



ZONING BOARD OF APPEALS MEETING AGENDA

May 20, 2026 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. The application submitted by Barnett Brodie for a variance from the provisions of Section 230-14L(3) of the Code of the Village of Wesley Hills to permit the construction, maintenance and use of a fence that is 12.66 feet in height instead of the maximum permitted height of 6 feet.

The subject premises are located on the north side of Roven Road 0 feet east of 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.

2. The application submitted by Tara Weitzner for variances from the provisions of Section 230-17 Attachment I of the Code of the Village of Wesley Hills, to permit the maintenance and use of a single-family residence having a front yard of 44.7 feet instead of the minimum required of 50 feet and a total side yard 54.3 feet instead on the minimum requires 60 feet.

The subject premises are situated on the east side of Hillside Terrace approximately 135 feet east of Old Pomona Road, known as 4 Hillside Terrace, designated on the Tax Map as Section 32.20, Block 1, Lot 56, in an R-35 Zoning District.

3. The application submitted by Naomi Streicher for variances from the provisions of Section 230-17 Attachment I, Section 230-140(4)(a) and Section 230-140(5) of the Code of the Village of Wesley Hills to permit the construction, maintenance and use of an addition to an accessory building having a side yard of 28.2 feet instead of the minimum required 30 feet, and being 2,068 square feet instead of the maximum permitted of 900 square feet.

The subject premises are situated on the north side of Lime Kiln Road, known as 27 Lime Kiln Road, designated on the Tax Map as Section 41.07, Block 1, Lot 9, in an R-50 Zoning District.

4. The application submitted by Cong. Trisk Tolna for variances from the provisions of Section 230-17 Attachment I and Section 230-26G(c) of the Code of the Village of Wesley Hills to permit the maintenance and use of a neighborhood gathering and single family residence having a minimum lot area of 28,631 square feet instead of the minimum required of 35,000 square feet, lot width of 100 feet instead of the minimum required of 125 feet, effective square of 100 feet instead of the minimum required of 125 feet, front yard of 32.5 feet instead of the minimum required of 50 feet, side yard of 22.1 feet instead of the minimum required of 25 feet and total side yard of 45.1 feet instead of the minimum required

of 60 feet.

The subject premises are situated on the north side of Glenbrook Road approximately 400 feet west of Moccasin Place, known as 33 Glenbrook Road, designated on the Tax Map as Section 41.10, Block 2, Lot 24, in an R-35 Zoning District.

5. The application submitted by Jacob Kohl pursuant to Section 86-5 and 86-6 of the Code of the Village of Wesley Hills, on appeal of a determination made by the building Inspector of the Village of Wesley Hills requiring the demolition of greenhouse structures at premises known as 799 Union Road in the Village of Wesley Hills.

The subject premises are situated on the west side of Union Road 0 feet north of Grandview, known as 799 Union Road, designated on the Tax Map as Section 42.13, Block 1, Lot 23.5, in an R-35 Zoning District.

DISCUSSIONS

6. Amendment regarding Veterans' Exemptions.

APPROVAL OF MINUTES

7. March 11, 2026 & April 15, 2026

ADJOURNMENT

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
Commissioner

Adam Carsen
Deputy Commissioner

May 15, 2026

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

Tax Data: 41.07-1-9

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

Map Date: 12/31/2025

Date Review Received: 03/17/2026

Item: *27 Lime Kiln Road - Streicher (GML-26-0180)*

A variance application to permit a two-story addition to an existing accessory garage on a 1.33-acre property improved with two detached dwellings in the R-50 zoning district. Variances are requested for side yard and size of an accessory building.

North side of Lime Kiln Road, approximately 1,000 feet west of the intersection with State Route 306

Reason for Referral:

Lime Kiln Rd (County Route 84)

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 proposed expansion of an accessory structure and a minor side yard variance will have minimal impacts on County resources or interests. However, the County does have concerns regarding the permissibility of creating finished living space within a detached structure and whether the use of this space is an appropriate accessory use. The creation of living space within detached structures should be done with explicit controls and guidelines regarding allowed uses. Issues that can have a substantial impact on quality of life and infrastructure capacity, such as the creation of additional dwelling units, the renting of space to non-residents, or the commercial use of a space, can potentially arise in the absence of clear regulations and adequate enforcement.

The proposed expansion will result in a two-story structure with a footprint of approximately 2,000 square feet, which would be on a similar scale to the existing residences on the site. The proposed structure is described as a two-car garage, a home office, and a home gym. However, no interior floor plans were

27 Lime Kiln Road - Streicher (GML-26-0180)

provided. It is not clear whether the improved structure will contain amenities, such as a bathroom or kitchen, that would enable the structure to be used a dwelling. Similarly, no information has been provided that would allow the Village to determine whether the interior of the structure will be used for permissible accessory uses or for unpermitted commercial uses. The Zoning Board of Appeals must be assured that the structure will only be used for appropriate accessory uses. The Village should place explicit restrictions on the use of the structure as a condition of approval and should consider requiring that an affidavit be filed on land records stating these restrictions.

- 2 A review must be completed by the Rockland County Department of Health to ensure compliance with Article XIX (Mosquito Code) of the Rockland County Sanitary Code.
- 3 The applicant must comply with all comments made by the Rockland County Sewer District No.1 in their review dated March 23, 2026.
- 4 A review must be completed by the Rockland County Highway Department, 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 Schuetz
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
Robert E. Sorace, PLS

27 Lime Kiln Road - Streicher (GML-26-0180)

*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.