of .10, impervious surface ratio of .35 instead of the maximum permitted of .25 and an accessory building (garage) that is 1340 square feet instead of the maximum permitted of 900 square feet.

The subject premises are situated on the south side of East Willow Tree Road approximately 175 feet west of Arcadian Drive, known as 57 East Willow Tree Road, designated on the Tax Map as Section 41.12 Block 2 Lot 4, in an R-35 Zoning District.

Paul Baum, Esq was present on behalf of the applicant and stated that the property is located in an R35 zone and is a single-family home. The applicant would like to construct a small addition to the rear of the home in the amount of 610 sf and another small addition of 100 sf to the master bedroom. The applicant's family is expanding, and the family needs some extra space. Mr. Baum listed the following variances:

1. side yard of 11.5 feet instead of the minimum required of 25 feet.
2. building coverage of .12 instead of the maximum permitted of .10.
3. impervious surface ratio of .35 instead of the maximum permitted of .25.

Mr. Baum stated that the accessory building (garage) has been on the property for several years. The garage has a C of O and is not a part of the application. Mr. Baum stated that he is confused as to why the variance for an accessory building, 1,340 square feet, instead of the maximum permitted of 900 square feet was written in the public hearing notice.

Doris Ulman stated that she added that to the application as the plan did not say that the garage was preexisting. Ms. Ulman apologized and stated that the variance will be removed. Ms. Ulman requested the Clerk to provide her with all the C of Os for the property. Mr. Baum requested the same.

Mr. Baum stated that there will be no detriment to the neighbor or the community as the additions are very small. Mr. Baum noted that the next-door lot is vacant, and they have support of the rear home.

Doris Ulman stated that the plan submitted to the Board does not show the height of the fences and requested Mr. Baum to show her on the plan the height of the existing fence. Mr. Baum directed Ms. Ulman to the note on the side of the plan that was submitted this evening.

Mr. Baum provided the Board with an aerial picture of the home and the surrounding properties.

Mr. Nulman, 14 Glenbrook was present and affirmed to tell the truth and asked if the attic would be increased to create additional living space?

Mr. Baum answered there is no plan for any attic renovation.

Stuart Zelmanovitz made a motion to adjourn this application to the March 19, 2025, meeting and further schedule a site visit on March 9, 2025, seconded by Randi Marlin. Upon vote, this motion carried unanimously.

ITEM #5 – PUBLIC HEARING – 9 MARCUS DRIVE

Acting Chairwoman Collantes-Bouvry read the following public hearing notice into the record:

Application submitted by Nancy Rubin on behalf of Kenneth and Tamar Schaum 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 total side yard of 59.9 feet instead of the minimum required of 60 feet, building coverage of .12 instead of the maximum permitted of .10, impervious surface ratio of .409 instead of the maximum permitted of .25 and front yard impervious surface ratio of .269 instead of the maximum permitted of .20.

The subject premises are situated on the east side of Marcus Drive approximately 300 feet south of Village Green, known as 9 Marcus Drive, designated on the Tax Map as Section 41.12 Block 1 Lot 37, in an R-35 Zoning District.

Kenneth Schaum, the owner, was present and affirmed to tell the truth. Mr. Schaum stated that his family is proposing three additions to the existing home. One addition is two stories which will accommodate a larger kitchen area and second floor bedroom. The second bump out is squaring off the rear deck area by 6-7 feet to enlarged dining area. We are also proposing a covered porch area to the front entrance of the home.

Acting Chairwoman Collantes-Bouvry requested letters of support from neighbors.

Randi Marlin made a motion to adjourn this application to the March 19, 2025, meeting and further schedule a site visit on March 9, 2025, seconded by Acting Chairwoman Collantes-Bouvry. Upon vote, this motion carried unanimously.

ITEM #6 – PUBLIC HEARING – 18 ROVEN ROAD

Acting Chairwoman Collantes-Bouvry read the following public hearing notice into the record:

Application submitted by Elana Motechin for variances from the provisions of Sections 230-17 Attachment I and 230-140(4)(a) to permit the construction, maintenance and use of a single family residence and inground swimming pool having a rear setback of 30 feet instead of the minimum required

of 35 feet, building coverage of .34 instead of the maximum permitted of .10, building height of 28.9 feet instead of the maximum permitted of 25 feet, impervious surface ratio of .43 instead of the maximum permitted of .25, swimming pool side setback of 7.4 feet instead of the minimum required of 15 feet and swimming pool rear setback of 8.3 feet instead of the minimum required of 15 feet.

The subject premises are situated on the north side of Roven Road 0 feet from the intersection with Carefree Lane, known as 18 Roven Road, designated on the Tax Map as Section 41.06 Block 1 Lot 38, in an R-50 Zoning District.

Barnett Brodie, 8 Carter Lane was present and stated he is the owner of the property with his wife. Mr. Brodie was affirmed to tell the truth and read into the record his narrative that he provided to the Board.

Mr. Brodie stated that he takes objection to Ms. Ulman's requirement that they apply for variances because park property was donated to the Town by the subdivision.

Ms. Ulman stated he is welcome to submit an interpretation of the law for the Board's review.

Yosef Portnoy, PE was present and affirmed to tell the truth. Mr. Portnoy displayed for the Board the site plan that was provided and described the variances needed. Mr. Portnoy is the applicant's engineer.

Mr. Fienberg, Architect, was present and affirmed to tell the truth. Mr. Feinberg provided to the Board four color pictures of the proposed new home on the lot. Mr. Feinberg described the architecture design of the home and stated that they feel the design of the home will fit into the neighborhood.

The following letters of support were provided to the Board:

Finkelstein, 12 Dike Drive
Gutman, 80 Willow Tree Road
Lampert, 21 Dike Drive
Herbst Family, 16 Dike Drive
Edelstein, 14 Roven Road

Rothschild, 16 Roven Road
Zahler, 22 Dike Drive
Zelinger, 9 Dike Drive
Singer, 3 Carefree Lane

Acting Chairwoman Collantes-Bouvry stated that the Village received an anonymous letter from a neighbor. A copy was provided to the Applicant.

Mr. Brodie stated that he takes objection to the Board accepting the letter as the letter could be from anyone, especially from someone who does not even live in the area.

Ms. Ulman stated that the Board accepts all letters from anyone, and everyone has the right to be heard as this is a public hearing. The Board will apply whatever weight to the letter that they feel is appropriate.

Yosef Portnoy, PE added that the Applicant wishes to install pervious pavers, and he was unsure if that material is used if that reduces the impervious surface calculations.

Ms. Ulman answered yes it does, and the Board always encourages applicants to use pervious materials to reduce the numbers.

Barry Rozenberg asked if the height variance is needed to accommodate the sewer line.

Mr. Fienberg answered yes.

Barry Rozenberg stated that the Applicant could also reduce the height of the home by 1-2% to also meet the current height requirement.

Acting Chairwoman Collantes-Bouvry made a motion to adjourn this application to the March 19, 2025, meeting and further schedule a site visit on March 9, 2025, seconded by Randi Marlin. Upon vote, this motion carried unanimously.

ITEM #7 - APPROVAL OF MINUTES – DECEMBER 18, 2024

Barry Rozenberg made a motion to approve the Zoning Board of Appeals minutes of December 18, 2024, seconded by Randi Marlin. Upon vote, this motion carried unanimously.

ADJOURNMENT

Acting Chairwoman Collantes-Bouvry made a motion to adjourn the meeting, seconded by Barry Rozenberg. Upon vote, this motion carried unanimously.

Respectfully submitted,
Camille Guido-Downey