



ZONING BOARD OF APPEALS MEETING AGENDA

May 21, 2025 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 Jacob Fried 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 covered porch, pavers and deck having front yard of 47 feet instead of the minimum required of 50 feet, impervious surface ratio of .29 instead of the maximum permitted of .20 and front yard impervious surface ratio of .42 instead of the maximum permitted of .15.

The subject premises are situated on the west side of Spook Rock Road, known as 91 Spook Rock Road, designated on the Tax Map as Section 40.16 Block 1 Lot 10.2, in an R-50 Zoning District.

2. Application submitted by Moshe Lichtenstein on behalf of Four Grand Park LLC for variances from the provisions of Section 230-17 Attachment I and Section 230 34D(2) of the Code of the Village of Wesley Hills to permit the construction, maintenance and use of a single family residence and semi-circular driveway having impervious surface ratio of .203 instead of the maximum permitted of .20, front yard impervious surface ratio of .255 instead of the maximum permitted of .24 and driveway gradient of 12% for the first 20 feet instead of maximum permitted of 3%.

The subject premises are situated on the east side of Grand Park Drive approximately 160 feet north of Grandview Avenue, known as 4 Grand Park Drive, designated on the Tax Map as Section 41.14 Block 1 Lot 9, in an R-50 Zoning District.

CONTINUED PUBLIC HEARING

3. Application submitted by Ilana Rosen 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 detached garage having a front yard of 8.1 feet instead of the minimum required of 50 feet on Hillcrest Road, a front yard of 14.4 feet instead of the minimum required of 50 feet on East Lane and front yard impervious surface ratio of .263 instead of the maximum permitted of .20 on Hillcrest Road.

The subject premises are situated on the west side of East Lane approximately 400 feet south of Pomona Road, known as 29 East Lane, designated on the Tax Map as Section 42.05 Block 1 Lot 4, in an R-35 Zoning District.

APPROVAL OF MINUTES

4. March 19, 2025

ADJOURNMENT

File Attachments for Item:

1. Application submitted by Jacob Fried 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 covered porch, pavers and deck having front yard of 47 feet instead of the minimum required of 50 feet, impervious surface ratio of .29 instead of the maximum permitted of .20 and front yard impervious surface ratio of .42 instead of the maximum permitted of .15.

The subject premises are situated on the west side of Spook Rock Road, known as 91 Spook Rock Road, designated on the Tax Map as Section 40.16 Block 1 Lot 10.2, in an R-50 Zoning District.

**NARRATIVE SUMMARY
91 Sook Rock Road
S/B/L 40.16-1-10.22**

This narrative summary is submitted in support of the application by Jacob Fried for variances to add an accessory deck and landscape pavers to his property located at 91 Spook Rock Road. The application also seeks to correct some discrepancies between the as-built and approved plot plan. The premises are in the R-50 Zoning District and are presently improved with a single-family dwelling.

SEQRA

A short EAF Part I is submitted. The project should be classified as a Type II action pursuant to 6 NYCRR 617.5(c)(11) (construction or expansion of a single-family, a two-family or a three-family residence on an approved lot) or (17) (granting of an area variance for a single-family, two-family or three-family residence).

GML

The property is within 500' of Spook Rock Road (County Route 85) and referral is required to the Rockland County Department of Planning pursuant to General Municipal Law Section 239-m.

VARIANCES

The application requests that 3 variances be granted as follows:

	<u>Required</u>	<u>Existing</u>	<u>Proposed</u>
Front Yard	50'	47'	47'
Impervious Surface	0.20	0.25	0.29
Front Yard Impervious Surface	0.15	0.38	0.42

BALANCING OF THE EQUITIES

In making its determination to grant a variance, a zoning board of appeals must take into consideration the benefit to the applicant if the variance is granted, as weighed against the detriment to the health, safety and welfare of the neighborhood or community by such grant. In making such determination the zoning board of appeals is also required to consider the following factors:

- a. An undesirable change will not be produced in the character of the neighborhood, nor a detriment created to nearby properties by the granting of the area variances.

The lot is flag lot that sits behind Lot No. 10.21. The lots were created in 2019 by the filing of Subdivision Map #8456. The encroachment into the front yard will not impact the neighborhood as it will not be visible or noticeable. The front yard variance is only required because there is small covered porch that encroaches into the yard. The porch itself does not require a variance but because a roof was built over the porch to cover it, the yard is now measured from the roof. The applicant seeks to add some additional decking to the rear of his house (the

“side” yard) and some pavers and stairs in the front of the house (the “side” yard). The additional decking and pavers as well as the existing driveway will increase the impervious surface of the lot to .29. Further, the driveway and pavers in the front yard were constructed bigger than shown on the approved plot plan. The project was granted a variance to permit .38 FYIS and the actual amount is .42 as shown on the as-built survey. The lot is unique in that it is a flag lot. The home is situated on the lot so that the front of the house faces the side yard and the side of the house faces the front yard. These variances will not alter or change the character of the neighborhood or create a detriment to nearby properties. Appropriate storm water management techniques will be used to prevent any increase of surface water runoff.

b. The benefit sought by the applicant cannot be achieved by some method feasible for the applicant to pursue, other than an area variance.

The applicant desires to add a small deck to the rear of the property and a spa pool. Further, additional pavers will enhance the use and enjoyment of the property. Unless relief is given from the impervious surface ratio and the FYIS ratio, the applicant will be unable to make these improvements to the property and would have to reduce the size of his driveway and remove a roof from over the porch. The improvements will not infringe upon, or create a detriment to, any adjacent property owners.

c. That the requested area variances are not substantial.

The front yard variance is only 3’ and is negligible. While the impervious surface and FYIS are greater than the maximum provided for in the Code the location and uniqueness of the lot dictates the increases. The lot is a flag lot and has an extended driveway that increases the impervious surface and FYIS significantly. Even if a numerical deviation from a bulk requirement is deemed “substantial”, the weight to be given to that finding is dependent on, and cannot be separated from, the impact that the deviation will have on the community¹. The variance request should not be looked at in a vacuum free from any outside influences or information. Looking at just the numerical value is not an adequate indicator of substantiality, which must be judged by the totality of relevant circumstances and not just in the abstract.

d. That the proposed variance will not have an adverse effect or impact on the physical or environmental conditions in the neighborhood or district.

The proposed variance will not have an adverse effect or impact on the physical or environmental conditions of the neighborhood or district. The project is considered a Type II action and is deemed not to have a significant impact on the environment and is otherwise precluded from environmental review.

f. That the alleged difficulty was not self-created.

¹ See, *Lodge Hotel, Inc. v. Town of Erwin Zoning Bd. of Appeals*, 21 Misc.3d 1120(A), (Sup Ct 2007), aff’d, 43 A.D.3d 1447 (4th Dep’t 2007) (“Looking at the variance request in such a vacuum is not an adequate indicator of the substantiality of Petitioner’s application. Substantiality cannot be judged in the abstract; rather, the totality of relevant circumstances must be evaluated in determining whether the variance sought is, in actuality, a substantial one.”) See also, *Aydelott v. Town of Bedford Zoning Board of Appeals*, 6/25/03 N.Y.L.J. 21 (col.4) (Supreme Court, Westchester Co., 2003) (When reviewing the application in the context of the overall impact it would have on the neighborhood, it is clear that the variance request is not substantial, especially when considering that the structure will have the outside appearance of a two-story building.)

The improvements will not detract from the community. Even if the Zoning Board finds the difficulty to be self-created, this factor is not dispositive of the applicant’s variance requests. Instead, any perceived self-created harm is greatly outweighed by the fact that the area variances will not result in any adverse impacts, will not be a detriment to nearby properties, and will not create an undesirable change in the character of the neighborhood.

CONCLUSION

The property is unique in that it is a flag lot and has a long driveway of approximately 290’. The lot is far removed from the public street and any deviations will not be noticeable to the public. The proposed improvements are not significant but beautiful the property and make the property more appealing and desirable. The requested variances will not negatively impact any of the neighbors or create a detriment to the community. 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. The balance of equities lies in favor of granting the variances.

For all the foregoing reasons, it is respectfully requested that the Zoning Board of Appeals grant the applicant the requested variances.

Dated: March 12, 2025

Respectfully submitted,
SARAJIAN & BAUM PLLC

Paul S. Baum
Attorney for Applicant

PART I

Name of Municipality VILLAGE OF WESLEY HILLS Date 03/20/2025

Please check all that apply:

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

Project Name: 91 Spook Rock Road

Applicant: Jacob Fried Phone # 646.963.1330

Address 91 Spook Rock Road, Suffern, NY 10901
Street Name & Number (Post Office) State Zip code

Property Owner: Same as Applicant Phone # _____

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

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

Address 3512 Whittier Court, Mahwah, NJ 07430
Street Name & Number (Post Office) State Zip code

Attorney: Paul S. Baum Phone # 845-205-4556

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

Contact Person: Mendy - Fast Forward Permits Phone # 845-533-4473 Ext 102

Address mendy@fastforwardpermit.com
Street Name & Number (Post Office) State Zip code

Tax Map Designation:

Section 40.16 Block 1 Lot(s) 10.22
Section _____ Block _____ Lot(s) _____

Location: On the West side of Spook Rock Road,
about 720 feet North of Suffern.

Acreage of Parcel 45,227 SF **Zoning District** R-50
School District Suffern Central **Postal District** Suffern

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

Addition of deck, pavers and stairs and to conform with as-built survey.

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.

Resolution #18-7 (3/18/18) and 11/15/17

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
- Long Path
- Municipal Boundary
- State or County Park
- County Stream
- County Facility

List name(s) of facility checked above. Spook Rock Road (CR85)

Applicant's Signature and Certification

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

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

Mailing Address 91 Spook Rock Road
Suffern, NY 10901

SWORN to before this 18 day of March, 2025

[Signature]
Notary Public

DAVID SCHWARTZ
Notary Public State of New York
No. 01SC6050513
Qualified in Kings County
Commission Expires 11/8/2026

Affidavit Pursuant to Section 809 of the General Municipal Law

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

I, Jacob Fried, 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
Jacob Fried
91 Spook Rock Road
Suffern, NY 10901

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 Attachment 1 ;
- 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 dwelling with accessory deck, pavers and driveway which will have less than the required front yard and greater than the maximum impervious surface ratio and front yard impervious surface. See narrative summary.

- 3. Premises affected are in a R-50 zone and from the town of Ramapo tax map, the property is know as Section 40.16, Block, 1, Lot(s) 10.22.

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, _____ 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 91 Spook Rock Road
Suffern, NY 10901

SWORN to before this 18 day of March, 2025
[Signature]
Notary Public

DAVID SCHWARTZ
Notary Public State of New York
No. 01SC6050513
Qualified in Kings County
Commission Expires 11/6/2026
Page 6

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 }

Jacob Fried being duly sworn, deposes and
says that he/she resides at 91 Spook Rock Road,
Suffern, NY 10901

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 Section No. 40.16, Block No. 1, Lot No. 10.22 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 [Signature]
Address: 91 Spook Rock Road
Suffern, NY 10901

Sworn to before me this
18 day of March 2025
[Signature]
Notary Public

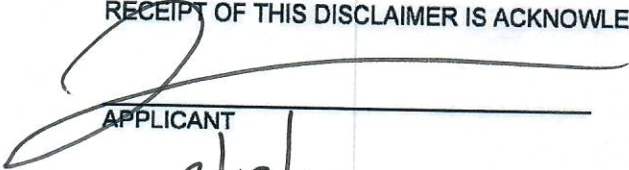
DAVID SCHWARTZ
Notary Public State of New York
No. 01SC6050513
Qualified in Kings County
Commission Expires 11/6/20 26

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

3/18/25

DATED

PART II

Application before the Zoning Board of Appeals

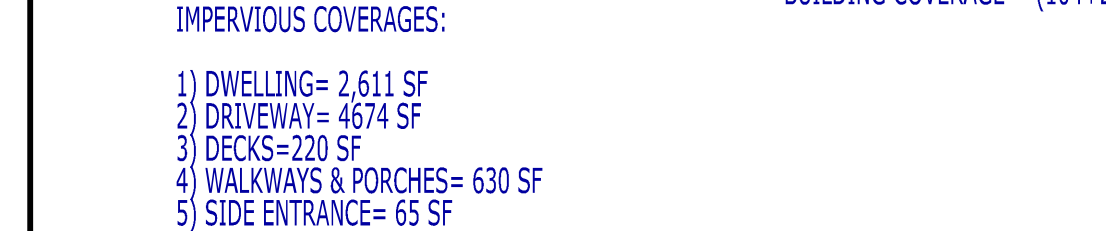
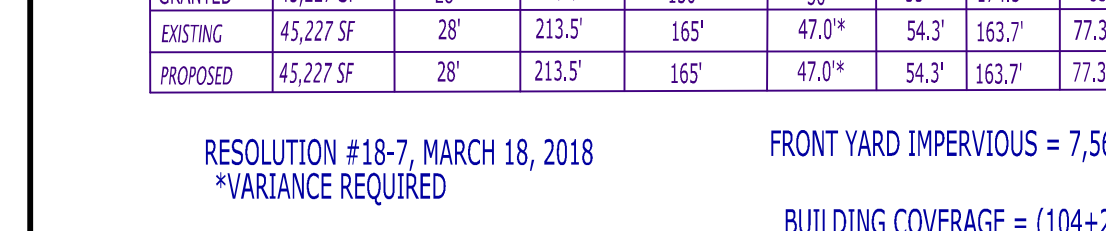
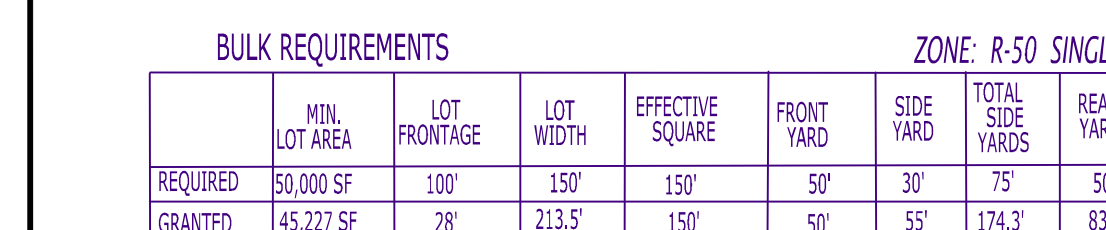
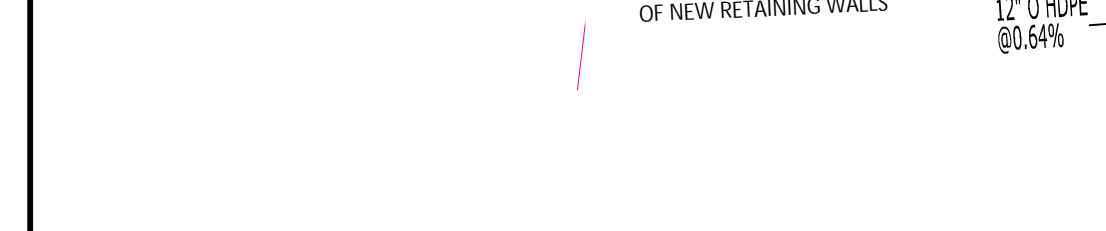
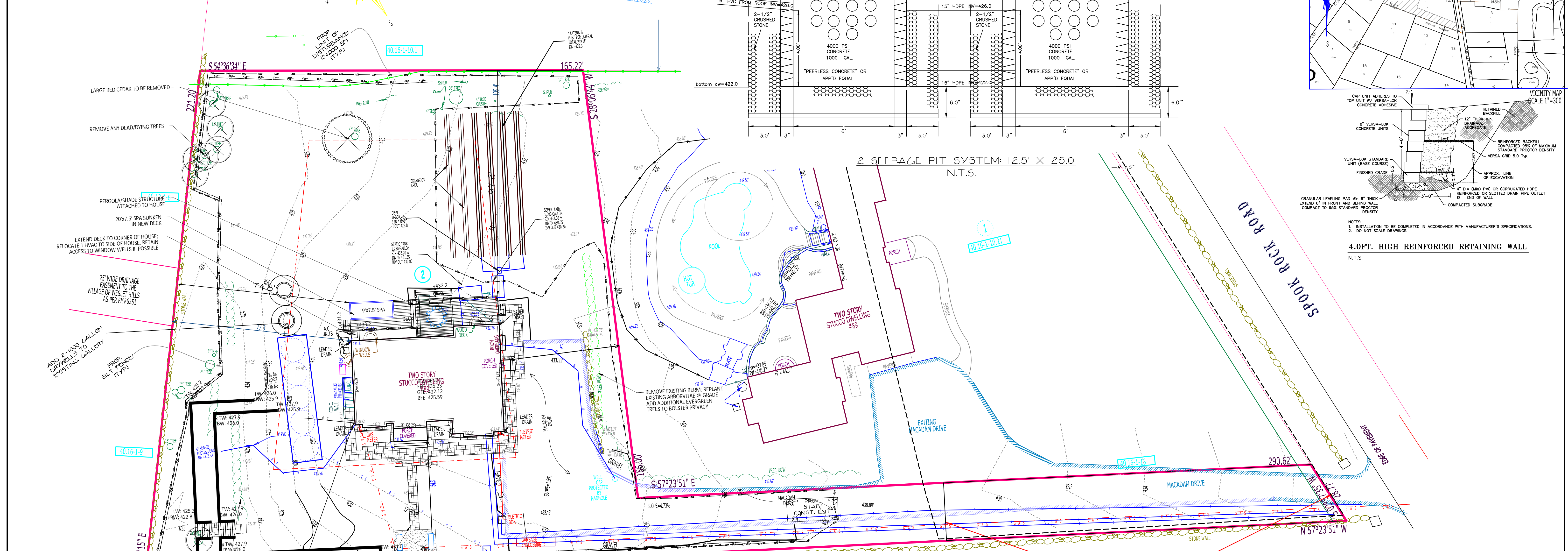
Application, petition or request is hereby submitted for:

- Variance from the requirement of Section 230-17 Attachment 1 _____;
- 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 dwelling with accessory deck, pavers and driveway which will have less than the required front yard and greater than the maximum impervious surface ratio and front yard impervious surface ratio. See narrative summary.

TAX LOT: SECTION 40.16, BLOCK 1, LOT 10.2.2

REFERENCES:
- ALL BOUNDARY INFORMATION IS REFERENCED FROM A SURVEY PREPARED BY ANTHONY R. CELENTANO, PLS LAST REVISED SEPTEMBER 24, 2024.
- BEING LOT 2 ON A CERTAIN MAP ENTITLED SUBDIVISION PLAN FOR LAMTZ FILED IN THE ROCKLAND COUNTY CLERK'S OFFICE AS MAP #8456 BOOK #132 PAGE #5 ON 04/04/2019.



BULK REQUIREMENTS

REQUIRED	MIN. LOT AREA	LOT FRONTAGE	LOT WIDTH	EFFECTIVE SQUARE	FRONT YARD	SIDE YARD	TOTAL SIDE YARDS	REAR YARD	MAXIMUM IMPERVIOUS SURFACE	FRONT YARD IMPERVIOUS	BUILDING COVERAGE	MAXIMUM BUILDING HEIGHT FEET	MAXIMUM EXPOSED BUILDING HEIGHT
REQUIRED	50,000 SF	100'	150'	150'	50'	30'	75'	50'	0.20	0.15	0.10	2-1/2'	25'
GRANTED	45,227 SF	28'	213.5'	150'	50'	55'	174.3'	83'	0.20	0.38	0.10	2-1/2'	<25'
EXISTING	45,227 SF	28'	213.5'	165'	47.0*	54.3'	163.7'	77.3'	0.25*	0.42*	0.06	2	<25'
PROPOSED	45,227 SF	28'	213.5'	165'	47.0*	54.3'	163.7'	77.3'	0.29*	0.42*	0.08	2	<25'

ZONE: R-50 SINGLE FAMILY RESIDENTIAL

FRONT YARD IMPERVIOUS = 7,567 SF / 18,033 SF = 0.42

BUILDING COVERAGE = (104+2,611 SF) / 45,227 SF = 0.06

PROF. IMPERVIOUS COVERAGES:

- 1) DWELLING = 2,611 SF
- 2) WALKWAYS & PORCHES = 1,500 SF
- 3) SIDE ENTRANCE = 65 SF
- 4) DRIVEWAY AND GARBAGE ENCLOSURE = 7,791 SF
- 5) DECK, SPA AND PERGOLA = 954 SF
- 6) STEPS & STEPPERS = 123 SF

TOTAL = 13,044 SQFT

BUILDING COVERAGE = (104 SF + 2,611 SF + 1062 SF) / 45,227 SF = 0.08

FRONT YARD IMPERVIOUS = 7,522 SF / 18,033 SF = 0.42

RESOLUTION #18-7, MARCH 18, 2018
 *VARIANCE REQUIRED

IMPERVIOUS COVERAGES:

- 1) DWELLING = 2,611 SF
- 2) DRIVEWAY = 4674 SF
- 3) DECKS = 220 SF
- 4) WALKWAYS & PORCHES = 630 SF
- 5) SIDE ENTRANCE = 65 SF
- 6) ADDED DRIVEWAY AND GARBAGE = 3002 SF

TOTAL = 11,201 SQFT

UNAUTHORIZED ALTERATION OR ADDITION TO THIS PLAN IS A VIOLATION OF SECTION 7209(12) OF THE NEW YORK STATE EDUCATION LAW. COPIES OF THIS MAP NOT LEAVING THE SEAL OF THE SURVEYOR OR ENGINEER SHALL NOT BE VALID.

CERTIFICATIONS ARE NOT TRANSFERABLE TO ADDITIONAL INSTITUTIONS OR SUBSEQUENT OWNERS.

USE OF UNSCALED COPIES OF THIS DOCUMENT IN ANY COURT, FINANCIAL TRANSACTION, OR FILING WITH ANY STATE OR OFFICE IS AN UNAUTHORIZED VIOLATION OF FEDERAL COPYRIGHT LAWS.

PAUL GDANSKI, PE, PLLC
 3512 WHITTIER COURT
 MAHAWAK, N.J. 07430
 TEL: (917) 418-0999

915POOK
 DATE: JAN. 17, 2025
 SCALE: 1" = 20'
 SHEET: 1 OF 1

IT'S THE LAW!



17/41.13-2-4
RAMAPO TOWN OF
237 ROUTE 59
SUFFERN, NY 10901

11/40.16-1-18
YESHIVAS OHR REUVEN
259 GRANDVIEW AV
SUFFERN, NY 10901

11/41.13-1-9
OBE PETER & OLUFUNMILOLA
96 SPOOK ROCK RD
SUFFERN, NY 10901

11/41.13-1-8
DEUTSCH NACHMAN
C/O SKYVIEW SKYLIGHT
94 SPOOK ROCK RD
SUFFERN, NY 10901

11/40.16-1-17
YESHIVAS OHR REUVEN
259 GRANDVIEW AV
SUFFERN, NY 10901

11/40.16-1-14
GOLDRING JUDY
95 SPOOK ROCK RD
SUFFERN, NY 10901

11/40.16-1-5
BEHZADI HAMID
2 CUTLER CT
SUFFERN, NY 10901

11/41.13-1-10
CONG K'HAL CHASIDIM
STE 100
1958 CEDAR BRIDGE AVE
LAKEWOOD, NJ 08701

11/40.16-1-6
FINK AARON J & BASYA
4 CUTLER COURT
RAMAPO, NY 10901

11/40.16-1-15
YESHIVAS OHR REUVEN
259 GRANDVIEW AVE
SUFFERN, NY 10901

11/40.12-1-8
SCHLESINGER GITTY &
TYRNAUER ISSAC
9 CUTLER CT
SUFFERN, NY 10901

11/41.13-1-6
WEISS ISAAC
90 SPOOK ROCK RD
SUFFERN, NY 10901

11/40.16-1-16
YESHIVAS OHR REUVEN
259 GRANDVIEW AVE
SUFFERN, NY 10901

11/41.13-1-7
FOGEL MENDEL
92 SPOOK ROCK RD
SUFFERN, NY 10901

11/41.13-1-5
GOLANI SHOSHANA
88 SPOOK ROCK ROAD
SUFFERN, NY 10901

11/40.16-1-7
BAPNA JAYANT & VINITA
6 CUTLER CT
SUFFERN, NY 10901

11/41.13-1-12
ITZKOWITZ JEFFREY & SUSAN
1614 57TH STREET
BROOKLYN, NY 11204

11/40.16-1-13
CHAJMOVICZ YOSEF & GOLDIE
1 OREN CT
WESLEY HILLS, NY 10901

11/40.16-1-4
BESHARI MICHELE J
LIFETIME HERITAGE TRUST
ARASH NASSI
1 CUTLER CT
SUFFERN, NY 10901

11/40.16-1-12
3 OREN LLC
UNIT 101
13 MERON DR
MONROE, NY 10950

11/40.16-1-11
DEYONG FAMILY REVOCABLE
LIVING TRUST
5 OREN CT
SUFFERN, NY 10901

11/40.16-1-3
KIRCHNER MARIE LISETTE
3 CUTLER CT
SUFFERN, NY 10901

11/40.16-1-8
BRANDER SR IRREVOCABLE
TRUST
1091 EAST 22ND STREET
BROOKLYN, NY 11210

11/41.13-1-3
RICE CHRISTOPHER &
PATRICIA
86 SPOOK ROCK RD
SUFFERN, NY 10901

11/41.13-1-13
SIMONSON JANE S
5 CABBERRA DR
SUFFERN, NY 10901

11/40.16-1-2
JML 2022 IRREVOCABLE
TRUST
5 CUTLER CT
SUFFERN, NY 10901

11/40.16-1-9
LICATA JAMES D &
FRANCESCA
10 CUTLER CT
SUFFERN, NY 10901

11/41.13-1-2
PARKER JEREMY L
84 SPOOK ROCK ROAD
SUFFERN, NY 10901

11/41.13-1-1
WRIGHT FRED & DOROTHY
C/O FRED E & THOMAS K
WRIGHT
82 SPOOK ROCK RD
SUFFERN, NY 10901

11/40.16-1-1
ULANO AVRAHAM
69 WEST 69TH ST APT 1A
NEW YORK, NY 10023

11/40.16-1-10.1
RUTTNER ABRAHAM
87 SPOOK ROCK RD
WESLEY HILLS, NY 10901

11/40.12-1-6
CHERY LUCIE BADIO
12 CUTLER CT
SUFFERN, NY 10901

11/41.13-1-4
WRIGHT DOROTHY
82 SPOOK ROCK RD
SUFFERN, NY 10901

11/40.12-1-7
ROSENBERG FAY & CHANOCH
LEIFER HERSH & MALKY
11 CUTLER CT
SUFFERN, NY 10901

11/41.09-1-34
WESLEY ROCK PROPERTY LLC
77 BRENNER DR
CONGERS, NY 10920

11/40.12-1-4
RODRIGUEZ MELANIE &
FOGARTY EILEEN
73 SPOOK ROCK RD
SUFFERN, NY 10901

11/41.09-1-35
SERKEZ BRUCE LEGACY TRUST
70 SPOOK ROCK ROAD
SUFFERN, NY 10901

11/40.12-1-5
AMYAR HOLDINGS LLC
1368 EAST 26TH ST
BROOKLYN, NY 11210

11/40.12-1-3
1 OLD ROUTE 202D LLC
1 OLD RT 202D
SUFFERN, NY 10901

11/40.16-1-10.22
FRIED JACOB
91 SPOOK ROCK RD
SUFFERN, NY 10901

11/41.09-1-33
CHARTWELL ESTATES LLC
5 WESLEY CHAPEL ROAD
SUFFERN, NY 10901

11/40.12-1-2
ZH HOLDINGS I LLC
777 CHESTNUT RIDGE RD
CHESTNUT RIDGE, NY 10977

11/41.09-1-36
SICHERMAN JOSEPH &
CHAYA
1623 52ND STREET
BROOKLYN, NY 11204

89/40.12-2-9.1
ALEXANDER ROMAULD
770 HAVERSTRAW RD
SUFFERN, NY 10901

89/40.12-2-10
ROCKLAND COUNTY OF
25-406
% COUNTY TREASURER
50 SANATORIUM ROAD
BUILDING A- 8TH FLOOR

11/40.12-1-1
TYRELL ROBIN
787 HAVERSTRAW ROAD
SUFFERN, NY 10901

11/40.16-1-10.21
HURWITZ BASSIE
89 SPOOK ROCK RD
SUFFERN, NY 10901

Short Environmental Assessment Form

Part 1 - Project Information

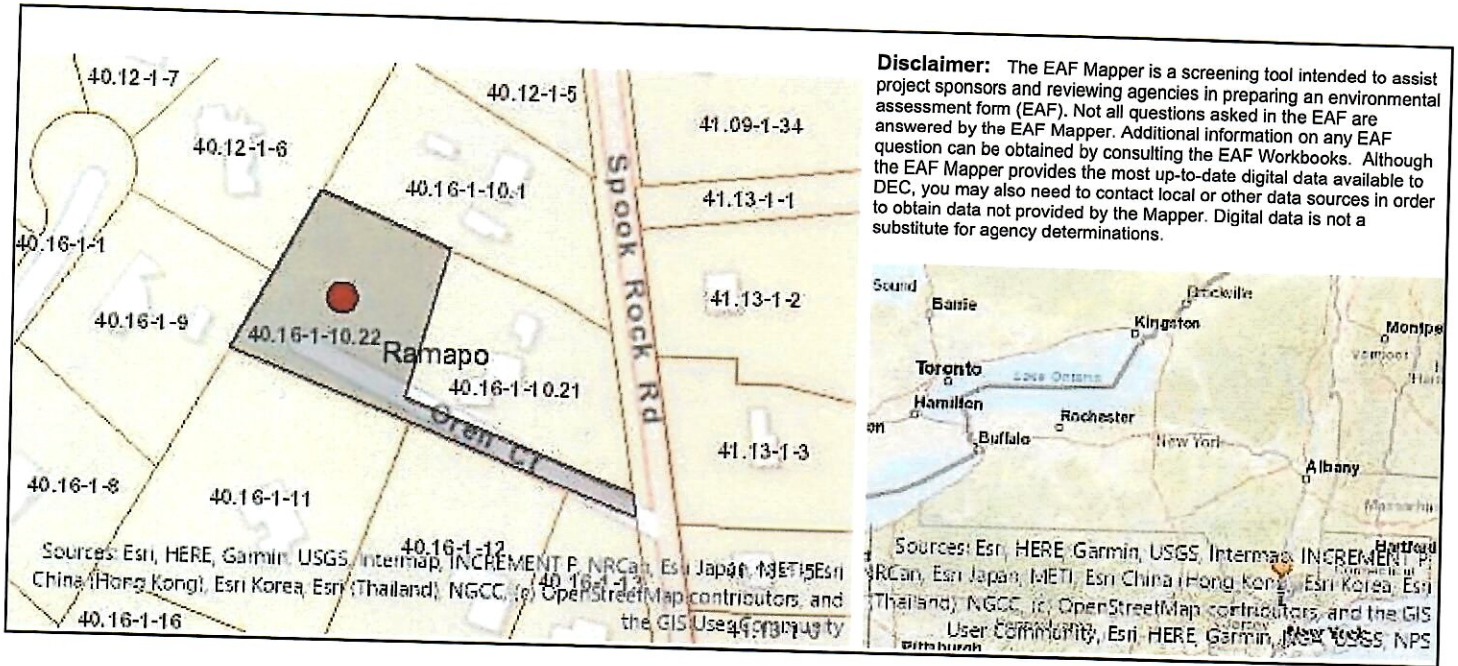
Instructions for Completing

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						
91 Spook Rock Road						
Name of Action or Project: 91 Spook Rock Road						
Project Location (describe, and attach a location map): 91 Spook Rock Road Suffern NY						
Brief Description of Proposed Action: Construction of walls, walks, deck and spa.						
Name of Applicant or Sponsor: jacob fried		Telephone: 6469631330				
Address: 91 spook rock rd		E-Mail: jj@tonerquest.com				
City/PO: suffern		State: ny	Zip Code: 10901			
1. Does the proposed action only involve the legislative adoption of a plan, local law, ordinance, administrative rule, or regulation? 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.			NO <input checked="" type="checkbox"/>			
2. Does the proposed action require a permit, approval or funding from any other government Agency? If Yes, list agency(s) name and permit or approval: ZBA, Health Dept and building dept.			YES <input checked="" type="checkbox"/>			
3. a. Total acreage of the site of the proposed action? b. Total acreage to be physically disturbed? c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor?			<table style="width: 100%; border: none;"> <tr> <td style="text-align: right; border: none;">1.03 acres</td> </tr> <tr> <td style="text-align: right; border: none;">0.78 acres</td> </tr> <tr> <td style="text-align: right; border: none;">1.03 acres</td> </tr> </table>	1.03 acres	0.78 acres	1.03 acres
1.03 acres						
0.78 acres						
1.03 acres						
4. Check all land uses that occur on, are adjoining or near the proposed action:						
5. <input type="checkbox"/> Urban <input type="checkbox"/> Rural (non-agriculture) <input type="checkbox"/> Industrial <input type="checkbox"/> Commercial <input checked="" type="checkbox"/> Residential (suburban) <input type="checkbox"/> Forest <input type="checkbox"/> Agriculture <input type="checkbox"/> Aquatic <input type="checkbox"/> Other(Specify): <input type="checkbox"/> Parkland						

5. Is the proposed action, a. A permitted use under the zoning regulations? b. Consistent with the adopted comprehensive plan?	NO	YES	N/A
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
6. Is the proposed action consistent with the predominant character of the existing built or natural landscape?	NO	YES	
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
7. Is the site of the proposed action located in, or does it adjoin, a state listed Critical Environmental Area? If Yes, identify: _____	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
8. a. Will the proposed action result in a substantial increase in traffic above present levels? 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?	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
9. Does the proposed action meet or exceed the state energy code requirements? If the proposed action will exceed requirements, describe design features and technologies: Equipment will meet energy code. _____	NO	YES	
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
10. Will the proposed action connect to an existing public/private water supply? If No, describe method for providing potable water: _____ Well _____	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
11. Will the proposed action connect to existing wastewater utilities? If No, describe method for providing wastewater treatment: _____ Septic _____	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
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? 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?	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
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? 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: _____ No wetlands are located on this property. _____ _____	NO	YES	
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	



Part 1 / Question 7 [Critical Environmental Area]	No
Part 1 / Question 12a [National or State Register of Historic Places or State Eligible Sites]	No
Part 1 / Question 12b [Archeological Sites]	No
Part 1 / Question 13a [Wetlands or Other Regulated Waterbodies]	Yes - Digital mapping information on local and federal wetlands and waterbodies is known to be incomplete. Refer to EAF Workbook.
Part 1 / Question 15 [Threatened or Endangered Animal]	Yes
Part 1 / Question 15 [Threatened or Endangered Animal - Name]	Brook Floater, Timber Rattlesnake
Part 1 / Question 16 [100 Year Flood Plain]	No
Part 1 / Question 20 [Remediation Site]	No

VILLAGE OF WESLEY HILLS
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 24th day of April, 2025 at 7:30 P.M. at the Village Hall, 432 Route 306, Wesley Hills, New York 10952 to consider the application submitted by Jacob Fried 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 covered porch, pavers and deck having front yard of 47 feet instead of the minimum required of 50 feet, impervious surface ratio of .29 instead of the maximum permitted of .20 and front yard impervious surface ratio of .42 instead of the maximum permitted of .15.

The subject premises are situated on the west side of Spook Rock Road, known as 91 Spook Rock Road, designated on the Tax Map as Section 40.16 Block 1 Lot 10.2, 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
April 7, 2025

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

ACTUAL SIZE

VILLAGE OF WESLEY HILLS PUBLIC HEARING NOTICE

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Dated: Wesley Hills, New York
April 7, 2025

Camille Guido-Downey
Village Clerk/Treasurer
Village of Wesley Hills
1x4-10/27921

GML Report

Property Information:

Parcel ID: 40.16-1-10.22	Date Parcel: February 2024
OLD ID:	Address: 91 SPOOK ROCK RD
City: SUFFERN	State: NY
Zip: 10901	Book Page: N/A
Deed Date: 1/16/2024 12:00:00 AM	Instrument: 2024-00001389
Municipality: WESLEY HILLS	Deed Acres: 1.110
GIS Calculated Acres: 1.082	

GML Criteria:

Requires GML Review: YES	Adjacent Town Boundarry: NO
Adjacent Village Boundary: NO	Orange County Bunday: NO
County Facility: NO	NYS Facility: NO
County Park: NO	State Park: NO
County Regulated Streams: YES	Long Path Hiking Trail: NO
ROW-County Highways: YES	ROW-NYS Highway: NO
ROW-NYS Thruway: NO	ROW-Palisades Interstate Parkway: NO
X Coordinate: -74.10102792	Y Coordinate: 41.15226096

HIGHWAY DEPARTMENT

26 Scotland Hill Road
Chestnut Ridge, New York 10977
Phone: (845) 638-5060 Fax: (845) 638-5037
Email: highway@co.rockland.ny.us

Charles H. "Skip" Vezzetti
Superintendent of Highways

April 08, 2025

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

**Re: Site Plan Review for Driveway Configuration
91 Spook Rock Road in Wesley Hills, NY
Tax Lot #40.16-1-10.22; R-50 Zoning District**

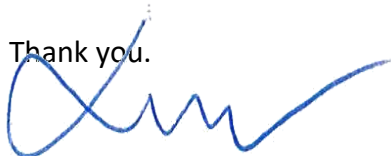
Dear Ms. Schultz:

The Rockland County Highway Department ("RCHD") was in receipt of the above application along with a site plan prepared by Paul Gdanski, P.E., dated 01.17.25, as part of the GML review process. The review has been complete now and we offer the following comment.

1. The existing road work permit must be renewed along with the revised site plan if the proposed amendment is approved by the Village.

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
Paul Gdanski, PE., PLLC. – Consulting Engineers

DEPARTMENT OF PLANNING

Dr. Robert L. Yeager Health Center
50 Sanatorium Road, Building T
Pomona, New York 10970
Phone: (845) 364-3434 Fax: (845) 364-3435

Douglas J. Schuetz
Acting Commissioner

Richard M. Schiafo
Deputy Commissioner

May 08, 2025

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

Tax Data: 40.16-1-10.22

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

Map Date: 01/17/2025

Date Review Received: 04/07/2025

Item: *Fried - 91 Spook Rock Road (GML-25-0206)*

Variances to permit the construction of a covered porch and deck and the installation of landscape pavers for an existing single-family dwelling located on 1.04 acres in the R-50 zoning district. The requested variances are for front yard, impervious surface, and front yard impervious surface.
West side of Spook Rock Road, approximately 30 feet north of Oren Court

Reason for Referral:

Spook Rock Rd (County Route 85), Willow Tree Brook

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

- 1 Permitting development that does not comply with the applicable bulk standards is setting an undesirable land use precedent that is resulting in the overutilization of individual sites. We caution the Village to consider precedent before granting substantial variances for maximum impervious surface and front yard impervious surface, particularly in a Significant Biodiversity Area as identified on the Hudson Valley Natural Resources Mapper <https://gisservices.dec.ny.gov/gis/hvnm/>. Maximum impervious surface and front yard impervious surface bulk standards can define the neighborhood's community character. The applicant is proposing a maximum impervious surface that exceeds the permitted standard by 45 percent. The proposed front yard impervious surface exceeds the maximum permitted standard by 180 percent. Granting maximum impervious surface and front yard impervious surface variances of this magnitude will set a precedent that may result in nearby property owners seeking the same relief. Additional coverage will result in a neighborhood characterized by greater building mass and less green space. Height and setback variances are also required for this larger residence. The Zoning Board of Appeals must consider the

- cumulative and community impacts of permitting such development when evaluating the requested variances.
- 2 The applicant shall comply with the comment made by the Rockland County Highway Department in their letter dated April 8, 2025.
 - 3 The applicant shall comply with the comments made by the Rockland County Sewer District No. 1 in their letter dated April 11, 2025.
 - 4 A review must be completed by the County of Rockland Department of Health, any comments or concerns addressed, and any required permits obtained.
 - 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.

Douglas J. Schuetz
Acting Commissioner of Planning

cc: Mayor Marshall Katz, Wesley Hills
Rockland County Department of Health
Rockland County Drainage Agency
Rockland County Highway Department
Rockland County Planning Board
Rockland County Sewer District No. 1
Paul Gdanski, P.E., PLLC

*New York State General Municipal Law § 239(5) 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 determines whether the proposed action reviewed implicates the Religious Land Use and Institutionalized Persons Act. The County of Rockland Department of Planning defers to the municipality referring the proposed action to render such opinions and make such determinations as appropriate under the circumstances.

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

Pursuant to New York State General Municipal Law §§ 239-m and 239-n, the referring body shall file a report of its final action with the County of Rockland Department of Planning within thirty (30) days after the final action. A referring body that 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.

ROCKLAND COUNTY SEWER DISTRICT NO. 1

4 Route 340
Orangeburg, New York 10962
Phone: (845) 365-6111 Fax: (845) 365-6686
RCSD@co.rockland.ny.us

Michael Specht
Chairman

Michael R. Saber, P.E.
Executive Director

April 11, 2025

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

Re: 91 Spook Rock Road, Suffern
Tax Lot 11/40.16-1-10.22 (formerly a portion of 8./22/A1C5B)

Dear Ms. Schultz:

Our office has received and reviewed a site plan that was last revised on January 17, 2025, which Paul Gdanski, P.E. PLLC prepared for the above referenced project. We thank you for the opportunity to comment on this application. Our comments are as follows:

1. Approval of this application and the variances the proposed one-family dwelling on a 45,227 square foot lot in the R-50 District, which was created from the 2-lot subdivision of a 92,431 square foot lot (40.16-1-10.2), does not require the applicant to pay an impact fee, in accordance with the Rockland County *Sewer Use Law* as last amended in 2010. **However, if public sewers are extended to this lot, the District will require further review and the owner will have to pay an impact fee.**
2. Details for septic system construction are subject to approval by the Rockland County Health Department and the Town of Ramapo.
3. If future sanitary sewer lines are extended to the site, the property owner will be required to connect to the sewerage system.

Please inform us of all developments in this project. If you have any questions, please contact this office at 845-365-6111.

Very truly yours,



Lorelei Greene Tinston
Engineer I

cc: M. Saber M. Dolphin D. Gregory
Michael Sadowski, P.E. – Town of Ramapo DPW
Paul Gdanski, P.E. PLLC – 633 Woodmont Lane, Sloatsburg, NY 10974
Jacob Fried – 91 Spook Rock Road, Suffern, NY 10901-2706

File: TOR 40.16-1-10.2 – 91 Spook Rock Road
Reader

Rocklandgov.com

File Attachments for Item:

2. Application submitted by Moshe Lichtenstein on behalf of Four Grand Park LLC for variances from the provisions of Section 230-17 Attachment I and Section 230 34D(2) of the Code of the Village of Wesley Hills to permit the construction, maintenance and use of a single family residence and semi-circular driveway having impervious surface ratio of .203 instead of the maximum permitted of .20, front yard impervious surface ratio of .255 instead of the maximum permitted of .24 and driveway gradient of 12% for the first 20 feet instead of maximum permitted of 3%.

The subject premises are situated on the east side of Grand Park Drive approximately 160 feet north of Grandview Avenue, known as 4 Grand Park Drive, designated on the Tax Map as Section 41.14 Block 1 Lot 9, in an R-50 Zoning District.

Mayerfeld

ARCHITECTURE PLLC

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

April 25, 2025

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

**Re: 4 Grand Park Dr
Monsey, NY 10952**

**R-50 District
Section: 41.14
Block: 01
Lot: 09**

Dear Chairman and Members of the Zoning Board,

I hope this message finds you well.

I am writing on behalf of the proposed project located at **4 Grand Park Drive**, where we have been retained to represent the owners in connection with the installation of a semi-circular driveway for their new residence.

Due to existing site conditions, the proposed driveway design requires several variances from the Village zoning code. We respectfully request the following variances:

Requested Variances:

Zoning Standard	Required	Proposed
Maximum Impervious Surface Ratio	20.0%	20.3%
Maximum Front Yard Impervious Surface Ratio	22.0%	25.5%
Driveway Slope – First 20 Feet	Max 3%	12%

Please refer to the submitted drawings prepared by Jorel J. Vaccaro, P.E., dated 01/13/25, which are enclosed for your review.

Thank you for your time and assistance. Please let us know if any additional information is required.

Sincerely,
Stanley Mayerfeld



4 GRAND PARK DR MONSEY, NY

OWNER: MOSHE LICHTENSTEIN

ZONING INFORMATION

4 GRAND PARK DR, MONSEY NY 10952
 SUBDIVISION PLAT: GRAND PARK - 9/26/1979
 MAP NUMBER: 5086
 COUNTY: ROCKLAND
 TOWN: RAMAPO
 SECTION: 41.14
 BLOCK: 1
 LOT: 9 (LOT 5 ON 1979 PLAT)
 ZONE: R-50
 LOT AREA: 51,059 SF

PROJECT NARRATIVE

AN EXISTING SINGLE FAMILY RESIDENTIAL BUILDING IS TO BE REMOVED. A NEW TWO-STORY SINGLE-FAMILY DWELLING IS TO BE CONSTRUCTED WITH SEMICIRCULAR DRIVEWAY AND STORMWATER MANAGEMENT SYSTEMS.

PROJECT INFORMATION

SCHOOL AND SPECIAL DISTRICTS
 SCHOOL: RAMAPO CENTRAL 392601
 FIRE: MOLESTON FP001
 WATER: NR 1 WD001
 SEWER: RC SD130 / PR SD105
 LIBRARY: SUFFERN MEM / FINKLESTEIN MEM

DRAWING LIST

- | | | |
|-----|-------|-------------------------------------|
| 1. | C-001 | TITLE PAGE |
| 2. | C-010 | EXISTING SITE SURVEY AND AVG. GRADE |
| 3. | C-020 | SITE PLAN |
| 4. | C-030 | SITE GRADING PPART PLAN |
| 5. | C-100 | SITE SUBSURFACE PLAN |
| 6. | C-200 | PROFILES |
| 7. | C-210 | AREA CALCULATIONS |
| 8. | C-300 | TYPICAL DETAILS |
| 9. | C-310 | CULTEC DETAILS |
| 10. | C-400 | EROSION CONTROL DETAILS |

- THE REFUSE RESULTING FROM ANY CLEARING AND GRUBBING AND ALL DEBRIS AND MATERIALS FROM ANY STRUCTURE(S) TO BE DEMOLISHED SHALL BE DISPOSED OF BY THE CONTRACTOR IN A MANNER CONSISTENT WITH ALL GOVERNMENT REGULATIONS. IN NO CASE SHALL REFUSE MATERIAL BE LEFT ON THE PROJECT SITE, PUSHED ONTO ADJUTING PRIVATE PROPERTIES, OR BE BURIED IN EMBANKMENTS OR TRENCHES ON THE PROJECT SITE. DEBRIS SHALL NOT BE DEPOSITED IN ANY STREAM, LAKE, WETLAND, BODY OF WATER, OR IN ANY STREET OR ALLEY, OR UPON ANY PRIVATE PROPERTY EXCEPT BY WRITTEN CONSENT OF THE PRIVATE PROPERTY OWNER. NO RECLAIMED LUMBER OR MATERIALS SHALL BE RE-USED EXCEPT AS SPECIFICALLY APPROVED BY THE ARCHITECT OR OWNER.
- WHERE DEMOLITION AND CUTTING WORK HAS OCCURRED OR WHERE EXISTING SURFACES, MATERIALS, OR OTHER ITEMS HAVE BEEN DAMAGED OR DISTURBED AS A RESULT OF THE CONTRACTED WORK, THE SAID SURFACES AND AREAS SHALL BE CAREFULLY CLOSED UP, PATCHED, REPAIRED, FINISHED, OR RESTORED AS REQUIRED TO BE CONTIGUOUS TO EXISTING SURROUNDING SURFACES.
- ALL MECHANICAL, ELECTRICAL, AND PLUMBING DEMOLITION, INCLUDING GAS LINE REMOVAL IS TO BE PERFORMED BY A CONTRACTOR OR SUB-CONTRACTOR LICENSED IN THE PARTICULAR TRADE.

TOWN NOTES:

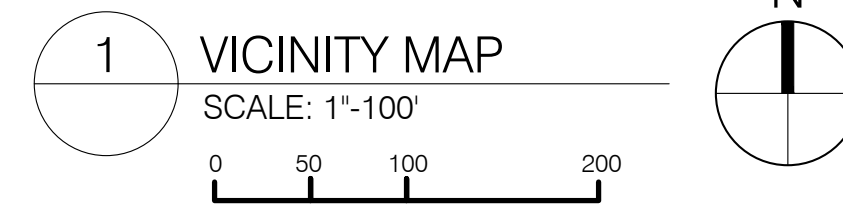
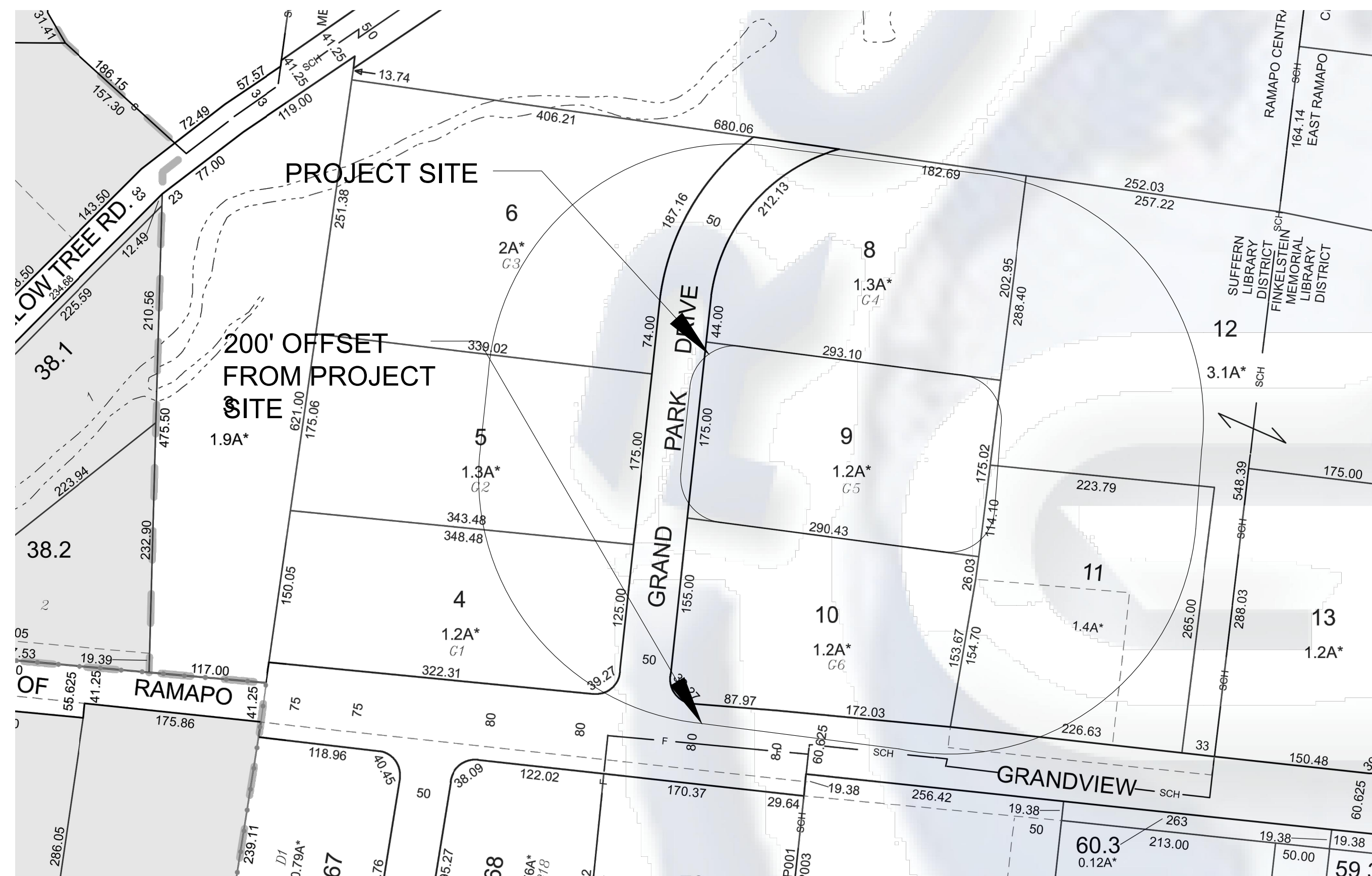
THIS PLAN DOES NOT CONFLICT WITH THE COUNTY OFFICIAL MAP AND HAS BEEN APPROVED IN THE MANNER SPECIFIED BY SECTION 239L&M OF THE GENERAL MUNICIPAL LAW OF THE STATE OF NEW YORK

COUNTY HEALTH DEPARTMENT NOTES:

IF ANY EXISTING WELL IS ENCOUNTERED, THAT WELL IS TO BE DECOMMISSIONED IN ACCORDANCE WITH ARTICLE II OF THE ROCKLAND COUNTY SANITARY CODE

SITE/CIVIL CONSTRUCTION SEQUENCING:

- INSTALL SILT FENCE, EROSION CONTROL, AND CONSTRUCTION FENCE
- PERFORM DEMOLITION AS PER SPECIFICATIONS
- REMOVE ALL DEBRIS AS PER SPECIFICATION
- INSTALL ALL ADDITIONAL EROSION CONTROL AND STABILIZATION OF DEMO. AREAS
- REMOVE CONSTRUCTION FENCING, ENSURE PROPER MAINTENANCE OF SILT FENCING
- INSTALL SUBSURFACE UTILITIES (SEWER) & ROUGH SITEWORK (MINOR REGRADING) PROVIDE TEMP. SEEDING / SODDING & EROSION CONTROL MEASURES
- CONSTRUCTION OF SURFACE SITE STRUCTURES, MANHOLES & UTILIZATION OF TEMPORARY STAGING AREA
- REMOVE EXISTING PARKING / STAGING AREA
- INSTALL SITE WALLS & PERFORM FINISH GRADING
- REMOVE TEMP. EROSION CONTROL MEASURES, INSTALL NEW PAVEMENT & PERMANENT LANDSCAPING. SITE STABILIZATION (80% UNIFORM DENSITY OF VEGETATION) MUST BE ACHIEVED PRIOR TO REMOVING TEMPORARY EROSION CONTROL MEASURES.



PROJECT DESCRIPTION: SINGLE FAMILY RESIDENCE BLOCK: 1 LOT:9 ZONE: R-50
 EXISTING USE: SINGLE FAMILY DWELLING BUILDING CODES: VILLAGE OF WESLEY HILLS

LOT SIZE	MIN REQUIRED	EXISTING
TOTAL LOT AREA	50,000 SF	51,059 SF
LOT WIDTH	150 SF	175 SF
STREET FRONTAGE	100 SF	175 SF
MIN EFFECTIVE SQUARE (SIDE)	150 SF	

SETBACKS	REQUIRED	PROPOSED	VARIANCE
FRONT	50 FT	62 FT	NO
SIDE (L,R)	30 FT	36.5 FT	NO
COMB. SIDE YARD	75 FT	36.5+42.17=78.67 FT	NO
REAR	50 FT	136 FT	NO
BUILDING HEIGHT MAX	25 FT / 2.5 STORIES (AVG. GRADE TO EAVE)	22.8 FT (AVG. GRADE TO EAVE) ELEV 473.2' TO 496' (MAX 498.2)	NO
MAX EXPOSED BUILDING	40 FT	35'-7" FT	NO
MAX BUILDING COVERAGE	10% = 5,105 SF	9.99% = 5,100 SF (4380 enclosed)	NO
MAX IMPERVIOUS SURFACE RATIO	20% = 10,211 SF	20.3% = 10,378 SF	YES
MAX FRONT YARD IMPERVIOUS SURFACE	(62' x 175') = 10,850 SF x 22% = 2,387 SF (BTWN FRONT LOT LINE & NEAREST PART OF MAIN BLDG) (NOTE 7: SEMI-CIRCULAR DRIVEWAY)	25.5% = 2,767 SF	YES
DRIVEWAY SLOPE, 1ST 20 FEET	3%	12%	YES
DRIVEWAY SLOPE	12%	12%	NO

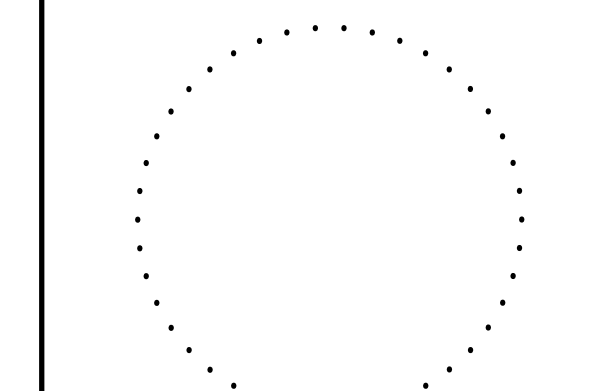
NOTE: SEE C-010 FOR DIMENSIONS AND C-210 FOR AREA CALCULATIONS

REVISIONS:

PROJECT:
**4 Grand Park Drive
 Monsey, NY**

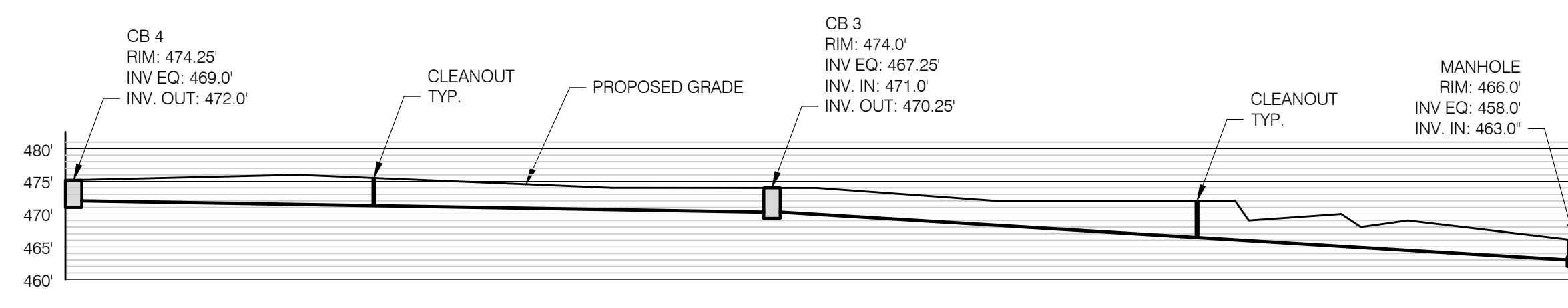
TITLE PAGE

SEAL & SIGNATURE:

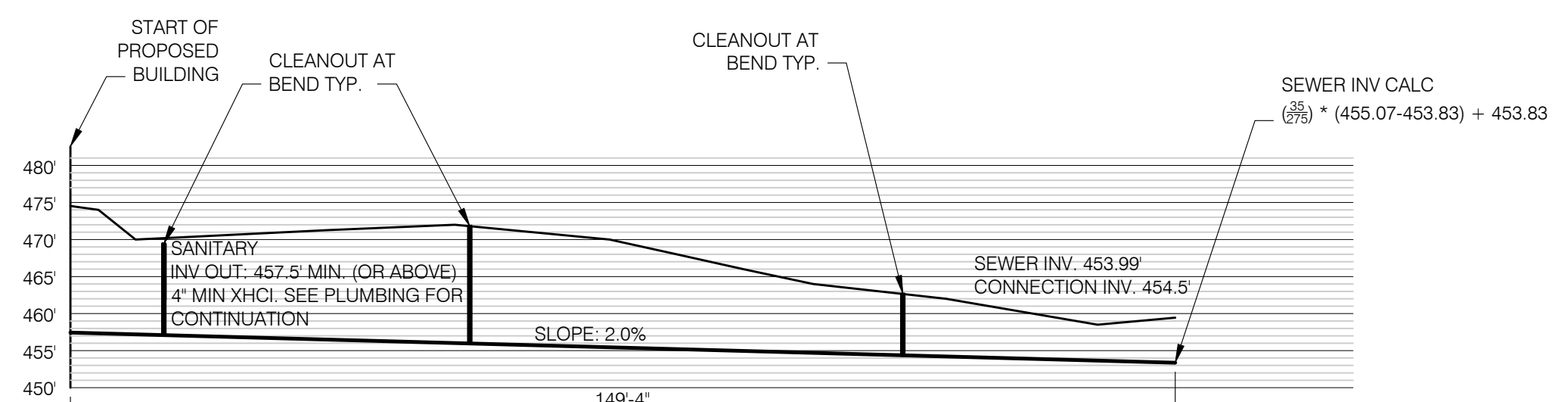


JOREL J. VACCARO, PE
 NY PE 093362
 DATE: 1/13/2025
 PROJECT #: 22043
 DRAWN/CHECKED: PJM/JJV
 SCALE: NOTED
 PAGE: 01 OF 10

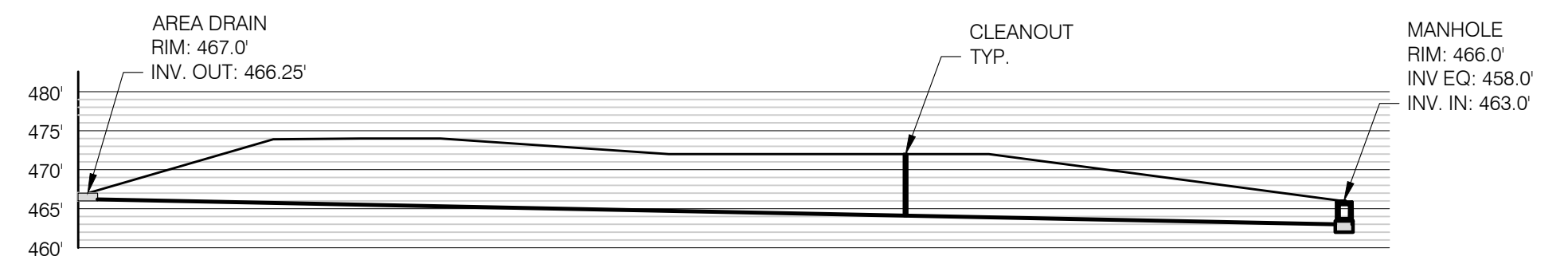
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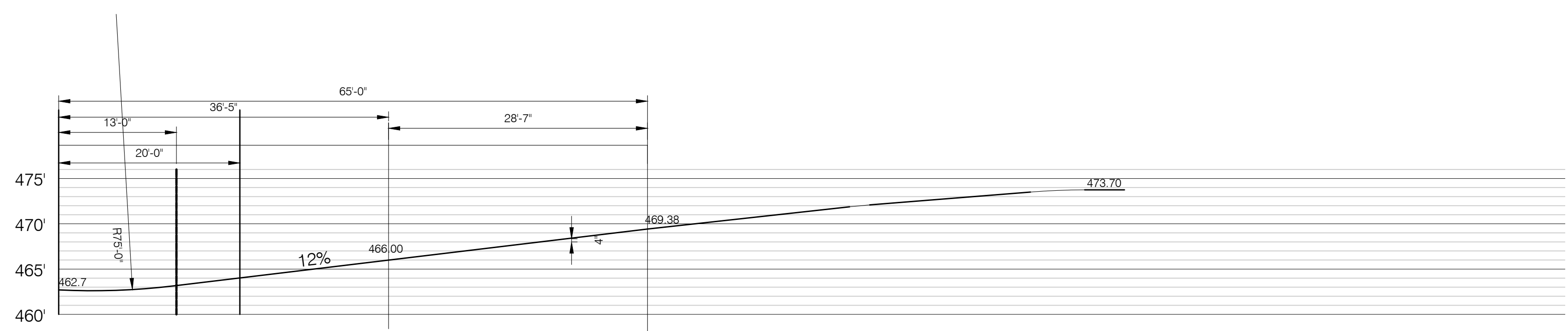
C CB4 TO CB3 & CB2
 SCALE: 1" = 20'-0" HORIZ, 1" = 10'-0" VERT.



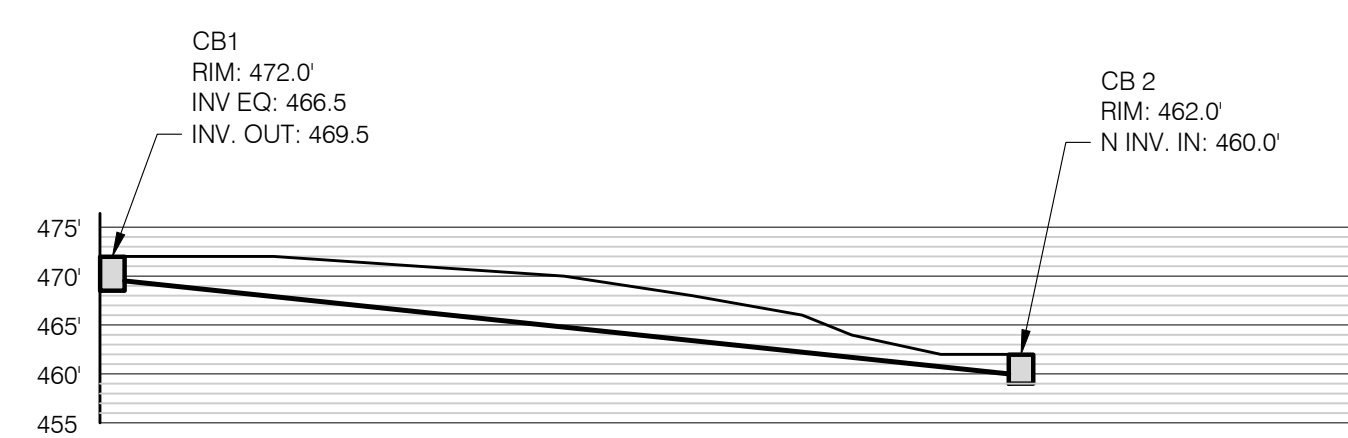
D SANITARY FROM PROP HOME TO SEWER
 SCALE: 1" = 20'-0" HORIZ, 1" = 10'-0" VERT.



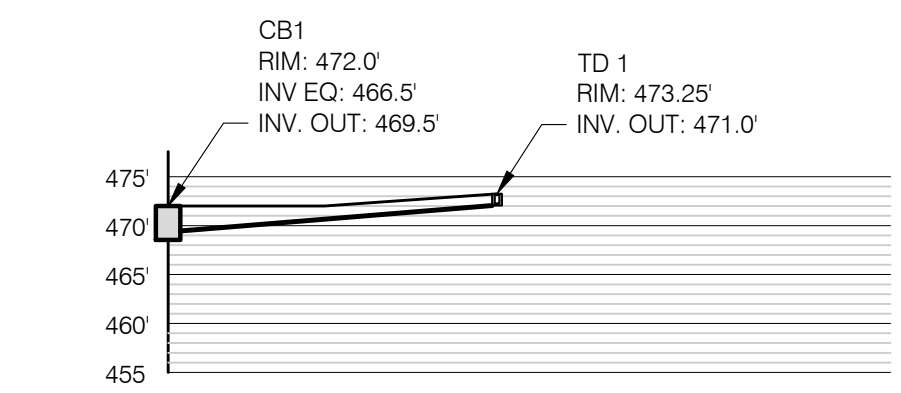
E AREA DRAIN TO MANHOLE
 SCALE: 1" = 20'-0" HORIZ, 1" = 10'-0" VERT.



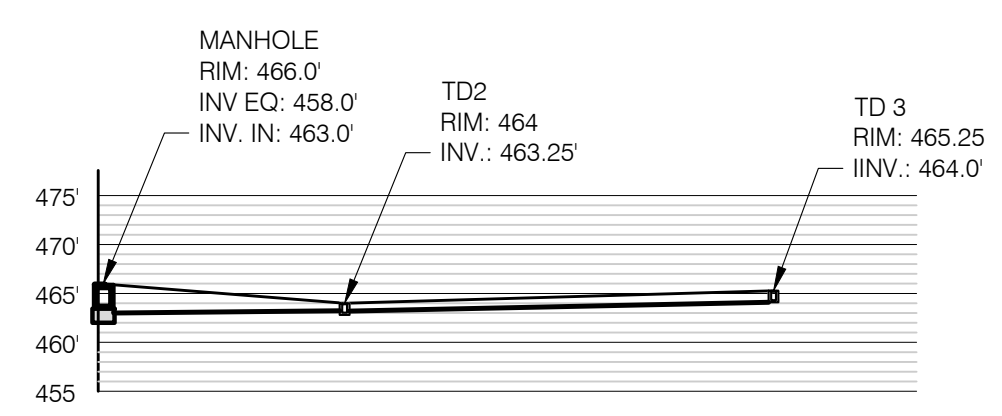
B DRIVEWAY PROFILE
 NORTH APPROACH TO GARAGE
 SCALE: 1"=20'



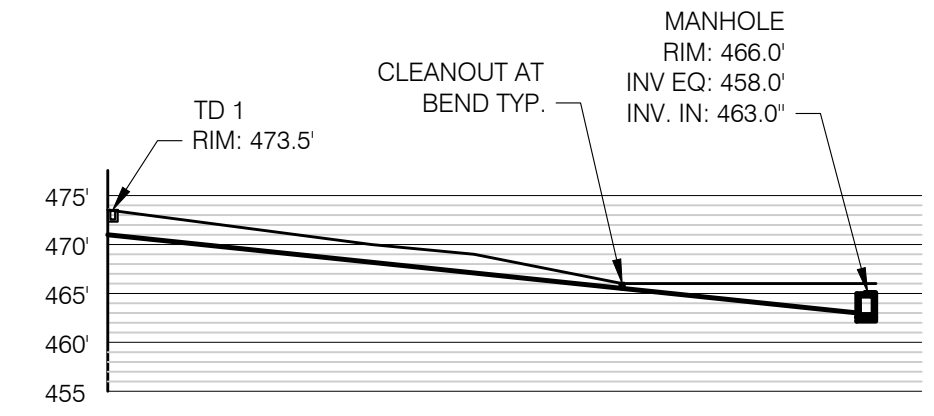
F CB1 TO CB2
 SCALE: 1" = 20'-0" HORIZ, 1" = 10'-0" VERT.



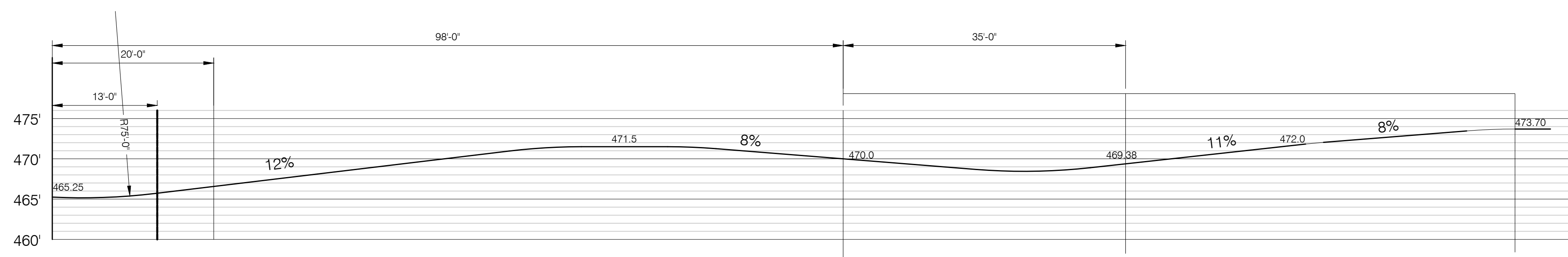
G CB1 TO TD1
 SCALE: 1" = 20'-0" HORIZ, 1" = 10'-0" VERT.



H MAHOLE TO TD2 & TD3
 SCALE: 1" = 20'-0" HORIZ, 1" = 10'-0" VERT.



J CB4 TO CB3 & CB2
 SCALE: 1" = 20'-0" HORIZ, 1" = 10'-0" VERT.



A DRIVEWAY PROFILE
 SOUTH APPROACH TO GARAGE
 SCALE: 1"=20'

REVISIONS:

IT IS A VIOLATION OF NEW YORK STATE EDUCATION LAW, ARTICLE 145 FOR ANY PERSON, UNLESS HE OR SHE IS ACTING UNDER THE DIRECTION OF A PROFESSIONAL ENGINEER, TO ALTER THIS DRAWING IN ANY WAY.
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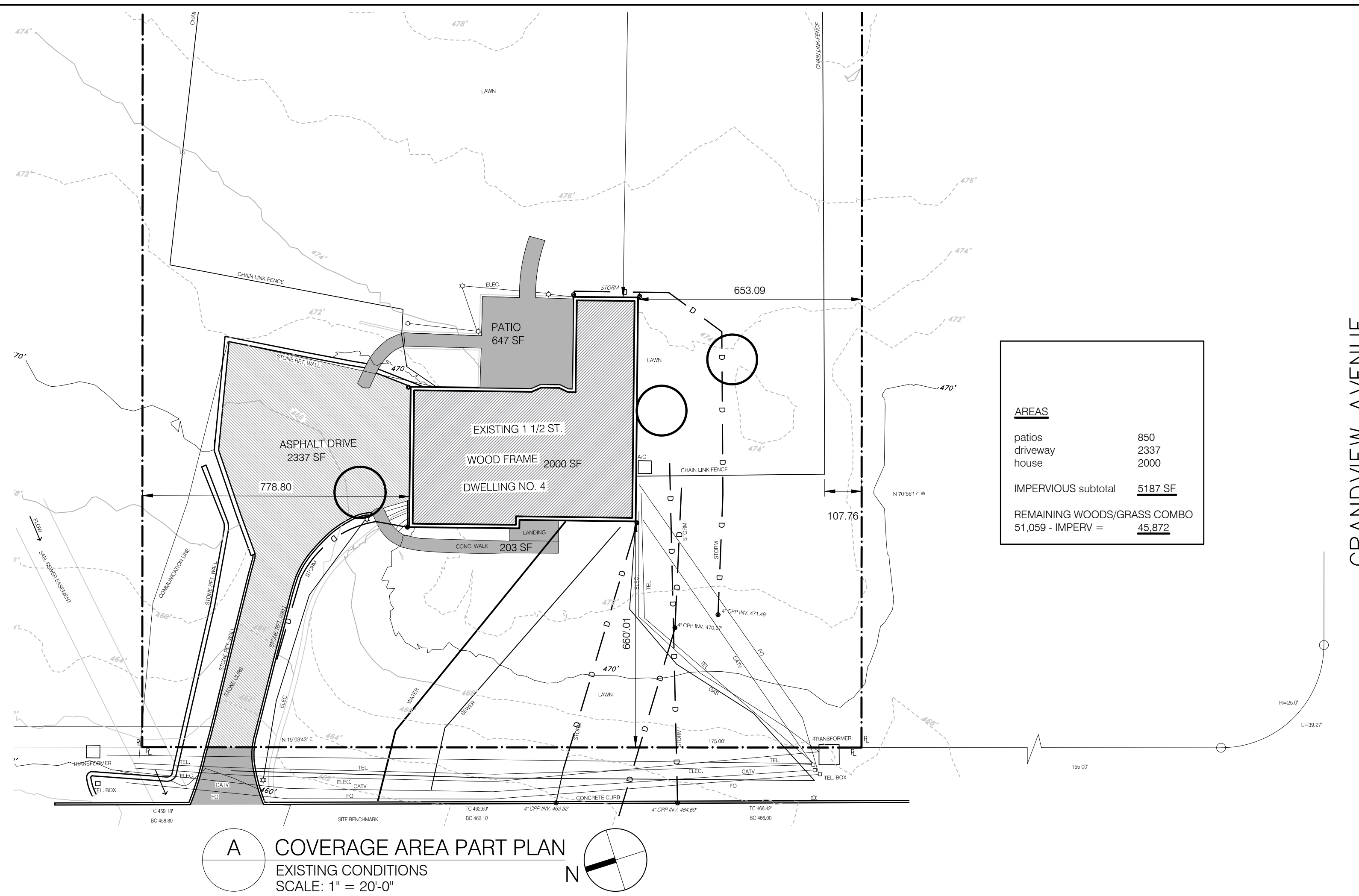
PROJECT:
**4 Grand Park Drive
 Monsey, NY**

PROFILES

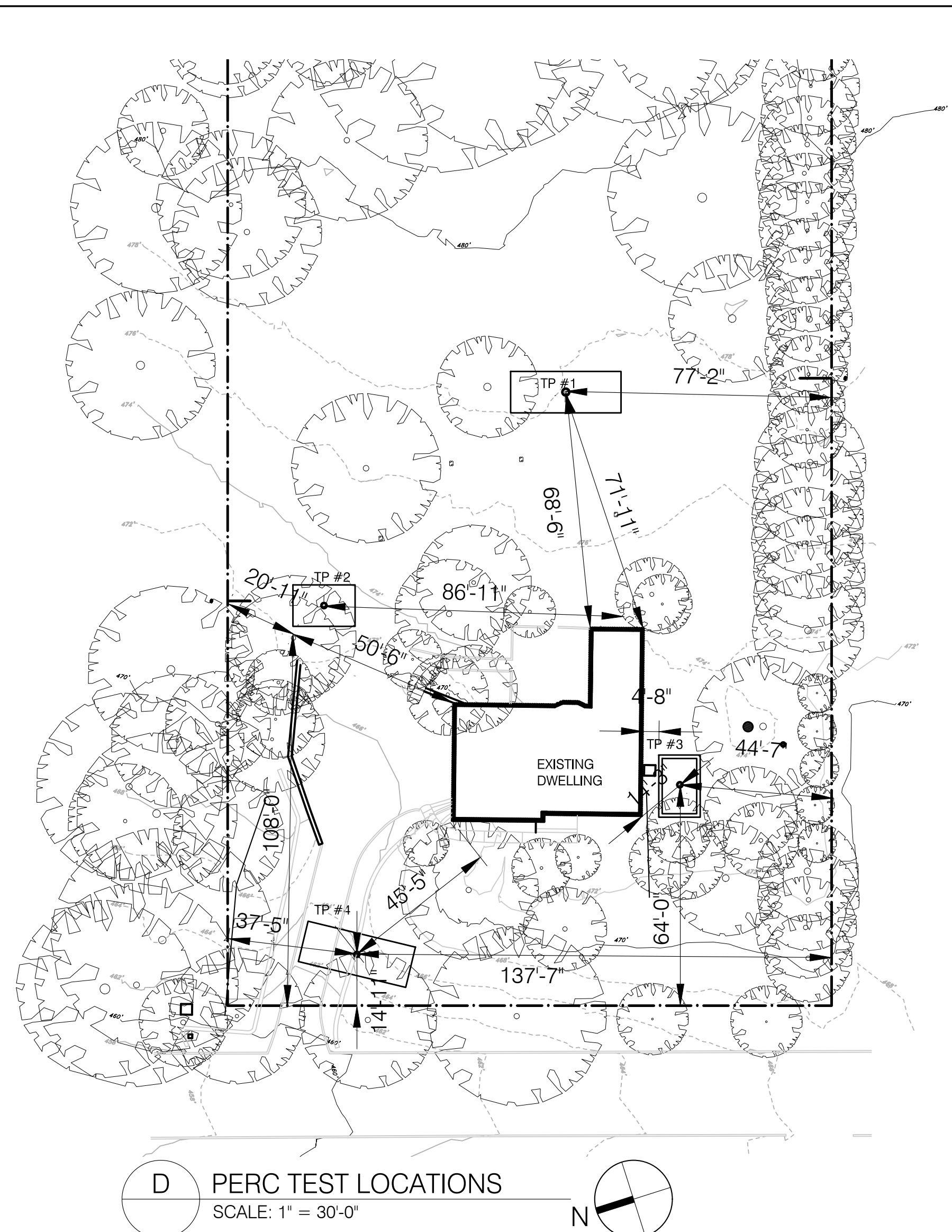
SEAL & SIGNATURE:

DATE: 1/13/2025
 PROJECT #: 22043
 DRAWN/CHECKED: PJM/UV
 SCALE: NOTED
 PAGE: 06 OF 10

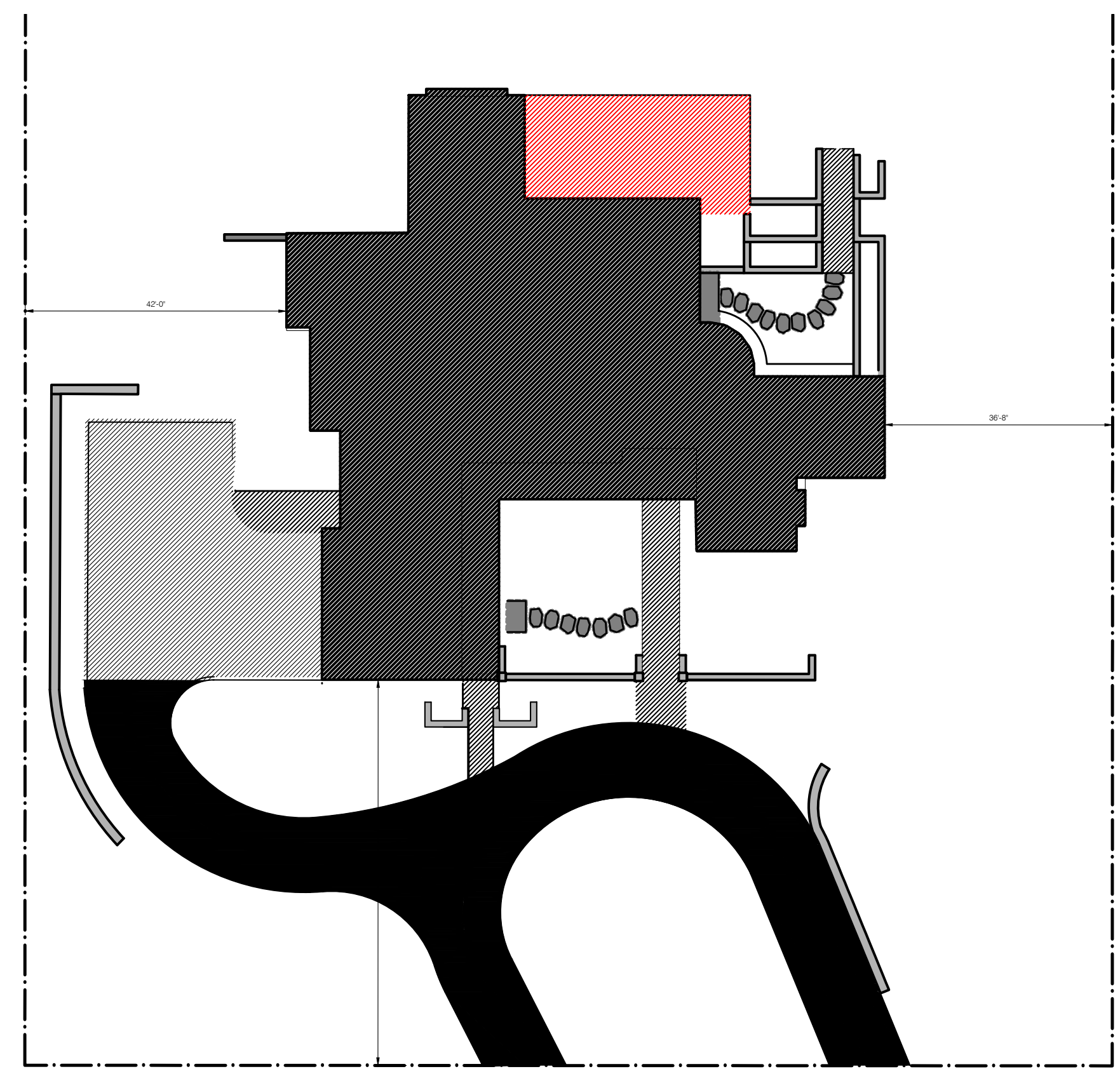
C-200.00



A COVERAGE AREA PART PLAN
 EXISTING CONDITIONS
 SCALE: 1" = 20'-0"

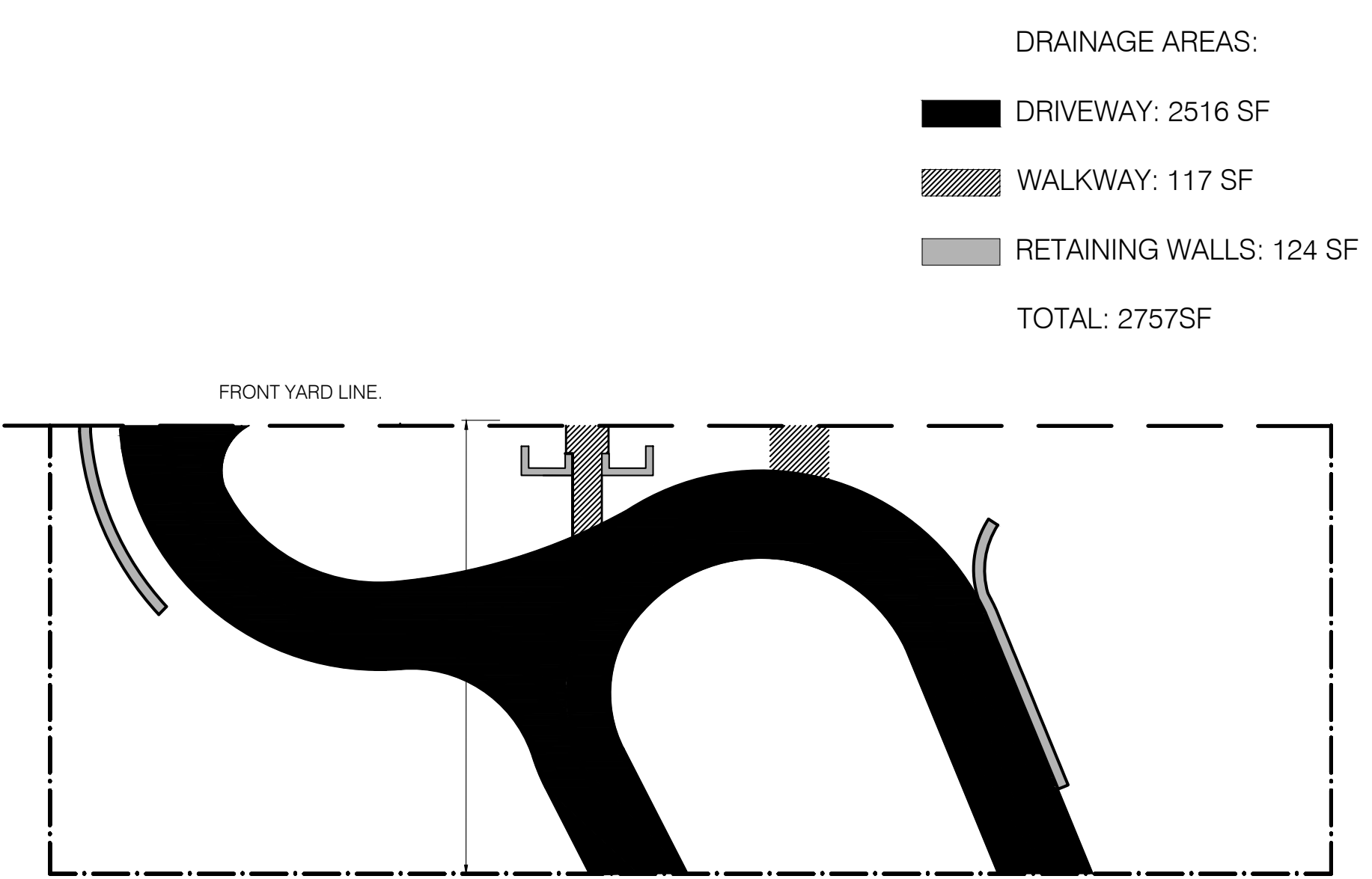


D PERC TEST LOCATIONS
 SCALE: 1" = 30'-0"



- DRAINAGE AREAS:**
- BUILDING: 4833 SF
 - DRIVEWAY: 2529 SF
 - PARKING: 1341 SF
 - PATIO: 624 SF
 - WALKWAY: 507 SF
 - RETAINING WALLS: 423 SF
 - STONE/PAVERS: 121 SF
- TOTAL: 10378 SF

B COVERAGE AREA PART PLAN
 PROPOSED CONDITIONS
 SCALE: 1" = 20'-0"



- DRAINAGE AREAS:**
- DRIVEWAY: 2516 SF
 - WALKWAY: 117 SF
 - RETAINING WALLS: 124 SF
- TOTAL: 2757SF

- DRAINAGE AREAS:**
- ROOF TO NORTH SYSTEM (YELLOW): 677
 - ROOF TO SOUTH SYSTEM (BLUE): 1988
 - ROOF TO REAR SYSTEM (RED): 2854

*note, roof areas include overhangs, which are in addition to areas shown on building footprint / coverage calcs

C COVERAGE AREA PART PLAN
 PROPOSED ROOF TRIBUTARY AREAS
 SCALE: 1" = 20'-0"

REVISIONS:

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PROJECT:
**4 Grand Park Drive
 Monsey, NY**

COVERAGE AREAS

SEAL & SIGNATURE:

JOREL J. VACCARO, PE
 NY PE 093362

DATE: 1/13/2025
 PROJECT #: 22043
 DRAWN/CHECKED: PJMJJV
 SCALE: NOTED
 PAGE: 07 OF 10

File Attachments for Item:

3. Application submitted by Ilana Rosen 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 detached garage having a front yard of 8.1 feet instead of the minimum required of 50 feet on Hillcrest Road, a front yard of 14.4 feet instead of the minimum required of 50 feet on East Lane and front yard impervious surface ratio of .263 instead of the maximum permitted of .20 on Hillcrest Road.

The subject premises are situated on the west side of East Lane approximately 400 feet south of Pomona Road, known as 29 East Lane, designated on the Tax Map as Section 42.05 Block 1 Lot 4, in an R-35 Zoning District.

NARRATIVE SUMMARY

**29 East Lane
S/B/L 42.05-1-4**

RECEIVED
VILLAGE OF WESLEY HILLS
FEB 28 2025

This narrative summary is submitted in support of the application by Ilana Rosen for a variance to permit the construction of a new detached garage on the property located at 29 East Lane. The property is located in the Pomona Country Club Homeowners Association. East Lane is a private road. The property also abuts Hillcrest Road which is an unimproved paper street. The premises are in the R-35 Zoning District and are presently improved with a single-family dwelling.

The existing single-family home has a garage that is across the street from the house and about 250' feet away. The applicant wants to add a garage that is closer to her home and more functional.

SEQRA

The project should be classified as a Type II action pursuant to 6 NYCRR 617.5(c)(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). No environmental review is required for Type II action.

GML REVIEW

The property is within 500' of McNamara Road, a county highway and the border of the Village of New Hempstead. A review by the Rockland County Department of Planning is required pursuant to General Municipal Law Section 239-m.

VARIANCES

The application requests that the following variance be granted:

	<u>Required</u>	<u>Proposed</u>
Front Yard (East Lane)	50'	14.4'
Front Yard (Hillcrest Road)	50'	8.1'
Front Yard Impervious Surface Ratio (Hillcrest Road)	.20	.263

BALANCING OF THE EQUITIES

In making its determination to grant a variance, a zoning board of appeals must take into consideration the benefit to the applicant if the variance is granted, as weighed against the detriment to the health, safety and welfare of the neighborhood or community by such grant. In making such determination the zoning board of appeals is also required to consider the following factors:

- a. An undesirable change will not be produced in the character of the neighborhood, nor a detriment created to nearby properties by the granting of the area variances.

The neighborhood is located on private roads. Hillcrest Road is a paper street and no road exists. The encroachment into the front yard of Hillcrest will not impact the neighborhood as it will not be visible or noticeable. The yard to East Lane is an existing non-conforming condition and nothing is being done to change the existing setback. The front yard impervious surface ratio is really not applicable to this matter because a road does not exist and it is only a paper street. These variances will not create any detriment to nearby properties.

b. The benefit sought by the applicant cannot be achieved by some method feasible for the applicant to pursue, other than an area variance.

The applicant desires to have a garage closer to her home. This is the best placement of the garage on the lot so that it is functional. The proposed structure will not create any undesirable change in the character of the neighborhood. The garage will not infringe upon, or create a detriment to, any adjacent property owners.

c. That the requested area variances are not substantial.

Even though the front yard variance to Hillcrest Road seems significant from a numerical point of view, from a practical point, there is no street that abuts the property. Even if a numerical deviation from a bulk requirement is deemed “substantial”, the weight to be given to that finding is dependent on, and cannot be separated from, the impact that the deviation will have on the community.¹ The variance request should not be looked at in a vacuum free from any outside influences or information. Looking at just the numerical value is not an adequate indicator of substantiality, which must be judged by the totality of relevant circumstances and not just in the abstract. The front yard to East Lane is an existing condition. The slight increase in the front yard impervious ration is not significant.

d. That the proposed variance will not have an adverse effect or impact on the physical or environmental conditions in the neighborhood or district.

The proposed variance will not have an adverse effect or impact on the physical or environmental conditions of the neighborhood or district. The project is considered a Type II action and is deemed not to have a significant impact on the environment and is otherwise precluded from environmental review.

f. That the alleged difficulty was not self-created.

The new garage will not detract from the community. Even if the Zoning Board finds the difficulty to be self-created, this factor is not dispositive of the applicant’s variance requests. Instead, any perceived self-created harm is greatly outweighed by the fact that the area variance will not result in any adverse impacts, will not be a detriment to nearby properties, and will not

¹ See, *Lodge Hotel, Inc. v. Town of Erwin Zoning Bd. of Appeals*, 21 Misc.3d 1120(A), (Sup Ct 2007), aff’d, 43 A.D.3d 1447 (4th Dep’t 2007) (“Looking at the variance request in such a vacuum is not an adequate indicator of the substantiality of Petitioner’s application. Substantiality cannot be judged in the abstract; rather, the totality of relevant circumstances must be evaluated in determining whether the variance sought is, in actuality, a substantial one.”) See also, *Aydellott v. Town of Bedford Zoning Board of Appeals*, 6/25/03 N.Y.L.J. 21 (col.4) (Supreme Court, Westchester Co., 2003) (When reviewing the application in the context of the overall impact it would have on the neighborhood, it is clear that the variance request is not substantial, especially when considering that the structure will have the outside appearance of a two-story building.)

create an undesirable change in the character of the neighborhood.

CONCLUSION

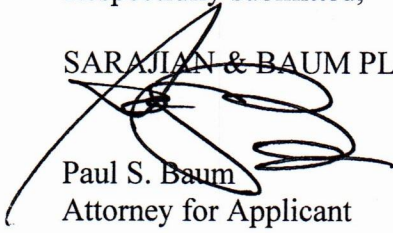
The property is unique in that it is in a private community and served by private roads. It abuts a paper street that will never be built. The lot is split by a private road and the existing garage is located across the street and about 250' away from the residence and is not practical. The requested variances will not negatively impact any of the neighbors or create a detriment to the community. 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. The balance of equities lies in favor of granting the variances.

For all the foregoing reasons, it is respectfully requested that the Zoning Board of Appeals grant the applicant the requested variances.

Dated: February 24, 2025

Respectfully submitted,

SARAJIAN & BAUM PLLC



Paul S. Baum
Attorney for Applicant

GML Report

Property Information:	
Parcel ID: 42.05-1-4	Date Parcel: February 2024
OLD ID: 10-4A1B1	Address: 29 EAST LN
City: SUFFERN	State: NY
Zip: 10901	Book Page: N/A
Deed Date: 12/22/1999 12:00:00 AM	Instrument: 1999-00065610
Municipality: WESLEY HILLS	Deed Acres: 0
GIS Calculated Acres: 1.579	
<i>R-35 Zone</i>	
GML Criteria:	
Requires GML Review: YES	Adjacent Town Boundary: NO
Adjacent Village Boundary: YES	Orange County Boundary: NO
County Facility: NO	NYS Facility: NO
County Park: NO	State Park: NO
County Regulated Streams: NO	Long Path Hiking Trail: NO
ROW-County Highways: YES	ROW-NYS Highway: NO
ROW-NYS Thruway: NO	ROW-Palisades Interstate Parkway: NO
X Coordinate: -74.05565876	Y Coordinate: 41.16187123

ROCKLAND COUNTY SEWER DISTRICT NO. 1

4 Route 340
Orangeburg, New York 10962
Phone: (845) 365-6111 Fax: (845) 365-6686
RCSD@co.rockland.ny.us

RECEIVED
VILLAGE OF WESLEY HILLS

MAR 20 2025

BUILDING,
PLANNING & ZONING

Michael Specht
Chairman

Michael R. Saber, P.E.
Executive Director

March 13, 2025

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

Re: Ilana Rosen
29 East Lane
Tax Lot 11/42.05-1-4 (formerly 10./4/A1B1)

Dear Ms. Schultz:

Our office has received and reviewed a site plan that was last revised on February 3, 2025, which Paul Gdanski, P.E. PLLC prepared for the above referenced project. We thank you for the opportunity to comment on this application. Our comments are as follows:

1. Rockland County Sewer District No. 1 does not object to the plan as shown. Approval of this application and variances for detached garage on a 68,951 square foot lot in the R-35 District does not affect any sanitary sewers. The site has a septic system, and there are no sanitary sewers in the vicinity of this lot.
2. Details for septic system construction are subject to approval by the Rockland County Health Department and the Town of Ramapo.
3. If future sanitary sewer lines are extended to the site, the property owner will be required to connect to the sewerage system.

Please inform us of all developments in this project. If you have any questions, please contact this office at 845-365-6111.

Very truly yours,

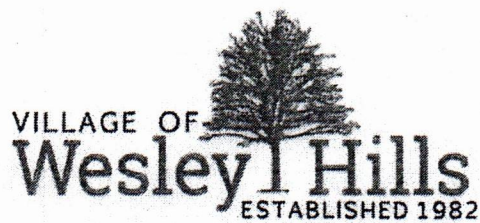


Lorelei Greene Tinston
Engineer I

cc: M. Saber M. Dolphin D. Gregory
Michael Sadowski, P.E. – Town of Ramapo DPW
Paul Gdanski, P.E. PLLC – 633 Woodmont Lane, Sloatsburg, NY 10974
Ilana Rosen – 3 Marcia Lane, Spring Valley, NY 10977

File: TOR 42.05-1-4 – 29 East Lane
Reader

Rocklandgov.com



432 Route 306

Wesley Hills, N.Y. 10952-1221

Phone 845-354-0400 FAX 845-354-4097 www.wesleyhills.org

RECEIVED
VILLAGE OF WESLEY HILLS

FEB 28 2025

BUILDING,
PLANNING & ZONING

Date: February 6, 2025

Tax Parcel ID: 42.05-1-4

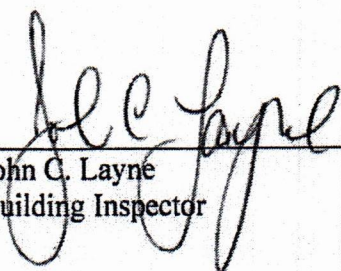
Address: 29 East Lane

Applicant: Rosen

BUILDING AND ZONING DEPARTMENT:

Please be advised that your request for a building permit is denied. The following variances are required:

1. Front Yard on Hillcrest Road-50 required, 14.4 provided.
2. Front Yard on East Lane – 50 required, 8.1 provided.
3. Maximum Front Yard on Hillcrest Road - .20 required, .263 provided.



John C. Layne
Building Inspector

cc: Zoning Board of Appeals

Variiances Needed *(if applicable)*

Required

Proposed

Item 3.

Minimum front yard- Hillcrest Rd	50'	14.4'
Minimum front yard- East Lane	50'	8.1'
Max. FY imp surface ratio- Hillcrest Rd	0.20	0.263

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

FEB 28 2025

BUILDING,
PLANNING & ZONING

PART I

Name of Municipality VILLAGE OF WESLEY HILLS Date 2/27/25

Please check all that apply:

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

Project Name: 29 East Lane garage,

Applicant: Ilana Rosen Phone # 845-499-0725
 Address 3 Marcia Ln. Spring Valley NY 10977
Street Name & Number (Post Office) State Zip code

Property Owner: Ilana Rosen Phone # 845-499-0725
 Address 3 Marcia Ln. Spring Valley NY 10977
Street Name & Number (Post Office) State Zip code

Engineer/Architect/Surveyor: Paul Gdanski, P.E. PLLC Phone # 917-418-0999
 Address 633 Woodmont Ln. Sloatsburg NY 10974
Street Name & Number (Post Office) State Zip code

Attorney: Paul Baum Esq Phone # 845-205-4556
 Address 155 W. Main St. New City NY 10956
Street Name & Number (Post Office) State Zip code

Contact Person: Paul Baum Esq Phone # 845-205-4556
 Address 155 W. Main St. New City NY 10956
Street Name & Number (Post Office) State Zip code

Tax Map Designation:

Section 42.05 Block 1 Lot(s) 4

Section _____ Block _____ Lot(s) _____

Location: On the west side of East Lane,
400 feet South of Pomona Lane.

Acreage of Parcel 1.54 **Zoning District** Wesley Hills

School District Rainey **Postal District** Subton, 10901

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

Current garage is too far from the house.
Project is to build new garage next to the house.
See attached

If subdivision: NA

- 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.

Sec 42.05 Block 1, lot 4

"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. McNamara Rd (CR67)
and village of New Hempstead

Applicant's Signature and Certification

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

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

[Signature]

Mailing Address 3 Marcia Ln.
Spring Valley NY 10977

SWORN to before this
28th day of February, 2025

[Signature]
Notary Public

PAUL S. BAUM, NOTARY PUBLIC
Qualified Orange County, New York
No. 02BA4947831 Expires 2/27/2027

Affidavit of Ownership/Owner's Consent

State of New York)
County of Rockland) SS.:
Town/Village of Ranapo / Weeey Hill)

I, Ilana Rubin being duly sworn, hereby
depose and say that I reside at: 3 Marcia Ln, Spring Valley
NY 10977
in the county of Rockland in the state of NY.

I am the * ✓ owner in fee simple of premises located at:
29 East Lane, Sufem, NY 10901

described in a certain deed of said premises recorded in the Rockland County Clerk's
Office in Liber _____ of conveyances, page Instrument No. 2024-33331.

Said premises have been in my/its possession since 11/14/24. Said premises are
also known and designated on the Town of Ranapo Tax Map as:
section 42.05 block 1 lot(s) 4

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 [Signature]
Mailing Address 3 Marcia Ln.
Spring Valley NY 10977

SWORN to before this
28th day of February, 20 25

[Signature]
Notary Public

PAUL S. BAUM, NOTARY PUBLIC
Qualified Orange County, New York
No. 02BA4947831 Expires 2/27/2027

* 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 Ramapo/Wesley Hills)

I, Ilana H. Rosen, 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

Ilana H. Rosen
3 marcia ln
Spring Valley NY 10977

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 Wesley Hills Zoning board of the Town/Village of
(Board, Commission or Agency)
Ramapo/Wesley 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 Garage which has less than the minimum front yard on Hillcrest Rd. Variance also sought for front yard to East lane and increase in maximum front yard impervious surface ratio on Hillcrest Rd.

3. Premises affected are in a R-35 zone and from the town of Ramapo tax map, the property is know as Section 42.05, Block, 1, Lot(s) 4.

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 Woolly 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, _____, 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 3 Maraca Ln
Spring Valley NY 10977

SWORN to before this

28th day of February, 2025
[Signature]
Notary Public

PAUL S. BAUM, NOTARY PUBLIC
Qualified Orange County, New York
No. 02BA4947831 Expires 2/27/2027

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 }

Iana H. Rosen being duly sworn, deposes and

says that he/she resides at 3 Maria Ln.

Spring Valley NY 10977

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. 42.05 Lot No. 1 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: [Signature]

Address: 3 Maria Ln

Spring Valley NY 10977

Sworn to before me this

28th day of February 2025

[Signature]
Notary Public

PAUL S. BAUM, NOTARY PUBLIC
Qualified Orange County, New York
No. 02BA4947831 Expires 2/27/2027

AFFIDAVIT

State of New York)

County of Rockland) SS.:

Town/Village of Ramapo/Weddy Hills)

I, Mara H. Rosen being duly sworn deposes and says that he is the applicant, agent or attorney for applicant, in the matter of the petition before the Weddy Hills Zoning Board (board) in the town/village of Ramapo/Weddy Hills affecting property located at 29 East Lane, Suffern NY 10901, 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
-------------------	------	---------

to be provided

SWORN to before this

28th day of February, 2025

Notary Public


PAUL S. BAUM, NOTARY PUBLIC
Qualified Orange County, New York
No. 02BA4947831 Expires 2/27/2027

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

2/27/25

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 Garage which had less
than the minimum front yard on Hillcrest Rd. Variances
also sought for front yard to 2nd lane and increase in
maximum front yard impervious surface ratio on Hillcrest Rd



Richard H. Sarajian
 Direct Line: (845) 205- 4553
 Email: rsarajian@sbnewyorklaw.com

Paul S. Baum
 Direct Line: (845) 205-4556
 Email: pbaum@sbnewyorklaw.com

SARAJIAN & BAUM
 PLLC

155 North Main Street
 New City, New York 10956
 Telephone: (845) 205-4558
 Fax: (845) 213-2141

April 23, 2025

Hon. Jonathan Gewirtz, Chairman
 Zoning Board of Appeals
 Village of Wesley Hills
 432 Route 306
 Wesley Hills, New York 10952-1221

RE: Application of Ilana Rosen
 29 East Lane
 S/B/L: 42.05-1-4

Dear Chairman Gewirtz:

Unfortunately, due to the change of the date of the meeting to April 24, 2025, I will not be able to appear due to a conflict. I am committed to appear before another municipal board that evening. Please allow this letter to respond to the issue raised by the County of Rockland Department of Planning in Comment 1 of their GML review letter dated April 3, 2025 which is attached.

I met with Building Inspector John Layne to review the method of calculating the front yard impervious surface ratio. The current application and plan measured the area of the front yard based on the dimension of the garage to the front lot line of 8.1'. I confirmed with Mr. Layne that the measurement of the front yard has to be based on the distance between the *nearest part of the main building* and the lot line which is 43.3'. As a result, the variance request for the front yard impervious surface ratio on Hillcrest Road will increase from .263 to .367.

However, please note that the existing front yard impervious surface ratio to Hillcrest Road is currently 0.329. The garage will be constructed for the most part, on property already considered impervious. The existing square footage of impervious area in the front yard to Hillcrest Road is 2,597 square feet. The garage structure will only increase the square footage by 300 square feet, increasing the impervious area to 2,897 square feet.

We enclose an updated plot plan last revised 4/21/25 for the Board's consideration.

We respectfully request that the application be deemed amended to request the additional variance to 0.367 and that the it be referred back to the County of Rockland Department of Planning per their recommendation.

Thank you for your consideration.

Very truly yours,

SARAJIAN & BAUM, PLLC

PAUL S. BAUM

PSB/vjl

Enc.

DEPARTMENT OF PLANNING
Dr. Robert L. Yeager Health Center
50 Sanatorium Road, Building T
Pomona, New York 10970
Phone: (845) 364-3434 Fax: (845) 364-3435

Douglas J. Schuetz
Acting Commissioner

Richard M. Schiafo
Deputy Commissioner

April 03, 2025

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

Tax Data: 42.05-1-4

Re: GENERAL MUNICIPAL LAW REVIEW: Section 239 L and M
Map Date: 02/03/2025

Date Review Received: 03/04/2025

Item: *Rosen - 29 East Lane (GML-25-0132)*

Variances to permit the construction of a garage in the front yard of an existing single-family dwelling located on 1.58 acres in the R-35 zoning district. The requested variances include front yard (Hillcrest Road & East Lane) and maximum front yard impervious surface (Hillcrest Road).
Northeast corner of Hillcrest Road and East Lane

Reason for Referral:

Mc Namara Rd (County Route 67), Village of New Hempstead

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

- 1 The front yard impervious area (Hillcrest Road) calculation provided on the site plan shows a significant reduction in the SF of the gravel driveway/walks and does not include the area covered by the proposed garage. The building coverage calculation indicates the garage will be 651 SF. This reduction and omission must be clarified. The Village shall determine whether a new calculation should be prepared that includes the garage. If a greater variance is required from what is stated, we request the opportunity to review said variance, as required by New York State General Municipal Law, Section 239-m (3)(a)(v).
- 2 The applicant shall comply with the comments made by the Rockland County Sewer District No. 1 in their letter dated March 13, 2025.
- 3 A review must be completed by the County of Rockland Department of Health, any comments or concerns addressed, and any required permits obtained.
- 4 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.

- 5 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.



Douglas J. Schuetz
Acting Commissioner of Planning

cc: Mayor Marshall Katz, Wesley Hills
Rockland County Department of Health
Rockland County Highway Department
Rockland County Planning Board
Rockland County Sewer District No. 1
Village of New Hempstead Planning Board
Paul Gdanski, P.E., PLLC

*New York State General Municipal Law § 239(5) 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 determines whether the proposed action reviewed implicates the Religious Land Use and Institutionalized Persons Act. The County of Rockland Department of Planning defers to the municipality referring the proposed action to render such opinions and make such determinations as appropriate under the circumstances.

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

Pursuant to New York State General Municipal Law §§ 239-m and 239-n, the referring body shall file a report of its final action with the County of Rockland Department of Planning within thirty (30) days after the final action. A referring body that 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.

DEPARTMENT OF PLANNING

Dr. Robert L. Yeager Health Center
50 Sanatorium Road, Building T
Pomona, New York 10970
Phone: (845) 364-3434 Fax: (845) 364-3435

Douglas J. Schuetz
Acting Commissioner

Richard M. Schiafo
Deputy Commissioner

April 03, 2025

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

Tax Data: 42.05-1-4

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

Map Date: 02/03/2025

Date Review Received: 03/04/2025

Item: *Rosen - 29 East Lane (GML-25-0132)*

Variances to permit the construction of a garage in the front yard of an existing single-family dwelling located on 1.58 acres in the R-35 zoning district. The requested variances include front yard (Hillcrest Road & East Lane) and maximum front yard impervious surface (Hillcrest Road).
Northeast corner of Hillcrest Road and East Lane

Reason for Referral:

Mc Namara Rd (County Route 67), Village of New Hempstead

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

- 1 The front yard impervious area (Hillcrest Road) calculation provided on the site plan shows a significant reduction in the SF of the gravel driveway/walks and does not include the area covered by the proposed garage. The building coverage calculation indicates the garage will be 651 SF. This reduction and omission must be clarified. The Village shall determine whether a new calculation should be prepared that includes the garage. If a greater variance is required from what is stated, we request the opportunity to review said variance, as required by New York State General Municipal Law, Section 239-m (3)(a)(v).
- 2 The applicant shall comply with the comments made by the Rockland County Sewer District No. 1 in their letter dated March 13, 2025.
- 3 A review must be completed by the County of Rockland Department of Health, any comments or concerns addressed, and any required permits obtained.
- 4 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.

- 5 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.



Douglas J. Schuetz
Acting Commissioner of Planning

cc: Mayor Marshall Katz, Wesley Hills
Rockland County Department of Health
Rockland County Highway Department
Rockland County Planning Board
Rockland County Sewer District No. 1
Village of New Hempstead Planning Board
Paul Gdanski, P.E., PLLC

*New York State General Municipal Law § 239(5) 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 determines whether the proposed action reviewed implicates the Religious Land Use and Institutionalized Persons Act. The County of Rockland Department of Planning defers to the municipality referring the proposed action to render such opinions and make such determinations as appropriate under the circumstances.

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

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Richard H. Sarajian
Direct Line: (845) 205- 4553
Email:rsarajian@sbnewyorklaw.com

Paul S. Baum
Direct Line: (845) 205-4556
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SARAJIAN & BAUM
PLLC

155 North Main Street
New City, New York 10956
Telephone: (845) 205-4558
Fax: (845) 213-2141

April 30, 2025

Zoning Board of Appeals
Attn.: Alicia Schultz
Village of Wesley Hills
432 Route 306
Wesley Hills, New York 10952-1221

Re: Application of Ilana Rosen
29 East Lane
S/B/L: 42.05-1-4

Dear Ms. Schultz:

Please allow this letter to serve as the applicant’s response to the agency comments received by the Zoning Board of Appeals with regard to the above referenced application. Please distribute this letter to the Zoning Board members on our behalf.

Rockland County Department of Planning Letter Dated April 3, 2025.

1. The front yard impervious area (Hillcrest Road) calculation provided on the site plan shows a significant reduction in the SF of the gravel driveway/walks and does not include the area covered by the proposed garage. The building coverage calculation indicates the garage will be 651 SF. This reduction and omission must be clarified. The Village shall determine whether a new calculation should be prepared that includes the garage. If a greater variance is required from what is stated, we request the opportunity to review said variance, as required by New York State General Municipal Law, Section 239-m (3)(a)(v).

Response: Acknowledged. A letter dated April 23, 2025 and updated plan were sent to the Zoning Board. The calculation of the front yard impervious area to Hillcrest Road has been corrected on the plan last revised April 21, 2025. A greater variance from .263 to .367 is required. The ZBA application has been amended. The applicant requests the ZBA to refer this back to the County Department of Planning for review.

2. The applicant shall comply with the comments made by the Rockland County Sewer District No. 1 in their letter dated March 13, 2025.

Response: Acknowledged. No sanitary sewers are proposed. No new septic system is proposed. The applicant will seek approvals from the County of Rockland Health Department for any proposed septic system construction.

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

Response: Acknowledged.

4. 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.

Response: No overrides are requested.

5. 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.

Response: No overrides are requested.

Rockland County Sewer District No. 1 Letter Dated March 13, 2025.

1. Rockland County Sewer District No. 1 does not object to the plan as shown. Approval of this application and variances for detached garage on a 68,951 square foot lot in the R-35 District does not affect any sanitary sewers. The site has a septic system, and there are no sanitary sewers in the vicinity of this lot.

Response: Acknowledged.

2. Details for septic system construction are subject to approval by the Rockland County Health Department and the Town of Ramapo.

Response: No sanitary sewers are proposed. No new septic system is proposed. The applicant will seek approvals from the County of Rockland Health Department for any proposed septic system construction.

3. If future sanitary sewer lines are extended to the site, the property owner will be required to connect to the sewerage system.

Response: Acknowledged.

Rockland County Center for Environmental Health Letter Dated April 14, 2025.

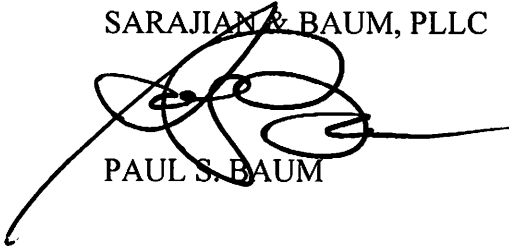
1. Application is to be made to the RCDOH for review of the storm water management system for compliance with the County Mosquito Code.

Response: Applicant will comply.

Thank you for your attention and consideration.

Very truly yours,

SARAJIAN & BAUM, PLLC

A handwritten signature in black ink, appearing to read 'Paul S. Baum', is written over the typed name. The signature is stylized with loops and a long horizontal stroke extending to the right.

PAUL S. BAUM

Rockland County HEALTH

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

RECEIVED
VILLAGE OF WESLEY HILLS

APR 17 2025

BUILDING,
PLANNING & ZONING



Public Health
Prevent. Promote. Protect.

EDWIN J. DAY
County Executive

SAMUEL RULLI, PE
Director, Environmental Health

April 14, 2025

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

Re: Municipal Referral
GML-25-0132
29 East Lane
Proposed Garage Addition
Tax lot 42.05-1-4

Dear Ms. Schultz:

We have received an application and plans as prepared by Paul Gdanski, P.E., PLLC, revised through February 3, 2025, 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.

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

Very truly yours,

Brandon Durant, Ph.D.
Assistant Public Health Engineer
durantb@co.rockland.ny.us
(845) 364-2642

cc: Michael Kezner, Rockland County Department of Planning
Paul Gdanski, P.E., PLLC
MBSP (via email)

OF WESLEY HILLS

APR 1 2002

LIBRARY

WESLEY HILLS

File Attachments for Item:

4. March 19, 2025



ZONING BOARD OF APPEALS MEETING MINUTES

March 19, 2025, at 7:30 PM

432 Route 306, Wesley Hills, NY 10952

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

MEMBERS PRESENT:

Jonathan Gewirtz, Chairman
Richard Weinberger, Member
Stuart Zelmanovitz, Member
Randi Marlin, Member
Barry Rozenberg, Ad Hoc

ABSENT:

Stefanie Collantes-Bouvry, Member
Anita Hajioff, Ad Hoc

OTHERS PRESENT:

Doris Ulman, Assistant Village Attorney
Alicia Schultz, Deputy Village Clerk

Chairman Gewirtz opened the meeting at 7:35 pm followed by a roll call.

ITEM #1- PUBLIC HEARING – 38 Willow Tree Road

Chairman Gewirtz read the following public hearing notice into the record:

Application submitted by Ahuva Katz Chems 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, garage, inground pool and cabana having a side yard of 22.8 feet instead of the minimum required of 30 feet and total side yard of 52.8 feet instead of the minimum required of 75 feet.

The subject premises are situated on the north side of Willow Tree Road approximately 700 feet west of State Route 306, known as 38 Willow Tree Road, designated on the Tax Map as Section 41.07 Block 2 Lot 33, in an R-50 Zoning District.

Todd Rosenblum, applicant’s architect, was present and was affirmed to tell the truth. Mr. Rosenblum stated that the applicant is proposing an addition to include a play/family room. Mr. Rosenblum added that the property is a large piece of property, but it is very narrow.

Chairman Gewirtz questioned how wide the addition is going to be and if this is the only variance required.

Mr. Rosenblum answered it is going to be 15 feet in width and yes, this is the only variance needed.

Chairman Gewirtz made a motion to adjourn this application to the April 24, 2025, meeting and further schedule a site visit on April 6, 2025, seconded by Richard Weinberger. Upon vote, this motion carried unanimously.

ITEM #2- PUBLIC HEARING – 22 BUENA VISTA ROAD

Chairman Gewirtz read the following public hearing notice into the record:

Application submitted by Shoshana Kohn 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 41.5 feet instead of the minimum required of 50 feet, side yard of 9.6 feet instead of the minimum required of 30 feet, total side yard of 35 feet instead of the minimum required of 75 feet, building coverage of .175 instead of the maximum permitted of .108, impervious surface ratio of .255 instead of the maximum permitted of .20 and front yard impervious surface ratio of .265 instead of the maximum permitted of .15.

The subject premises are situated on the south side of Buena Vista Road approximately 500 feet west of Cains Road, known as 22 Buena Vista Road, designated on the Tax Map as Section 32.19 Block 1 Lot 45, in an R-50 Zoning District.

Jay Unger & Shoshana Kohn, the applicants/owners of the home, were present and affirmed to tell the truth. Ms. Kohn stated that they are proposing an addition to the home, realizing they are requesting multiple variances as the original home was designed as a bungalow. Mr. Unger stated that they have (6) children and a set of parents in a 1400 square-foot home, and it is getting very cramped. Mr. Unger added that they are building 500 square feet and a deck atop their current first floor. He stated that they tried to purchase additional property, but their neighbors wouldn't sell to them. Chairman Gewirtz requested elevations be submitted to the Zoning Board and stated the area labeled "porch" must state if it is covered.

Chairman Gewirtz questioned if anyone from the public would like to speak.

Yehudah Shtaygrud, 1 Cains Road, stated that he is in support of the application, especially because a lot of the neighboring houses are becoming enlarged in similar ways.

Jack Klein, 17 Buena Vista Road, stated that his family lineage goes back over a century in this area and knows the houses were originally very small and the neighboring properties have been adding square footage to the interior of their homes.

Chairman Gewirtz made a motion to adjourn this application to the April 24, 2025 meeting and further schedule a site visit on April 6, 2025, seconded by Richard Weinberger. Upon vote, this motion carried unanimously.

ITEM #3 – CONTINUED PUBLIC HEARING – 4 KENTOR LANE

Chairman Gewirtz 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.

The applicant, Yisroel Sandel, was present and affirmed to tell the truth. Mr. Sandel stated that at the site visit they showed the Board where the proposed addition is going to be and they wanted to enlarge the home to fit with the changing neighborhood.

Chairman Gewirtz read letters of support from the following addresses:

- 1. 2 Kentor Lane
- 2. 3 Kentor Lane
- 3. 6 Kentor Lane
- 4. 8 Kentor Lane
- 5. 10 Kentor Lane

Chairman Gewirtz questioned if anyone from the public would like to speak.

Lily Bernstein, 6 Kentor Lane, stated that she would prefer the deck be at the back of the house and not on the side of the house facing her home, as the screening for the deck is lower than the deck itself.

Chairman Gewirtz questioned if the property will be partially screened.

Mr. Sandel answered that he has no neighbors to the rear of the property, as the property to the rear is park land and a stream, so he will be planting arborvitae along the side of their property for screening to accommodate his neighbors. The porch at the front prevents the house from looking like a barracks

Barry Rozenberg stated he is concerned that if we grant the variance so close to the lot line, what is stopping them from going all the way to the lot line.

Randi Marlin stated that they need a larger variance than previously granted by 7.4 feet, which is substantial when discussing percentages of the allowable.

Richard Weinberger stated that during the site visit, he noted that the foliage was adequate for the type of screening required and should be maintained as such.

Chairman Gewirtz read an email in objection to the application from Howard Richman, 65 S. Liberty Drive, into the record.

Chairman Gewirtz questioned if anyone else from the public would like to speak.

No one else from the public chose to speak on this application.

Chairman Gewirtz made a motion to close the public hearing, seconded by Stuart Zelmanowitz. Upon vote, the motion carried unanimously.

Chairman Gewirtz stated that at the site visit, it was noted that the lot is an unusual shape, and where the 26-foot-wide extension is proposed is really the best place to extend the dwelling due to the shape of the lot and dwelling. Chairman Gewirtz added that he believes the revisions to the home will be adding value to their property, as well as surrounding properties in the neighborhood.

Stuart Zelmanowitz made a motion to approve this application with the condition that the screening will be maintained, seconded by Randi Marlin:

In the Matter of the Application of
 Yisroel Sandel
 Premises 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
 Block 2 Lot 36, in an R-35 Zoning District

WHEREAS, application has been made to the Zoning Board of Appeals of the Village of Wesley Hills 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, and

WHEREAS, after due notice, a public hearing on said application was held by the Zoning Board of Appeals on February 19, 2025, which hearing was continued on March 19, 2025, and

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

That the lot is very wide but only 130 feet deep which creates the need for the front and rear yard variances;

That there is parkland behind the property so neighbors will not be affected by the addition;

That applicant has installed screening along the front and side of the property; and

WHEREAS, several neighbors appeared in support of the application and the neighbor to the east stated she does not want the addition close to her property, and

WHEREAS, one neighbor sent a letter in opposition to the application, and

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

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 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 is hereby granted subject to the following conditions:

1. That the plantings at the front and east side of the property shall be maintained in their current condition;
2. That GML review letters from Rockland County Planning Department, Rockland County Highway Department and Rockland County Sewer District No. 1 shall be complied with, and be it further

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

Fact:

1. That although the variances are substantial they are caused by the shape of the lot which does not have adequate depth and by the applicant's desire to comply with neighbor's requests;
2. That the property to the rear is parkland and will not be impacted by the variance;
3. That existing screening provides a natural buffer which will be maintained pursuant to the condition imposed on the variances;
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, the motion carried unanimously.

ITEM #4 – CONTINUED PUBLIC HEARING – 6 HASTINGS ROAD

Chairman Gewirtz 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 the family revised the proposed plans, the patio and driveway specifically, to significantly reduce the variances proposed. Mr. Mayerfeld stated that they reduced the impervious surface ratio from previously requested .40 to now .27, where .25 is allowed, building coverage from previously requested .14 to now .132, where .10 is allowed, and the front yard impervious surface ratio variance requested dropped off. Mr. Mayerfeld stated that the home across the street, as well as a few other homes in the neighborhood, constructed an addition very similar to the proposed dwelling, so they are keeping up with the appearance of the neighborhood.

Doris Ulman questioned what the two structure items are to the east of the proposed pool area.

Mr. Mayerfeld answered that those are just pillars that will be removed from the plan.

Ms. Ulman questioned how large the shed to the west of the pool area is.

Mr. Mayerfeld answered that the shed is to be removed, as is the shed in the middle of the proposed driveway and will have the shed next to the pool labeled as well. Mr. Mayerfeld stated that the pool area will be revised, as it currently shows variances being needed.

Ms. Ulman stated that the revised plan also needs to show proper distances to the lot lines from the pool and patio. Mr. Mayerfeld stated that the applicant is also considering a brick wall surrounding the property, however that would increase their building coverage again, and they would have to come back to the Zoning Board for an additional variance.

Chairman Gewirtz stated that the brick wall would adhere to the design of the surrounding properties but increase the building coverage variance request from .132 to roughly .137.

Chairman Gewirtz read letters of support from the following addresses:

- 1. 28 Glenbrook Rd 2. 32 Glenbrook Rd 3. 4 Hastings Road
- 4. 7 Hastings Road 5. 9 Hastings Road 6. 10 Hastings Road
- 7. 12 Hastings Road

Chairman Gewirtz questioned if anyone from the public would like to speak.

Menashe Gutman, 6 Carter Lane, stated that he is in support of the application and believes the addition of this home to the neighborhood will increase abutting property values.

Chairman Gewirtz questioned if anyone else from the public would like to speak.

No one else from the public chose to speak on this application.

Randi Marlin made a motion to close the public hearing, seconded by Stuart Zelmanowitz. Upon vote, the motion carried unanimously.

Stuart Zelmanowitz questioned how many variances are now needed.

Chairman Gewirtz answered there are (2) variances proposed at the current time: impervious surface ratio of .27, where .25 is allowed and building coverage of .132 where .10 is allowed. Chairman Gewirtz stated that they did reduce their initial impervious surface proposal significantly, as it was originally .40, reduced the building coverage request by a small percentage and the front yard maximum impervious surface ratio variance request no longer exists.

Stuart Zelmanowitz made a motion to approve this application, seconded by Randi Marlin:

In the Matter of the Application of
Nancy Rubin on behalf of Avrohom Orzel
Premises 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

WHEREAS, application has been made to the Zoning Board of Appeals of the Village of Wesley Hills 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) 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, and

WHEREAS, after due notice, a public hearing on said application was held by the Zoning Board of Appeals on February 19, 2025, which hearing was continued on March 19, 2025, and

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

That he is new to the project and has redesigned a portion of it so that the side and rear setback variances for the swimming pool and the front yard impervious surface ratio variance are no longer needed and they have reduced the impervious surface *ratio* to .27 and the building coverage to .132;

That the building coverage variance is required because of the square footage of the proposed residence there are no other buildings proposed;

That the redesign of the project has been able to provide an impervious surface ratio of .27 which requires a very small variance; and

WHEREAS, members of the Zoning Board of Appeals visited the site and viewed the area of the proposed construction; and

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

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 on behalf of Avrohom Sandel is hereby amended by deleting the requested variances for front yard impervious surface ratio, side setback and rear setback and by amending the requested variances for building coverage from .14 to .132 and impervious surface ratio from .40 to .27, and be it further

RESOLVED, that the application submitted by Nancy Rubin on behalf of Avrohom Sandel for variances from the provisions of Section 230-17 Attachment! of the Code of the Village of Wesley Hills, to permit the construction, maintenance and use of a single-family residence and swimming pool having building coverage of .132 instead of the maximum permitted of .10 and impervious surface ratio of .27 instead of the maximum permitted of .25 are hereby granted, subject to the condition that a new plot plan be submitted that is in compliance with this decision, and be it further

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

1. That the applicant is to be commended for redesigning the project to reduce and eliminate the need for substantial variances;
2. That although the building coverage variance is large the variance is caused by the square footage of the proposed residence and not by extraneous buildings;
3. That the impervious surface ratio variance is not substantial in relation to the requirement in that it is less than 10% of the requirement;
4. That the design of the project is in keeping with other properties in the neighborhood;
5. That the benefit to the applicant by granting the variances is great whereas no detriment to the neighborhood or to the community has been identified.

Upon vote, the motion carried unanimously.

ITEM #5 – CONTINUED PUBLIC HEARING – 16 AMSTERDAM AVENUE

Chairman Gewirtz 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 I Lot 45, in an R-35 Zoning District.

Stanley Mayerfeld, Architect, was present and still under oath. Mr. Mayerfeld stated that the variances requested are on the larger side and there was a similar plan with variances granted in front of the Zoning Board in 2019, that was never built. Mr. Mayerfeld stated that this is an undersized lot by 10,000 square feet, and the variances requested are not much greater than the previously granted variances;

	<u>Proposed</u>	<u>Prev. Approved</u>	<u>Allowed</u>
Front yard-Amsterdam Av	38.6'	40.4'	50'
Front yard-Jodi Ct	29.7'	37.9'	50'
Side yard	21.2'	24.6'	25'
Max. Building Coverage	0.154	0.12	0.10
Max. Impervious Surface	0.307	0.307 (no change)	.25

Chairman Gewirtz stated that at the site visit, it was noted that it an undersized corner lot and the variances needed for the proposed addition and deck are not much different than the previously variances approved by the Zoning Board. Chairman Gewirtz added that the proposed addition and deck should not have any impact on the neighboring properties, especially with proper screening.

Chairman Gewirtz read letters of support from the following addresses:

1. 1 Jodi Court
2. 1 Jodi Court
3. 11 Amsterdam Av
4. 15 Amsterdam Av
5. 17 Amsterdam Av
6. 19 Amsterdam Av
7. 21 Amsterdam Av

Chairman Gewirtz questioned if anyone from the public would like to speak.

No one from the public chose to speak on this application.

Chairman Gewirtz made a motion to close the public hearing, seconded by Richard Weinberger. Upon vote, the motion carried unanimously.

Stuart Zelmanowitz made a motion to approve this application with the condition that the screening for the pool will be maintained, seconded by Richard Weinberger:

In the Matter or the Application of
 Mark Mindick
 Premises situated on the south side of Amsterdam
 Avenue 0 feet from 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

WHEREAS, application has been made to the Zoning Board of Appeals of the Village of Wesley Hills 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 and deck to a single family residence having front yard of 38.6 feet on Amsterdam Avenue instead of the minimum required of 50 feet, front yard of 29.7 feet on Jodi Court instead of the minimum required of 50 feet, side yard of 21.2 feet instead of the minimum required of 25 feet,, building coverage of .154 instead of the maximum permitted of .10 and impervious surface ratio of .307 instead of the maximum permitted of .25, and

WHEREAS, after due notice, a public hearing on said application was held by the Zoning Board of Appeals on February 19, 2025, which hearing was continued on March 19, 2025, and

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

That variances were granted for the construction of an addition in April 2019 but due to unforeseen circumstances the addition was not constructed and those variances have expired;

That the current request is slightly larger than the one in 2019 for front yard, side yard and building

3/19/2025 DRAFT

coverage but is the same for impervious surface ratio because the applicant is using some pervious pavers in order to keep that variance the same ratio;

That the existing residence is a ranch style residence which, by its nature, requires a larger footprint than a two story residence;

That the lot is odd-shaped and undersized which makes it difficult to design a residence that meets the needs of growing families without the necessity for variances; and

WHEREAS, members of the Zoning Board of Appeals visited the site and viewed existing as well as proposed conditions, and

WHEREAS, the applicant submitted several 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 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 and deck to a single-family residence having a front yard of 38.6 feet on Amsterdam Avenue instead of the minimum required of 50 feet, a front yard of 29.7 feet on Jodi Court instead of the minimum required of 50 feet, side yard of 21.2 feet, instead of the minimum required of 25 feet, building coverage of .132 instead of the maximum permitted of .10 and impervious surface ratio of .307 instead of the maximum permitted of .25, plot plan dated August 18, 2024 as last revised March 19, 2025, is hereby granted subject to the condition that existing screening at the pool area shall be maintained in its present condition, and be it further

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

1. That although the variances are large, the lot is an odd-shaped undersized lot which makes it difficult to enlarge the residence without the need for variances, particularly because the existing residence is a ranch-style residence;
2. That variances were granted to applicant in 2019 for an addition to the residence but that addition was not constructed and the variances have expired;
3. That the proposed construction is similar to other properties in the area;
4. That the benefit to the applicant by granting the variances is substantial whereas no detriment to adjoining properties or to the neighborhood has been identified.

Upon vote, the motion carried 4-1. Chairman Gewirtz was the opposing vote.

ITEM #6 – CONTINUED PUBLIC HEARING – 57 E. WILLOW TREE ROAD

Chairman Gewirtz 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, applicant’s attorney, and Pablo Umansky the applicant, were present and affirmed. Paul Baum stated that the property is located in an R-35 zone and is a single-family home. The applicant would like to construct a small one floor addition to the rear of the home in the amount of 610 sf and another small addition of 105 sf to the master bedroom with terrace adding 1% to the impervious surface for the property. The applicant’s family is expanding, and the family needs some extra space. Mr. Baum stated that the accessory building (garage) has been on the property for several years without variances being needed, has a C of O and is not a part of the application. Mr. Umansky stated that he purchased the house as it is and was never made aware of any variances being needed.

Doris Ulman stated that the revised plans and past C of O seem to show an enlarged garage from what was originally constructed and cannot explain why, since a variance was needed, that a C of O was approved. Mr. Baum presented the Certificate of Occupancy dated March 1, 2006

Mr. Baum stated that there will be no detriment to the neighboring property 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.

Chairman Gewirtz read letters of support from the following addresses:

- 1. 2 Tamrak Drive
- 2. 3 Tamrak Drive
- 3. 4 Tamrak Drive

Chairman Gerwitz noted at the walk through that the property & home are not small, but the applicant is asking for almost a 60% variance in the side yard, it is more of a luxury than a necessity and he is not convinced that the addition cannot be built a different way needing less or no variances, especially since the lot itself is not unique in any way with a hill or odd shape.

Mr. Baum stated that there will be no detriment to the neighboring property and this project does not change the character of the neighborhood. Mr. Baum noted again that the next-door lot is vacant, and they have support from their neighbors.

Pablo Umansky stated that when the garage was built if variances were needed, perhaps there was a problem reviewing the As Built or the contractor had an issue with something, perhaps the C of O was issued when laws were different, and he would like to correct what was mistakenly done. Mr. Umansky stated that the part of the proposed addition in question is only one-story tall and the part of the addition that is two storis does not encroach into the side setback. Mr. Umansky stated that there is a road on the opposite side of the property, and this is a unique property that should be considered for approval.

Chairman Gewirtz made a motion to adjourn this application to the April 24, 2025 meeting, seconded by Barry Rozenberg. Upon vote, this motion carried unanimously.

ITEM #7 – CONTINUED PUBLIC HEARING – 9 MARCUS DRIVE

Chairman Gewirtz 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, including extending his kitchen towards his current patio, dining room towards his current front porch and enclosing a rubber roof that has been giving them nothing but problems over the years. 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.

Chairman Gewirtz noted at the site visit that the property is heavily screened and these are not large variances. Chairman Gewirtz questioned how the bulk table came to be what it currently is.

Mr. Schaum answered that variances were granted in 2006 for this property.

Chairman Gewirtz read letters of support from the following addresses:

- 1. 8 Marcus Drive
- 2. 11 Marcus Drive

Chairman Gewirtz questioned if anyone from the public would like to speak.

No one from the public chose to speak on this application.

Randi Marlin made a motion to close the public hearing, seconded by Richard Weinberger. Upon vote, the motion carried unanimously.

Randi Marlin made a motion to approve this application with the condition that the screening for the property will be maintained, seconded by Stuart Zelmanowitz:

In the Matter of the Application of
 Kenneth and Tamar Schaum
 Premises 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

WHEREAS, application has been made to the Zoning Board of Appeals of the Village of Wesley Hills by 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, and

WHEREAS, after due notice, a public hearing on said application was held by the Zoning Board of Appeals on February 19, 2025, which hearing was continued on March 19, 2025, and

WHEREAS, the applicants appeared in person and testified as follows:

That one addition is two stories and will provide a larger kitchen and second floor bedroom; they will also cover the existing front porch and square off the rear deck by adding on to the dining room;

That the impervious surface ratio and front yard impervious surface ratio variances which are stated in the public hearing notice are not needed because those were previously granted and are existing conditions ;

That the additional space is needed to accommodate the needs of his family;

That the front porch cover will correct an existing leaking roof condition; and

WHEREAS, members of the Zoning Board of Appeals visited the site and viewed the areas of the proposed additions, and

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

NOW, THEREFORE, IT IS HEREBY DETERMINED 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 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 and 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, 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 as each variance is less than 20%;
2. That the additions are not detrimental to the neighborhood but will enhance the aesthetics of the existing residence;
3. That no evidence of detriment to the environment or the ecology has been identified;
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, the motion carried unanimously.

ITEM #8 – CONTINUED PUBLIC HEARING – 18 ROVEN ROAD

Chairman Gewirtz 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 affirmed. Mr. Brodie stated he is the owner of the property with his wife. Mr. Brodie was affirmed to tell the truth.

Chairman Gewirtz read a letter of support from the neighbor at 12 Carefree Lane.

Mr. Brodie stated that in order to keep his sewer system as is, he would have to raise his home, unless they install septic pump(s). Mr. Brodie stated that he would rather not go that route as this property has had issues with their sewage pumps ever since they bought the property. Mr. Brodie had a plumber submit a certification letter stating as such and submitted “Ellington vs. Zoning Board; 1990” for reference.

Doris Ulman stated that the case that Mr. Brodie is citing, Ellington vs. Zoning Board, is in no way related to this case.

Chairman Gewirtz questioned if anyone from the public would like to speak.

Daniel & Mrs. Sachs @ 3 Baker Lane were present and affirmed. Mrs. Sachs has concerns, as they have always had water issues on their property, knows grading will change and knows that there is supposed to be no net runoff when building a new addition, but states that the low lying land is in a drainage easement where no work can be done on their own and the Town has done a poor job of maintaining it. Mrs. Sachs is also concerned with how high above her property the construction is and would like adequate screening placed to address this issue. Mr. Sachs believes that the drainage system should be addressed as mosquitos are starting to hang around the sitting water and they are concerned that more water from this proposed addition at 18 Roven Road will create even more of a concern as any overage will have nowhere else to go accept onto their property.

Doris Ulman stated that the Village Engineer should inspect the area and report back to the Village who can then let the Town know what needs to be done in order to correct the drainage issues in the area.

Chairman Gewirtz reminded the applicant although it is an undersized lot, it is “grandfathered in” at the current status, but any changes to the current plan requires variances.

Yehuda Rothschild, 16 Roven Road, is the next-door neighbor and they are in support of this application and believes this construction will enhance the neighborhood.

Doris Ulman stated that the applicant must have updated plans prior to the next meeting.

Mr. Feinberg, the applicant’s architect was present and affirmed. Mr. Feinberg stated that the applicant is proposing to raise the home from the curb level, so as to not have water draining onto neighboring properties and are installing measures to mitigate the water drainage issues. Mr. Feinberg stated that he and the applicant will revise the plan and submit the revisions to the Zoning Board prior to the next meeting.

Jeffrey Nulman, 14 Glenbrook Road, was present and affirmed. Mr. Nulman questioned if they were building a development.

Chairman Gewirtz responded that they are demolishing the home currently on the property and building a new larger home on the property.

Mr. Nulman states that he is also concerned about the drainage issues as he has family who live in the area in question.

Chairman Gewirtz questioned if anyone else from the public would like to speak.

Chairman Gewirtz made a motion to adjourn this application to the April 24, 2025 meeting, seconded by Randi Marlin. Upon vote, this motion carried unanimously.

ITEM #9- APPROVAL OF MINUTES – JANUARY 15, 2025

Chairman Gewirtz made a motion to approve the Zoning Board of Appeals minutes of January 15, 2025, seconded by Stuart Zelmanowitz. Upon vote, this motion carried unanimously.

ADJOURNMENT

Chairman Gewirtz made a motion to adjourn the meeting, seconded by Barry Rozenberg. Upon vote, this motion carried unanimously.

Respectfully submitted,
Alicia Schultz