



ZONING BOARD OF APPEALS MEETING AGENDA

January 15, 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

CONTINUED PUBLIC HEARING

- 1.** Application submitted by Nethanel and Deena Samuels for variances from the provisions of Section 230-17 Attachment I of the Code of the Village of Wesley Hills, to permit the use and maintenance of an addition to a single-family residence having a front yard of 48 feet instead of the minimum required of 50 feet and front yard impervious surface ratio of .165 instead of the maximum permitted of .15.

The subject premises are situated on the west side of Steinway Court approximately 250 feet south of Maurice Lane, known as 7 Steinway Court, designated on the Tax Map as Section 32.18 Block 1 Lot 19, in an R-50 Zoning District.

APPROVAL OF MINUTES

- 2.** November 20, 2024

ADJOURNMENT

File Attachments for Item:

1. Application submitted by Nethanel and Deena Samuels for variances from the provisions of Section 230-17 Attachment I of the Code of the Village of Wesley Hills, to permit the use and maintenance of an addition to a single-family residence having a front yard of 48 feet instead of the minimum required of 50 feet and front yard impervious surface ratio of .165 instead of the maximum permitted of .15.

The subject premises are situated on the west side of Steinway Court approximately 250 feet south of Maurice Lane, known as 7 Steinway Court, designated on the Tax Map as Section 32.18 Block 1 Lot 19, in an R-50 Zoning District.

Dear Members of the Wesley Hills Zoning Board,

We, Nethanel and Deena Samuels, recently completed an addition to our home at 7 Steinway Court. Unbeknownst to us, some minor landscape and hardscape adjustments have necessitated seeking two minor variances in order to obtain a Certificate of Occupancy.

1. Insufficient Front Yard Setback

As indicated on the plot plan dated November 19, 2024, prepared by Anthony Celentano, the house structure and porch comply with the required setbacks. However, the steps leading to the front door extend slightly into the front yard setback, resulting in a variance being required.

2. Exceeding Maximum Allowable Front Yard Impervious Surface Ratio

Our lot, located at the end of a cul-de-sac, narrows significantly as it meets the street. This unique shape limits the allowable impervious surface in the front yard. When we extended our existing driveway, we inadvertently exceeded the allowable front yard impervious surface ratio. However, we remain well below the maximum total impervious surface ratio for the property.

We hope the Board recognizes that these variances are minor in nature and grants approval so we can secure our Certificate of Occupancy.

Thank you for your time and consideration.

Sincerely,
Nethanel and Deena Samuels

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VILLAGE OF WESLEY HILLS

NOV 22 2024

BUILDING,
PLANNING & ZONING

PART I

Name of Municipality VILLAGE OF WESLEY HILLS Date November 19, 2024

Please check all that apply:

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

Project Name: 7 Steinway Court

Applicant: Stanley Mayerfeld Phone # 917-573-1369
 Address 17 Bruck Ct Spring Valley NY 10977
 Street Name & Number (Post Office) State Zip code

Property Owner: Nethanel and Deena Samuels Phone # +1 (516) 650-7786
 Address 7 Steinway Cout Suffern N.Y. 10901
 Street Name & Number (Post Office) State Zip code

Engineer/Architect/Surveyor: Mayerfeld Architecture Phone # 845-354-0001
 Address 15 Lyncrest Drive Monsey N.Y. 10952
 Street Name & Number (Post Office) State Zip code

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

Contact Person: Stanley Mayerfeld Phone # 917-573-1369
 Address 17 Bruck Ct Spring Valley N.Y. 10977
 Street Name & Number (Post Office) State Zip code

Tax Map Designation:

Section 32.18 Block 1 Lot(s) 19
 Section _____ Block _____ Lot(s) _____

Location: On the West side of Steinway Court,
250 feet South of Maurice Ln.

Acreage of Parcel 57,295 S.F. **Zoning District** R-50
School District East Ramapo **Postal District** 10901

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

Proposed addition not complying with section 230-17 (insufficient front yard
and exceeding maximum allowable front yard impervious ratio).

If subdivision:

- 1) Is any variance from the subdivision regulations required? No
- 2) Is any open space being offered? No If so, what amount? _____

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

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

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

N/A

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

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 _____
Proposed addition not complying with section 230-17 (insufficient front yard
and exceeding maximum allowable front yard impervious ratio). See attached summary.

Affidavit of Ownership/Owner's Consent

State of New York)
 County of Rockland) SS. We sely Hills
 Town/Village of _____

We, Nethanel and Deena Samuels _____ being duly sworn, hereby
 depose and say that I reside at: 7 Steinway Court

in the county of Rockland in the state of NY.

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

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

Said premises have been in my/its possession since 2016. Said premises are also
 known and designated on the Town of Tax Map as:

section 32.18 block 1 lot(s) 19

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	<u>Nethanel and Deena Samuels</u>
Mailing Address	<u>7 Steinway Court</u>
	<u>Suffern, NY 10901</u>

SWORN to before this

22 day of November, 2024

[Signature]
 Notary Public

ELLIOT APPEL
 NOTARY PUBLIC, STATE OF NEW YORK
 Registration No. 01AP6247824
 Qualified in Rockland County
 Commission Expires Sep 6th 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 Wesely Hills)

We, Nethanel and Deena Samuels, 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

Nethanel and Deena Samuels

7 Steinway Court

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 ZBA of the Town/Village of Wesley Hills, Rockland County, New York:
(Board, Commission or Agency)

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 _____
Proposed addition not complying with section 230-17 (insufficient front yards and exceeding max. allowable front yard impervious ratio).

3. Premises affected are in a R-35 zone and from the town of _____ tax map, the property is know as Section 32.18, Block, 1, Lot(s) 19.

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 Nethanel Samuels
- 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 Wesely Hills.

I, Nethanel Samuels, 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.

Nethanel and Deena Samuels

Mailing Address

7 Steinway Court

Suffern, NY 10901

SWORN to before this

22 day of November, 2027
[Signature]
 Notary Public

ELLIOT APPEL
 NOTARY PUBLIC, STATE OF NEW YORK
 Registration No. 01AP6247824
 Qualified in Rockland County
 Commission Expires Sep 6th 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 }

Nethanel Samuels being duly sworn, deposes and
says that he/she resides at **7 Steinway Court 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 as Section No. 32.18 Lot No. 1-19 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: Nethanel Samuels
Address: 7 Steinway CT
Suffern NY 10901

Sworn to before me this

22 day of November 2027

[Signature]
Notary Public

ELLIOT APPEL
NOTARY PUBLIC, STATE OF NEW YORK
Registration No. 01AP6247824
Qualified in Rockland County
Commission Expires Sep 6th 2027

AFFIDAVIT

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

We, Nethanel and Deena Samuels being duly sworn deposes and says
that he is the applicant, agent or attorney for applicant, in the matter of the petition before
the Zoning (board) in the town/village
of Wesely Hills affecting property located at
7 Steinway Court, Rockland County, New York.
Suffern, NY 10901

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

[illegible]

SWORN to before this

27 day of November, 2027

Notary Public

ELLIOT APPEL
NOTARY PUBLIC, STATE OF NEW YORK
Registration No. 01AP6247824
Qualified in Rockland County
Commission Expires Sep 6th 2027

VILLAGE OF WESLEY HILLS

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

AFFIDAVIT OF POSTING

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

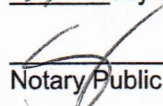
Nethanel Smalley being duly sworn, deposes and
says that he/she is the applicant in the matter of an application before the
Village of Wesley Hills Zoning Board affecting property located at
7 Stegway Ct Station 10952, Wesley Hills, Town of Ramapo,
Rockland County, New York.

That on the 22 day of November 2004, he/she posted the
posters provided by the Zoning Board of the Village of Wesley Hills
giving notice of the hearing on this application in a conspicuous place
visible from every street along the frontage of the plot affected by this
application.



Sworn to before me this

22 day of November 2004


Notary Public

ELLIOT APPEL
NOTARY PUBLIC, STATE OF NEW YORK
Registration No. 01AP6247824
Qualified in Rockland County
Commission Expires Sep 6th 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

Stanley Mayerfed

APPLICANT

November19, 2024

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 _____

Proposed addition not complying with section 230-17 (insufficient front yard
and exceeding maximum allowable front yard impervious ratio).

See attached summary.

AS APPLICABLE, COMPLETE THE FOLLOWING:

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

For access to the above State Environmental Quality Review forms:

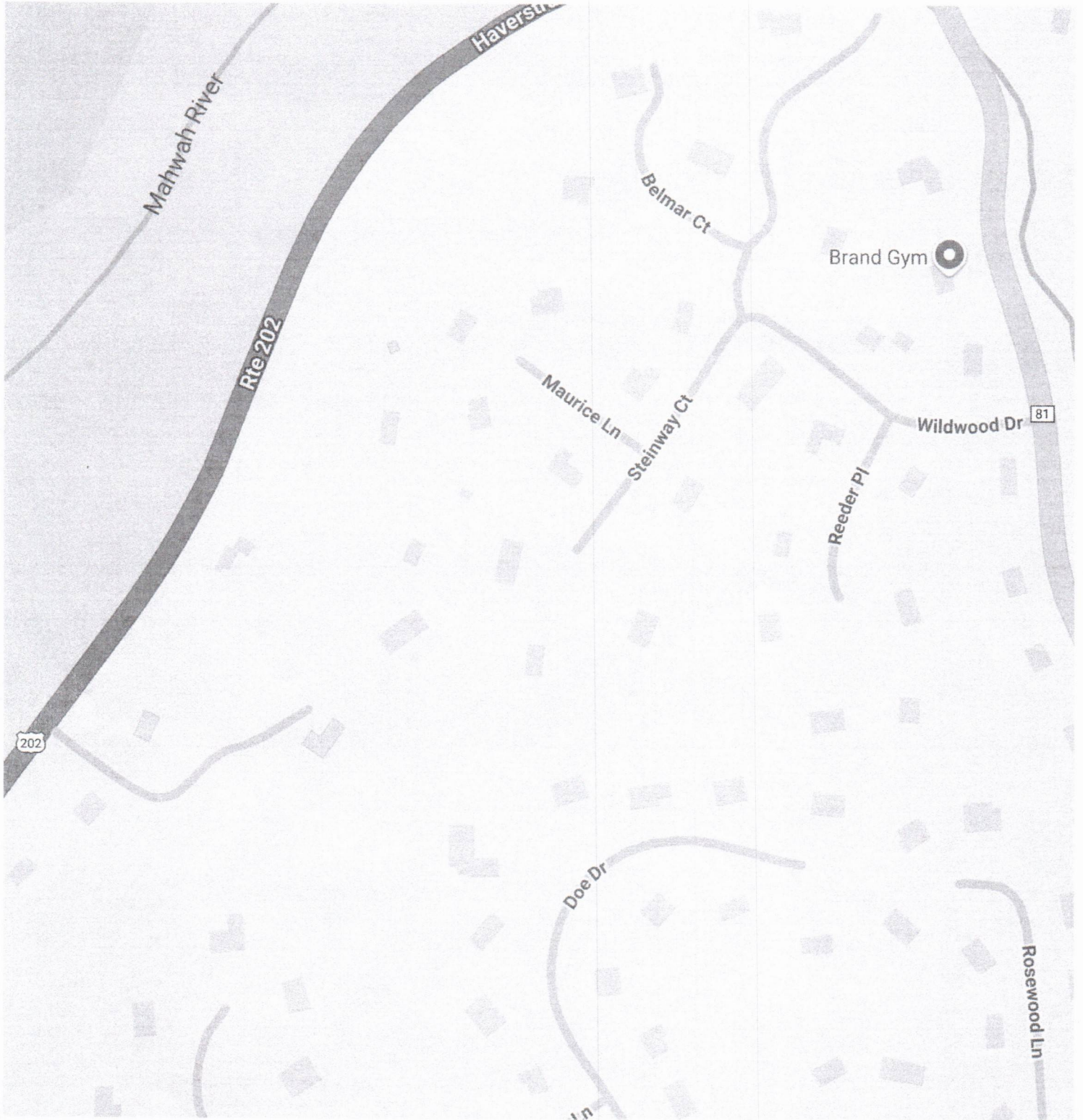
<http://www.dec.ny.gov/public/6191.html>

INSTRUCTIONS

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

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

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



Google

Map data ©2024 Google

vicinity Map

David

⋮

32.-1-21

32.-1-22

32.17-2-1

32.17-2-3

32.17-2-7

32.17-2-4

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VILLAGE OF WESLEY HILLS
DEC 2 2024
BUILDING
PLANNING & ZONING

32.17-2-2

32.17-1-9-3

32.17-1-7

32.17-1-4

32.17-1-3

32.17-1-13

32.17-1-1

41.05-1-1

32.17-1-11

32.17-1-15

32.17-1-6

32.17-1-8

32.17-1-9-2

32.18-1-2

32.18-1-3

32.18-1-4

32.14-1-1

32.18-1-5

32.18-1-6

32.18-1-7

32.18-1-8

32.18-1-9

32.18-1-10

32.18-1-11

32.14-2-2

32.18-2-1

32.18-2-2

32.14-1-12

32.14-1-13

32.14-1-14

32.14-1-15

32.14-1-16

32.18-2-41

32.18-2-42

32.18-2-43

32.18-2-44

32.18-2-45

32.18-2-46

32.18-2-47

32.18-2-48

32.18-2-49

32.18-2-50

32.18-2-51

32.18-2-52

Item 1.

11/32.18-1-48
FELDMAN REBECCA
14 DOE DR
SUFFERN, NY 10901

11/32.18-1-54
BURNSTEIN YOCHANAN &
HERZFELD DORIS
5 FAWN LA
SUFFERN, NY 10901

11/32.18-1-56
KAPLAN LEVI & RIVKA
9 DOE DR
SUFFERN, NY 10901

11/32.18-1-46
ITZKOWITZ MARLENE
18 DOE DRIVE
WESLEY HILLS, NY 10901

11/32.17-1-15
DANIEL MARC D & LAURIE
7 BLUE SKY DR
SUFFERN, NY 10901

11/32.17-1-6
969 HAVERSTRAW LLC
7 MONTCLAIR AVE
AIRMONT, NY 10901

11/32.18-1-59
FOX BRYAN & DEBORAH
13 DOE DR
SUFFERN, NY 10901

11/32.17-1-7
MCFADYEN CATHLEEN
971 HAVERSTRAW RD
WESLEY HILLS, NY 10901

11/32.18-1-18
WASSNER GAVRIEL & CHAYAH
6 REEDER PL
SUFFERN, NY 10901

11/32.17-1-9.3
ROSENBLATT MARC J &
THORNTON SERENE
22 HILLSIDE COURT
SUFFERN, NY 10901

11/32.17-1-10
NUNZIATA BERNARD R &
DEBRA
8 BLUE SKY DR
SUFFERN, NY 10901

11/32.18-1-55
JOHNSON JAMES M
7 DOE DR
SUFFERN, NY 10901

11/32.18-1-50
MEDNICK FAMILY TRUST
10 DOE DR
SUFFERN, NY 10901

11/32.18-1-58
FARBER BARBARA
11 DOE DR
SUFFERN, NY 10901

11/32.17-1-5
BRAVER PINCHAS
963 HAVERSTRAW ROAD
SUFFERN, NY 10901

11/32.18-1-45
EHRENREICH ABRAHAM &
BLAU CHANA
21 DOE DR
SUFFERN, NY 10901

11/32.18-1-61
GLOTZER IRA & REGINA
17 DOE DR
SUFFERN, NY 10901

11/32.17-1-8
FISHER WALTER W &
CONSTANCE J
979 HAVERSTRAW RD
SUFFERN, NY 10901

11/32.18-1-17
SWERDLOFF LEE
7 REEDER PL
SUFFERN, NY 10901

89/32.17-2-2
SEPHARDIC CONG OF
SOUTH MONSEY
C/O HAKAKIAN NISSAN
7 BALACHINE CT
MONSEY, NY 10952

Item 1.

11/32.18-1-10
FEINSOD BENJAMIN D. &
SPIRA HADASSA
APT G
221 KEARSING PARKWAY
MONSEY, NY 10952
11/32.17-1-11
BLUE SKY FAMILY TRUST
4101 PINETREE DRIVE APT 122
MIAMI BEACH, FL 33140

11/32.18-1-49
LOUISSAINT PASCAL &
MICHAELIE
11111 DOE DR
SUFFERN, NY 10901

11/32.18-1-47
JESSEN MAYER S
73P EDISON COURT
MONSEY, NY 10952

11/32.18-1-27
ENGELSON SAMUEL
14 ROSEWOOD LN
SUFFERN, NY 10901

11/32.18-1-62
FRIED FAY
19 DOE DR
SUFFERN, NY 10901

11/32.18-1-60
GELLMAN DANIEL
99 OVERLOOK ROAD
POMONA, NY 10970

11/32.18-1-16
KEMPER MOISEY & LARIZA
5 REEDER PL
SUFFERN, NY 10901

11/32.18-1-19
HAMERMAN TEHILLA
32 WILDER RD
MONSEY, NY 10952

11/32.18-1-11
SIMONSON WALTER & LOUISE
6 STEINWAY CT
SUFFERN, NY 10901

GENUINE / AUTHENTIQUE / GENUINO



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1	Go to avery.com/templates	1	Visita avery.mx/plantillas
2	Design using the template number for this product.	2	Diseña la plantilla utilizando el código del producto.
3	Test print on plain paper.	3	Prueba la impresión en un papel normal.
4	Change printer settings to "Labels" and print.	4	Cambia la configuración de la impresora a "labels" o etiquetas e imprime.
Need help? Visit avery.com/help		Besoin d'aide? Visiter avery.ca/aide	
?Necesitas ayuda? Visita avery.com/ayuda			

11/32.18-1-9
SAMUELS NETHANEL & DEENA
7 STEINWAY CT
SUFFERN, NY 10901

11/32.17-1-9.1
TAUBER MIRIAM
PO BOX 699
MONSEY, NY 10952

11/32.18-1-8
FISCHER JUNE LIVING TRUST
5 STEINWAY CT
SUFFERN, NY 10901

11/32.18-1-2
TOPAL EMANUEL M + ARLENE
1007 HAVERSTRAW RD
SUFFERN, NY 10901

11/32.18-1-7
GOLDGRAB JOSEPH &
NETTA
3 STEINWAY CT
SUFFERN, NY 10901

11/32.18-1-5
FEIG ELIYAHU & AYDELLE M
CIMENT
5 MAURICE LANE
SUFFERN, NY 10901

11/32.14-1-3.2
WESTREICH SAMUEL ZEV
141-25 70TH AVENUE
FLUSHING, NY 11367

89/32.17-2-1
NYS PALISADES INT PK COMM
C/O COUNTY FINANCE DEPT
50 SANATORIUM ROAD
BUILDING A - 8TH FLOOR
POMONA, NY 10970

11/32.18-1-15
REYNOLDS CATHERINE A
TRUST DTD 8/21/03
3 REEDER PL
SUFFERN, NY 10901

11/32.18-1-20
PINSKY AVRAHAM M &
BERNFELD CHANA
2 REEDER PL
SUFFERN, NY 10901

11/32.18-1-14
KATZ STANLEY & JOYCE F
1 REEDER PL
SUFFERN, NY 10901

11/32.18-1-13
FASANO CHRISTINE
2 STEINWAY CT
SUFFERN, NY 10901

11/32.18-1-21
KIECK JUDITH &
IRIZARRY SAMUEL
2 WILDWOOD DR
SUFFERN, NY 10901

11/32.18-1-4
YANIV MATTHEW &
TZIPORAH
6 MAURICE LA
SUFFERN, NY 10901

11/32.14-1-1
SCHOENBERGER ILAN & RHODA
1 BELMAR CT
SUFFERN, NY 10901

11/32.14-1-3.3
SAMET ISRAEL &
WEISS MALKA
6 BELMAR CT
WESLEY HILLS, NY 10901

Item 1.

11/32.17-1-9.2
TOKARSKI JOHN &
SKROCE ELIZABETH
987 HAVERSTRAW RD
SUFFERN, NY 10901

11/32.18-1-12
AMBROSIO JAMES J &
LEE LILA
4 STEINWAY CT
WESLEY HILLS, NY 10901

11/32.18-1-3
ELBAUM YITZCHOK ISAAC &
ESTHER
8 MAURICE LN
SUFFERN, NY 10901

11/32.18-1-22
JAFFE VIOLETTA & JONATHAN
81 WILDER RD
SUFFERN, NY 10901

11/32.18-1-6
FRIED ESTHER
1 STEINWAY CT
SUFFERN, NY 10901

11/32.18-1-1
TOPAL EMANUEL M + ARLENE
1007 HAVERSTRAW RD
SUFFERN, NY 10901

11/32.14-1-2.2
BELMAR ESTATES LLC
C/O FARKAS CHAIM
5 BELMAR COURT
SUFFERN, NY 10901

11/32.14-1-2.1
3 BELMAR CT LLC
3 BELMAR CT
SUFFERN, NY 10901

RECEIVED
VILLAGE OF WESLEY HILLS
DEC 2 2024
BUILDING
PLANNING & ZONING

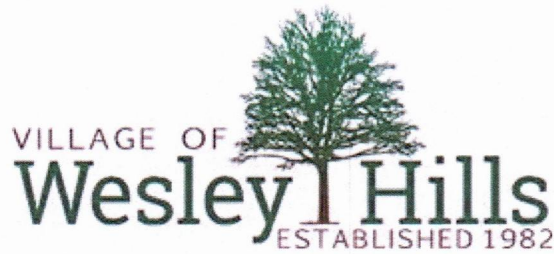
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432 Route 306

Wesley Hills, N.Y. 10952-1221

Phone: 845-354-0400 Fax: 845-354-4097 www.wesleyhills.org

Dated: November 20, 2024

Tax Parcel ID#: 32.I8-I-I9

Address: 7 Steinway Court

Applicant: Nethanel & Deena Samuels

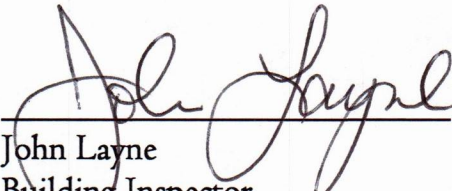
BUILDING AND ZONING DEPARTMENT:

Please be advised that your request for a Certificate of Occupancy for an addition to a Single-Family Home has been denied. The requirements of the Zoning Law of the Village of Wesley Hills have not been satisfied. The following variances are required:

~>Maximum front yard impervious surface ratio of 0.165 where 0.15 is required

~>Minimum front yard of 48' where 50' is required

In addition, the Zoning Board of Appeals may review any previously granted variances if applicable.


John Layne
Building Inspector

cc: Zoning Board of Appeals

32.-1-21

32.-1-22

32.17-2-3

32.17-2-1

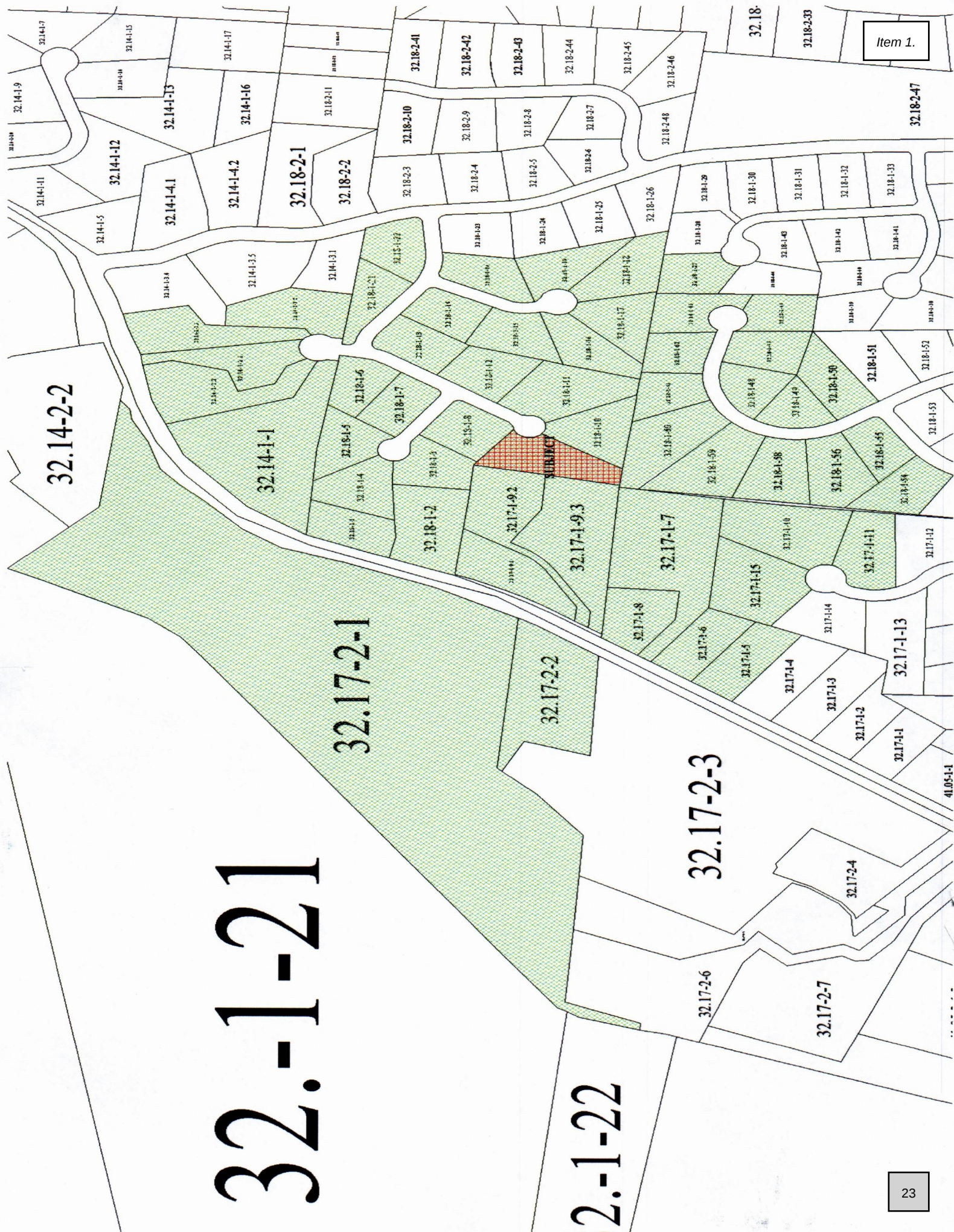
32.17-2-2

32.17-2-7

32.17-2-6

32.17-2-4

Item 1.



11/32.18-1-48
FELDMAN REBECCA
14 DOE DR
SUFFERN, NY 10901

11/32.18-1-54
BURNSTEIN YOCHANAN &
HERZFELD DORIS
5 FAWN LA
SUFFERN, NY 10901

11/32.18-1-56
KAPLAN LEVI & RIVKA
9 DOE DR
SUFFERN, NY 10901

11/32.18-1-46
ITZKOWITZ MARLENE
18 DOE DRIVE
WESLEY HILLS, NY 10901

11/32.17-1-15
DANIEL MARC D & LAURIE
7 BLUE SKY DR
SUFFERN, NY 10901

11/32.17-1-6
969 HAVERSTRAW LLC
7 MONTCLAIR AVE
AIRMONT, NY 10901

11/32.18-1-59
FOX BRYAN & DEBORAH
13 DOE DR
SUFFERN, NY 10901

11/32.17-1-7
MCFADYEN CATHLEEN
971 HAVERSTRAW RD
WESLEY HILLS, NY 10901

11/32.18-1-18
WASSNER GAVRIEL & CHAYAH
6 REEDER PL
SUFFERN, NY 10901

11/32.17-1-9.3
ROSENBLATT MARC J &
THORNTON SERENE
22 HILLSIDE COURT
SUFFERN, NY 10901

11/32.17-1-10
NUNZIATA BERNARD R &
DEBRA
8 BLUE SKY DR
SUFFERN, NY 10901

11/32.18-1-55
JOHNSON JAMES M
7 DOE DR
SUFFERN, NY 10901

11/32.18-1-50
MEDNICK FAMILY TRUST
10 DOE DR
SUFFERN, NY 10901

11/32.18-1-58
FARBER BARBARA
11 DOE DR
SUFFERN, NY 10901

11/32.17-1-5
BRAVER PINCHAS
963 HAVERSTRAW ROAD
SUFFERN, NY 10901

11/32.18-1-45
EHRENREICH ABRAHAM &
BLAU CHANA
21 DOE DR
SUFFERN, NY 10901

11/32.18-1-61
GLOTZER IRA & REGINA
17 DOE DR
SUFFERN, NY 10901

11/32.17-1-8
FISHER WALTER W &
CONSTANCE J
979 HAVERSTRAW RD
SUFFERN, NY 10901

11/32.18-1-17
SWERDLOFF LEE
7 REEDER PL
SUFFERN, NY 10901

89/32.17-2-2
SEPHARDIC CONG OF
SOUTH MONSEY
C/O HAKAKIAN NISSAN
7 BALACHINE CT
MONSEY, NY 10952

Item 1.

11/32.18-1-10
FEINSOD BENJAMIN D. &
SPIRA HADASSA
APT G
221 KEARSING PARKWAY
MONSEY, NY 10952
11/32.17-1-11
BLUE SKY FAMILY TRUST
4101 PINETREE DRIVE APT 122
MIAMI BEACH, FL 33140

11/32.18-1-49
LOUISSAINT PASCAL &
MICHAELIE
12 DOE DR
SUFFERN, NY 10901

11/32.18-1-47
PESSIN MAYER S
73P EDISON COURT
MONSEY, NY 10952

11/32.18-1-27
ENGELSON SAMUEL
14 ROSEWOOD LN
SUFFERN, NY 10901

11/32.18-1-62
FRIED FAY
19 DOE DR
SUFFERN, NY 10901

11/32.18-1-60
GELLMAN DANIEL
99 OVERLOOK ROAD
POMONA, NY 10970

11/32.18-1-16
KEMPER MOISEY & LARIZA
5 REEDER PL
SUFFERN, NY 10901

11/32.18-1-19
HAMERMAN TEHILLA
32 WILDER RD
MONSEY, NY 10952

11/32.18-1-11
SIMONSON WALTER & LOUISE
6 STEINWAY CT
SUFFERN, NY 10901

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11/32.18-1-9
SAMUELS NETHANEL & DEENA
7 STEINWAY CT
SUFFERN, NY 10901

11/32.17-1-9.1
TAUBER MIRIAM
PO BOX 699
MONSEY, NY 10952

11/32.18-1-8
FISCHER JUNE LIVING TRUST
5 STEINWAY CT
SUFFERN, NY 10901

11/32.18-1-2
TOPAL EMANUEL M + ARLENE
1007 HAVERSTRAW RD
SUFFERN, NY 10901

11/32.18-1-7
GOLDGRAB JOSEPH &
NETTA
3 STEINWAY CT
SUFFERN, NY 10901

11/32.18-1-5
FEIG ELIYAHU & AYDELLE M
CIMENT
5 MAURICE LANE
SUFFERN, NY 10901

11/32.14-1-3.2
WESTREICH SAMUEL ZEV
141-25 70TH AVENUE
FLUSHING, NY 11367

89/32.17-2-1
NYS PALISADES INT PK COMM
C/O COUNTY FINANCE DEPT
50 SANATORIUM ROAD
BUILDING A - 8TH FLOOR
POMONA, NY 10970

11/32.18-1-15
REYNOLDS CATHERINE A
TRUST DTD 8/21/03
3 REEDER PL
SUFFERN, NY 10901

11/32.18-1-20
PINSKY AVRAHAM M &
BERNFELD CHANA
2 REEDER PL
SUFFERN, NY 10901

11/32.18-1-14
KATZ STANLEY & JOYCE F
1 REEDER PL
SUFFERN, NY 10901

11/32.18-1-13
FASANO CHRISTINE
2 STEINWAY CT
SUFFERN, NY 10901

11/32.18-1-21
KIECK JUDITH &
IRIZARRY SAMUEL
2 WILDWOOD DR
SUFFERN, NY 10901

11/32.18-1-4
YANIV MATTHEW &
TZIPORAH
6 MAURICE LA
SUFFERN, NY 10901

11/32.14-1-1
SCHOENBERGER ILAN & RHODA
1 BELMAR CT
SUFFERN, NY 10901

11/32.14-1-3.3
SAMET ISRAEL &
WEISS MALKA
6 BELMAR CT
WESLEY HILLS, NY 10901

Item 1.

11/32.17-1-9.2
TOKARSKI JOHN &
SKROCE ELIZABETH
987 HAVERSTRAW RD
SUFFERN, NY 10901

11/32.18-1-12
AMBROSIO JAMES J &
LEE LILA
4 STEINWAY CT
WESLEY HILLS, NY 10901

11/32.18-1-3
ELBAUM YITZCHOK ISAAC &
ESTHER
8 MAURICE LN
SUFFERN, NY 10901

11/32.18-1-22
JAFFE VIOLETTA & JONATHAN
81 WILDER RD
SUFFERN, NY 10901

11/32.18-1-6
FRIED ESTHER
1 STEINWAY CT
SUFFERN, NY 10901

11/32.18-1-1
TOPAL EMANUEL M + ARLENE
1007 HAVERSTRAW RD
SUFFERN, NY 10901

11/32.14-1-2.2
BELMAR ESTATES LLC
C/O FARKAS CHAIM
5 BELMAR COURT
SUFFERN, NY 10901

11/32.14-1-2.1
3 BELMAR CT LLC
3 BELMAR CT
SUFFERN, NY 10901

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

Item 1.

Municipality: Village of Wesley Hills

Date Sent: 12/3/2024

Board: ___ Planning ___ X ZBA ___ Town/Village

Meeting Date: 12/18/2024

File Name Nethanel & Deena Samuels
Contact Person Alicia Schultz, Deputy Village Clerk
Address 432 Route 306
Wesley Hills, NY 10952

Referral Agencies

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

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

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

239 (n): ___ Subdivision
239 (l) & (m): ___ Site Plan X Variance ___
___ Special Permit ___ Zone Change/Amendment
___ Other- _____

Location of Parcel(s): 7 Steinway Court

Acreage of Parcel (s): 1.301

Existing Sq. Footage _____ **Proposed Sq. Footage** _____

The Property in Question Lies Within 500 Feet of:

___ County Road X State Road, Thruway, or Parkway
___ County Stream ___ State Park
___ County Park X Village, Town, or County Boundary
___ County or State Facility (Town of Ramapo)

Map 32.18 **Block** 1 **Lot(s)** 9 **Map Date:** November 19, 2024

Current Zoning: R-50

Brief Project Description: Construction of an addition to a single-family home requiring 2 variances.

Variances Needed *(if applicable)***Required****As-Built**

Item 1.

Minimum front yard

50'

48'

Max. front yard impervious surface ratio

0.15

0.165

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

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

December 11, 2024

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

Tax Data: 32.18-1-9

Re: GENERAL MUNICIPAL LAW REVIEW: Section 239 L and M
Map Date: 11/19/2024

Date Review Received: 12/04/2024

Item: *Samuels - 7 Steinway Court (GML-24-0340)*

Variances for front yard and front yard impervious surfaces to allow a single-family dwelling under construction to be completed. The 1.32-acre parcel is located in the R-50 zoning district. Southwest terminus of Steinway Court, approximately 180 feet southwest of Maurice Lane

Reason for Referral:

Haverstraw Rd (US Route 202), Town of Ramapo

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:

Remand for Local Decision

The proposed action is deemed to have no significant county-wide or inter-community impact under New York State General Municipal Law § 239; therefore, the action is a local decision.



Douglas J. Schuetz
Acting Commissioner of Planning

Samuels - 7 Steinway Court (GML-24-0340)

cc: Mayor Marshall Katz, Wesley Hills
NYS Department of Transportation
Rockland County Department of Health
Rockland County Planning Board
Rockland County Sewer District No. 1
Town of Ramapo Planning Board
Anthony R. Celentano PLS

*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 determine 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 final action it has taken with the County of Rockland Department of Planning within thirty (30) days after final action.

File Attachments for Item:

2. November 20, 2024



ZONING BOARD OF APPEALS MEETING MINUTES

November 20, 2024, 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
 Stefanie Collantes-Bouvry, Member
 Randi Marlin, Member
 Stuart Zelmanovitz, Member
 Anita Hajioff, Ad Hoc

ABSENT: Barry Rozenberg, Ad Hoc

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

Chairman Gewirtz opened the meeting at 7:30 pm.

ITEM #1 – PUBLIC HEARING – 3 CAREFREE LANE – SINGER

Chairman Gewirtz read the public hearing notice into the record. Amy Mele, the applicant's Attorney, accompanied by the applicant Adam Singer, were present and affirmed. Ms. Mele stated that the final As-Built survey differs from the originally approved plans, due to the fact that when they were excavating, they hit a lot of rock, and due to the odd shape of the property, it ended up affecting the side yard setback and need for a variance. Ms. Mele added that the deck was built larger than originally proposed, as the applicant used "Trex" type boards, instead of regular 2" x 4" boards, which in turn impacts the impervious surface and need for a variance there. Ms. Mele stated that the old driveway was very steep and unsafe, so they constructed a longer driveway at the front of the property, which increased impervious surface. so there was an increase in front yard impervious surface and need for a variance, increased total impervious surface and the need for a variance. The pool that has not been built yet will also require a variance for impervious surface.

Doris Ulman stated that the proposed pool area is beyond the proposed edge of disturbance and stated that the Board would like to see the proposed disturbance limit versus the actual line of disturbance. Ms. Ulman questioned what the turnaround area was on the driveway, if it was an actual turnaround area.

Mr. Singer replied that due to the fact that the semi-circular driveway was not feasible for the property, a new driveway with turnaround was created.

Chairman Gewirtz stated that there is no width of the driveway shown on the plan, so that needs to be added. Chairman Gewirtz stated that because they are requesting multiple variances, although the work has been completed, they should try to see if they can reduce some of their requests. Chairman Gewirtz added that if they had tried to reduce impervious surface and not created the semi-circular driveway, they would've needed a variance anyway due to the grade in the front of the property, and they must make sure the drainage is sufficient due to the changes from the original plan.

Amy Mele responded that she will get a certification letter from the Engineer that the drainage is sufficient for this property and will inquire if the patio pavers are included in the impervious calculations, or if they are pervious pavers.

Stanley Zelmanovitz questioned if the pool was constructed yet and what variances are required for the pool.

Amy Mele replied that the pool is the only structure on the property that has not been constructed yet, and the proposed pool plan creates the need for a variance for maximum impervious surface ratio of 0.255 when 0.20 is permitted. Ms. Mele stated this is an increase from the variance needed for maximum impervious surface ratio of 0.231 for the final As Built.

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

Jo Ann Venezia, 5 Carefree Lane, is concerned with the placement of the fence and the color of the proposed fence on the property line they share and would like it to be in uniform with the neighboring properties.

Amy Mele stated that the applicant will work with the neighbors regarding placement & color of the fence.

Chairman Gewirtz made a motion to adjourn this application to the December 18, 2024 meeting with a site visit on December 8, 2024, seconded by Stuart Zelmanovitz. Upon vote, this motion carried unanimously.

ITEM #2 – CONTINUED PUBLIC HEARING – 73 FORSHAY ROAD – CONGREGATION AHAVAS YITZCHAK

Chairman Gewirtz read the public hearing notice into the record. Rachel Barese, the applicant's Engineer, was present and affirmed. Ms. Barese stated that the Congregation was granted variances in July 2019 for maximum impervious surface of 0.56 where 0.25 is allowed, and front yard of 31.9 feet where 50 feet is required. Ms. Barese added that the CoVid pandemic stalled construction and they were granted an extension to begin in 2021. The proposed maximum impervious surface for Phase I is 0.55, and upon Phase II's completion is 0.58, so they will adjust their application to include a variance for the maximum impervious surface increase. Ms. Barese stated that Phase I is to include the parking lot extension of 40 spaces from the current 18 to 58 spaces with 3 ADA compliant handicapped spaces, the ADA ramp, and removal of the

canopy to construct said ramp. Phase II is to include a patio area near the ramp, mostly used for Sukkos, and a small addition to the front and rear of the building for some extra space indoors. Ms. Barese added that the congregation is not looking to greatly expand and have the normal number of families that come and go. Ms. Barese stated that the current variances needed are front yard, to the existing building, of 31.9 feet where 50 feet is required and side yard, to the ADA ramp, of 7 feet where 25 feet is required, and maximum impervious surface ratio of 0.58 where 0.25 is required and 0.48 was approved in the 2021 ZBA process.

Chairman Gewirtz questioned why the proposed ramp is 26 feet wide, as the exiting building is 33 feet from the property line, and the variance requested for side yard is 7 feet for the proposed ADA ramp.

Ms. Barese replied that the ramp has a couple different levels to get down to the basement, and including the stairway that is already there, it makes it a wider ramp area.

Chairman Gewirtz questioned what the approved maximum impervious surface was prior to the stalling of the project.

Ms. Barese stated that the last approved variance for maximum impervious surface was 0.56 in July 2019, and they are now requesting 0.58 for a 2% increase which is minor and coming from the parking lot area. Ms. Barese stated that putting pervious pavers in the patio area to decrease the impervious surface ratio was discussed as part of the plan, but it was decided that impervious materials would be better suited for the patio area.

Stanley Zelmanovitz questioned if they are proposing to remove any trees to create the parking lot area.

Ms. Barese replied that according to the last landscaping plan, there are (7) trees that are to be removed for this project.

Chairman Gewirtz questioned what the time frame to start is for each phase of construction.

Ms. Barese replied that phase I for the parking lot, handicapped ramp, drainage and landscaping they would like to do as soon as possible pending any hiccups, so even if they never collect the funds for phase II, they will get the important items for phase I out of the way.

Richard Weinberger questioned how many congregants belong to the House of Worship. Alicia Schultz replied that the submitted narrative from the application states there are 120 congregants.

Mr. Weinberger stated that he believes there should be more handicapped spaces proposed.

Ms. Barese replied that the ADA requirement is (3) parking spaces, and it is a younger congregation and does not currently utilize (3) spots, but she will look into creating another space or two if possible.

Chairman Gewirtz questioned what the drainage system consists of.

Ms. Barese replied that the underground solid pipes are not relying on infiltration due to soil testing results, so they are tying into the current drainage system and existing basins in the parking lot.

Chairman Gewirtz questioned why porous pavers were not considered for part of the parking lot.

Ms. Barese replied that the soil in the proposed parking lot area is not suitable for pervious pavers to be placed and maintained and inferred that the soil in the proposed patio area, although not tested, is likely to be the same and not cohesive with the pavers.

Doris Ulman requested a response to the Rockland County Highway Department letter dated October 21, 2024.

Ms. Barese answered as follows:

Comment #1: The driveway curb radii appear to be wide. The applicant shall consider reducing the curb radii and increasing the effective radii by extending the asphalt shoulder width.

Response: The width of the driveway is wide enough for County emergency vehicles such as ambulances, fire trucks, etc.

Comment #2: The applicant shall consider dedicating a portion of private land along Forshey Road to the Rockland County for inclusion in the Highway System for the purpose of road widening and drainage improvement. The dedication shall be done in the form of an official deed recorded in the Rockland County Clerk Office.

Response: The applicant was not considering dedicating a portion of the land to the County, but if the County would like to request a portion of the property be dedicated to them, they are more than welcome to request it from the applicant and they will work with them on it.

Comment #3: A stormwater management report shall be prepared for the proposed parking lot and the addition to the existing structure. The report shall consist of treatment and control of runoff discharges from the site. The stormwater runoff analysis shall demonstrate that the proposed development would not increase the peak rate of discharge as it enters the public highway drainage system. Additionally, the ownership, operation and maintenance jurisdictions of the proposed stormwater drainage system shall be clearly identified and shown in the site plan.

Answer: The stormwater management report was previously provided during the Planning Board process. It has been reviewed by the Village Engineer and will continue to work with them to adhere to their requests and requirements.

Comment #4: A permanent drainage easement shall be required as the drainage pipe is connected through the private property.

Answer: Yes, a drainage easement will be provided for the drainage pipe on the private property.

Comment #5: A road work permit shall be obtained from the RCHD prior to starting any construction work on the site.

Answer: Yes, the applicant will apply for a road opening permit from the County Highway Department when the time comes.

Chairman Gewirtz questioned what purpose comment #2 is referring to, in that the County should receive a portion of the property.

Doris Ulman replied that it is intended for future use in case they need to widen the road, and even if a portion is not dedicated now, the County will just take it in the future.

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

Nobody from the audience chose to speak.

Chairman Gewirtz made a motion to adjourn this application to the December 18, 2024 meeting with a site visit on December 8, 2024, seconded by Stefanie Collantes-Bouvry. Upon vote, this motion carried unanimously.

ITEM #3 – CONTINUED PUBLIC HEARING – 2 ARDLEY PLACE - ROSENFELD

Chairman Gewirtz read the public hearing notice into the record. Paul Baum, the applicant's Attorney, was present and affirmed. Mr. Baum distributed an updated As Built survey with current conditions, as well as pictures showing trees that were removed. Mr. Baum added that once the County completes its review, it will be determined if the number of trees removed on Wilder Road in the County's Right of Way were satisfactory to them or if more/all the trees need to be removed and/or an Indemnification Agreement must be provided to the County. Mr. Baum stated that the Board has already granted variances for impervious surface and building heights.

Chairman Gewirtz questioned if the fence and/or trees are on the property line.

Mr. Baum replies that the fence is on the property line and the remaining trees are in the County's right of way, which are to be maintained by the applicant.

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

Jeffrey Nulman, 14 Glenbrook Road, stated that if a tree falls on your property, even if it is on a County Road, it is your responsibility to remove it.

Nobody else from the audience chose to speak.

Randi Marlin made a motion to close the Public Hearing, seconded by Anita Hajioff. Upon vote, this motion carried unanimously.

Chairman Gewirtz stated that a fence that tall should not be on the property line, however being on a County Road where people tend to drive faster than Village Roads, it is understandable that you would want the fence as close to the road as possible, and the structure is not terrible to look at.

Chairman Gewirtz made a motion to approve the application, subject to the Rockland County Highway Department's approval, seconded by Richard Weinberger:

In the Matter of the Application of

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

WHEREAS, application has been made to the Zoning Board of Appeals of the Village of Wesley Hills by Goldy Rosenfeld for a variance from the provisions of Section 230-14L(1) of the Code of the Village of Wesley Hills to permit the maintenance and use of a fence that is 6 feet in height instead of the maximum permitted of 4 feet, and

WHEREAS, after due notice, a public hearing on said application was held by the Zoning Board of Appeals on May 15, 2024, which hearing was continued on June 18, 2024, August 21, 2024, September 18, 2024, October 30, 2024 and November 15, 2024, and

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

That this is a corner property situated at the corner of Wilder Road, a County Road that contains a constant flow of vehicles traveling at fairly high speed levels;

That the 6 foot high fence on applicant's property along Wilder Road not only shields the property from headlights but also helps to abate some of the noise from the vehicles; that these impediments are not addressed by a 4 foot high fence;

That County Highway has not yet approved the fence and the trees that have been planted behind the fence, both of which are in the County right-of way;

That applicant has already removed many trees to provide site distance at the corner of the property, as requested by County Highway; and

WHEREAS, members of the Zoning Board of Appeals visited the site many months ago and the applicant submitted updated photographs showing the remaining trees and their relationship to the fence; and

WHEREAS, no one appeared in opposition to the application,

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

RESOLVED, that the application submitted by Goldy Rosenfeld for a variance from the provisions of Section 230-14L(1) to permit the maintenance and use of a fence that is 6 feet in height instead of the maximum permitted of 4 feet in height is hereby granted subject to compliance with all requirements and permits of the Rockland County Highway Department, and be it further

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

1. That the tress provide screening for the fence so that it is not offensive and is not visible from most of Ardley Place;
 2. That the fence does not interfere with traffic and is not an impediment to persons and vehicle using Wilder Road;
 3. That the condition of the variance that applicant must comply with all requirements of Rockland County Highway will insure that the Highway Department will not be impacted by the use of the fence;
 4. That the benefit to the applicant by granting the variance far outweighs any potential detriment to the community.
- Upon vote, this motion carried unanimously.

ITEM #4 - APPROVAL OF MINUTES – October 30, 2024

Chairman Gewirtz made a motion to approve the October 30, 2024 minutes, seconded by Randi Marlin. Upon vote, this motion carried unanimously.

ADJOURNMENT

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

Respectfully submitted,
Alicia Schultz