



## ZONING BOARD OF APPEALS MEETING MINUTES

March 11, 2026 at 7:30 PM  
432 Route 306, Wesley Hills, NY 10952  
Phone: 845-354-0400 | Fax: 845-354-4097

---

### CALL TO ORDER

Chairman Gewirtz called the meeting to order at 7:34 pm.

### ROLL CALL

**MEMBERS PRESENT:** Chairman Jonathan Gewirtz  
Member Stefanie Collantes  
Member Barry Rozenberg  
Member Stuart Zelmanovitz

**ABSENT:** Member Randi Marlin  
Ad Hoc Anita Hajioff

**OTHERS PRESENT:** Doris Ulman, Assistant Village Attorney  
Stephanie Caputo, Secretary to the Planning and Zoning Boards

### CONTINUED PUBLIC HEARING

1. **The application submitted by Nancy Rubin on behalf of Aaron Zelefsky for variances from the provisions of Section 230-17 Attachment I of the Code of the Village of Wesley Hills, to permit the construction, maintenance and use of a single family residence having a side yard of 24.9 feet instead of the minimum required of 25 feet, impervious surface ratio of .259 instead of the maximum permitted of .25 and building coverage of .134 instead of the maximum permitted of .105.**

**The property is part of an average density subdivision filed in the Rockland County Clerk's office as Map No. 4479, Book 86, Page 58. The subject premises are situated on the south side of Roven Road approximately 400 feet east of Carefree Lane, known as 10 Roven Road, designated on the Tax Map as Section 41.11, Block 1, Lot 4, in an R-50 Zoning District.**

Chairman Gewirtz read the Public Hearing Notice into the record.

Jerry Steinfeld, Applicant's contractor, was present and affirmed to tell the truth. Mr. Steinfeld stated

that they have submitted revised plans along with letters of support. Mr. Steinfeld stated that the applicant would like to build a new house for their growing family and guests that come to visit. Mr. Steinfeld stated that the applicant has reduced the size of the house, so the side yard variance is not needed, and the building coverage and impervious surface have been reduced. Mr. Steinfeld stated that the home is not larger than the home that was previously built.

Chairman Gewirtz read the following letters of support into the record.

Mr. Barnett and Elana Brodie, at 18 Roven Road are in support of the application.  
Yehuda Rothschild at 16 Roven Road is in support of the application.  
Mr. Gary and Jadine at 8 Roven Road are in support of this application.  
Mr. Jay and Naomi Pollack, 14 Dike Drive are in support of this application.  
Mr. Moses and Diane Ginsberg at 2 Dike Drive are in support of this application.  
Mr. Steven and Blima Edelstein at 14 Roven Road are in support of this application.  
Mr. Simon and Sarah Gold at 12 Roven Road are in support of this application.  
Mr. Michael and Adina Finklestein at 12 Dike Drive are in support of this application.

Chairman Gewirtz asked if anyone from the public wished to speak.

No one from the public spoke

Chairman Gewirtz stated that the 24.9 variance is no longer needed, which lowered the other variances needed.

Stuart Zelmanovitz stated that the property was lined with mature trees which would cover the yard.

Stuart Zelmanovitz made a motion to close the Public Hearing, seconded by Stefanie Callantes. Upon vote, this motion carried unanimously.

Stuart Zelmanovitz made a motion to approve this application, seconded by Barry Rozenberg. Upon vote, this motion carried unanimously.

**In the Matter of the application of**

**Nancy Rubin on behalf of Aaron Zelefsky**

**Premises situated on the south side of Roven Road**

**Approximately 400 feet east of Carefree Lane, known**

**As 10 Roven Road, designated on the Tax Map as Section**

**41.11 Block 1 Lot 4, in an R-50 Zoning District**

**WHEREAS**, application has been made to the Wesley Hills Zoning Board of Appeals by Nancy Rubin on behalf of Aaron Zelefsky for variances from the provisions of Section 230-17 Attachment I of the Code of the Village of Wesley Hills, to permit the construction, maintenance and use of a single-family residence having a side yard of 24.9 feet instead of the minimum required of 25 feet, impervious surface ratio of .259 instead of the maximum permitted of .25 and a building coverage of .134 instead of the maximum permitted of .105, and

**WHEREAS**, after due notice, a public hearing on said application was held by the Zoning Board of Appeals on February 18, 2026, which hearing was continued on March 11, 2026, and

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

That the applicant needs a larger house than the one existing for his large family and visitors;

That this is an average density lot of 32,472 square feet, although this is an R-50 zoning district;

That based upon the Board's concerns the applicant has agreed to reduce the size of the house so that the side yard variance is no longer needed and the building coverage and impervious surface ratio have been reduced, and

**WHEREAS**,

Members of the Zoning Board of Appeals visited the site and viewed the proposed location of the residence, and

**WHEREAS**, many people submitted letters of support 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 Nancy Rubin on behalf of Aaron Zelefsky for variances from the provisions of Section 230-17 Attachment I of the Code of the Village of Wesley Hills, to permit the construction, maintenance and use of a single family residence having a side yard of 24.9 feet instead of the minimum required of 25 feet, impervious surface ratio of .259 instead of the maximum permitted of .25 and building coverage of .134 instead of the maximum permitted of .105 is hereby amended by deleting the request for the side yard variance and reducing the impervious ratio variance request to .252 and reducing the building coverage variance request to .129, and be it further

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

1. That the Zoning Board of Appeals appreciates the applicant's cooperation in reducing the requested variances to the minimum required for construction of the residence;
2. That the variances are not substantial in relation to the requirement, the impervious surface ratio being only a fraction above the requirement and the building coverage being less than 25% of the requirement;
3. That this is an undersized lot for the R-50 Zoning District and the size of the house is not excessive at 3900 square feet compared to the other houses in the Village;
4. That the proposed house is in character with other houses on Roven Road;
5. That many neighbors submitted letters in support of the application;
6. That the benefit to the applicant by granting the variance is substantial, whereas no detriment to the neighborhood or to the community has been identified

2. **The application submitted by Norman Pomeranz for variances from the provisions of Section 230-17 Attachment I of the Code of the Village of Wesley Hills, to permit the construction, maintenance and use of a cabana having a side yard of 20.1 feet instead of the minimum required of 25 feet, total side yard of 55.3 feet instead of the minimum required of 60 feet and rear yard of 20 feet instead of the minimum required of 50 feet.**

**The subject premises are situated on the north side of Glenbrook Road approximately 260 feet west of Van Winkle Road, known as 5 Glenbrook Road, designated on the Tax Map as Section 41.11, Block 1, Lot 57, in an R-35 Zoning District.**

Chairman Gewirtz read the Public Hearing Notice into the record.

Todd Rosenblum, Applicant's architect, was present and affirmed to tell the truth. Mr. Rosenblum stated that they are before the Board to extend the two variances that were previously granted in April 2024, and need a variance for the rear yard set back. Mr. Rosenblum stated that the homeowners want to construct a cabana in the northwest corner of the property.

Chairman Gewirtz stated that the neighbor who faces the pool has no windows that face the area. Chairman Gewirtz questioned what the square feet and height of the cabana?

Todd Rosenblum stated that the cabana is 400 square feet and 1/3 of this is an open porch and the height is 15 feet.

Chairman Gewirtz stated that extending the variances to include the cabana is acceptable.

Chairman Gewirtz asked if anyone from the public wished to speak.

No one from the public wished to speak.

Stuart Zelmanovitz stated that the cabana cannot be seen from the street.

Stefanie Callantes questioned if the cabana can be placed anywhere else on the property, or can it be turned?

Todd Rosenblum stated that if he was to change the position of the cabana, it would cause the variances to be larger.

Chairman Gewirtz stated that he read letters of support into the record at the last meeting.

Barry Rozenberg made a motion to close the public hearing, seconded by Stefanie Collantes. Upon vote, this motion carried unanimously.

Stefanie Collantes made a motion to approve the application with the condition of the screening being maintained and to extend the variances to cover the cabana, seconded by Stuart Zelmanovitz. Upon vote, this motion carried unanimously.

**In the Matter of the application of**

**Norman Pomeranz**

**Premises situated on the north side of Glenbrook**

**Road approximately 260 feet west of Van Winkle**

**Road, known as 5 Glenbrook Road, designated on**

**The Tax Map as Section 41.11, Block 1, Lot 57, in**

**An R-35 Zoning District**

**WHEREAS**, application has been made to the Zoning Board of Appeals of the Village of Wesley Hills by Norman Pomeranz for variances from the provisions of Section 230-17 Attachment I of the Code of the Village of Wesley Hills to permit the construction, and maintenance and use of a cabana having a side yard of 20.1 feet instead of the minimum required 25 feet, total side yard of 55.3 feet instead of the minimum required of 60 feet and a rear yard of 20 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 18, 2026, which hearing was continued on March 11, 2026, and

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

That in 2024 the applicant received side yard variance and total side yard variances from this Board for the construction of the residence;

That the variances requested in the current application are an extension of those variances for the cabana and does not increase the size of the variances;

That in addition the applicant is requesting a rear yard variance for the cabana;

That the reason the cabana needs the larger rear yard variance is because it is accessory to the inground swimming pool and must be placed near the swimming pool;

That the cabana is 400 square feet of which 1/3 is an open porch;

That only the 15-foot width of the cabana faces the rear property line and that is not visible to the adjacent property because of the dense screening along the rear and side of the property;

That applicant is using pervious pavers in several areas of the property to avoid the need for impervious surface variances and to improve drainage on the lot, and

**WHEREAS**, members of the Zoning Board of Appeals visited the site and viewed the proposed location of the cabana and the existing screening, and

**WHEREAS**, no one appeared in opposition to the application,

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

**RESOLVED**, that the application submitted by Norman Pomeranz for variances from the provisions of Section 230-17 Attachment I of the Code of the Village of Wesley Hills to permit the construction, maintenance and use of a cabana having a side yard of 20.1 feet instead of the minimum required of 25 feet, total side yard of 55.3 feet instead of the minimum required of 60 feet and a rear yard of 20 feet instead of the minimum required of 50 feet, plot plan prepared by Civil Tech Engineering as last revised December 22, 2025, is hereby approved on the condition that the existing 52 arborvitae at a minimum of 5 to 6 feet in height be maintained to screen the cabana from adjoining properties, and be it further

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

1. That this lot, like others on Glenbrook Road, is narrower than most lots in the R-35 Zoning District and creates the need for the side yard variances;

2. That the cabana, as an accessory to the pool and being used almost exclusively for the pool, has been placed near the pool, which creates the large rear yard variance;
3. That the dense screening at 5 to 6 feet in height, which is required to be maintained, reduces any potential impacts on adjoining properties;
4. That the benefit to the applicant by granting the variances is substantial, whereas any detriment to adjoining properties or to the neighborhood has been addressed in this resolution.

3. **The application submitted by 7 Bruck Court LLC for a variance from the provisions of Section 230-17 Attachment I of the Code of the Village of Wesley Hills, to permit the construction, maintenance and use of a single family residence and cabana having building coverage of .15 instead of the maximum permitted of .138.**

**The subject premises are situated on the west side of Bruck Court approximately 160 feet north of Charlotte Drive, known as 7 Bruck Court, designated on the Tax Map as Section 41.08, Block 2, Lot 12, in an R-35 Zoning District.**

Chairman Gewirtz read the Public Hearing Notice into the record.

Todd Rosenblum, Applicant's architect, was present and affirmed to tell the truth. Mr. Rosenblum stated that they are here for building coverage variance to construct a new single family home and cabana. Mr. Rosenblum stated that the home is one story and wheelchair accessible and, since there are no steps, the applicant would like to cover the entryways with porches.

Chairman Geewirtz stated that the home itself is in character with the neighborhood and does not look excessively large because of the design and because the cabana space is not very large.

Stefanie Collantes stated she understands the need for the variances.

Chairman Gewirtz read the following letters of support into the record.

Mr. Heshey Kleinman at 14 Bruck Court is in support of this application.  
Mr. Kenneth Reichuen at 22 Deerwood Road is in support of this application.  
Mr. Alan Klein at 19 Charlotte Drive is in support of this application.  
Mr. David Wolf at 20 Deerwood Drive is in support of this application.

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

No one from the public wished to speak.

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

Chairman Gewirtz made a motion to approve the Application, seconded by Stefanie Collantes. Upon vote, this motion was carried unanimously.

**In the Matter of the application of  
7 Bruck Court LLC  
Premises situated on the west side of Bruck Court  
Approximately 160 feet north of Charlotte Drive,  
known as 7 Bruck Court, designated on the Tax Map  
as Section 41.08, Block 2, Lot 12, in an R – 35 Zoning District**

**WHEREAS**, application has been made to the Zoning Board of Appeals of the Village of Wesley Hills by 7 Bruck Court LLC for a variance from the provisions of Section 230-17 Attachment I of the Code of the Village of Wesley Hills to permit the construction, maintenance and use of a single-family residence and cabana having a Building Coverage of .15 instead of the maximum permitted of .138, and

**WHEREAS**, after due notice, a public hearing on said application was held by the Zoning Board of Appeals on February 18, 2026, which hearing was continued on March 11, 2026, and

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

That this is a one-story residence with covered porches and no stairs;

That the house itself is compliant with the Building Coverage maximum, but the percentage is exceeded by the small cabana and the covered porches;

That the owners are elderly, which is why they need the one-story house and covered porches, and

**WHEREAS**, members of the Zoning Board of Appeals visited the site and viewed the partially constructed residence and cabana placement; and

**WHEREAS**, no one appeared in opposition to the application and several letters were submitted in support,

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

**RESOLVED**, that the application submitted by 7 Bruck Court, LLC for a variance from the provisions of Section 230-17 Attachment I of the Code of the Village of Wesley Hills, to permit the construction, maintenance and use of a single family residence and cabana having a Building Coverage of .15 of the maximum permitted of .138, plot plan prepared by Sparaco and Youngblood, dated November 19, 2025, is hereby approved, and be it further

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

1. That the variance is not substantial in relation to the requirement, it being less than 10 % of the requirement;
2. That the porches and cabana have large open spaces so that they do not look massive;
3. That the house is in character with the other houses in the neighborhood;
4. That the benefit to the applicant by granting is substantial whereas no detriment to the neighborhood or to the community has been identified.

4. **The application submitted by Mark Friedman for variances from the provisions of Section 230-17 Attachment I and Section 230-140(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, cabana, tennis court and pergola having side yard of 25 feet for the cabana instead of the minimum required of 30 feet, rear yard of 28 feet instead of the minimum required of 50 feet, impervious surface ratio of .39 instead of the maximum permitted of .20 and a front yard impervious surface ratio of .23 instead of the maximum permitted of .15.**

**The subject premises are situated on the east side of Martha Road approximately 350 feet south of Grandview Avenue, known as 12A Martha Road, designated in the Tax Map as Section 41.14, Block 1, Lot 62, in an R-50 Zoning District.**

Chairman Gewirtz read the Public Hearing Notice into the record.

Amy Mele ESQ., Applicant's Attorney, was present and stated they have revised plans with the added drainage to prevent water runoff into the neighboring properties, along with a schematic landscape plan.

Devon Crichlow, Applicant's engineer, was present and affirmed to tell the truth. Mr. Crichlow presented the Board members with visual handouts.

Barry Rozenberg questioned: instead of a tennis court, could it be a pickleball court, which would be smaller.

Amy Mele stated that their family avidly plays tennis.

Chairman Gewirtz questioned where the drainage was?

Devon Cichlow stated that they have added more drywells and a drain along the pool and cabana.

Chairman Gewirtz questioned how the drain between the pool and cabana would work.

Devon Cichlow stated that the drain alongside the pool will collect runoff from the pools and run down the drain to a field which drains into the drywell in the northwest corner.

Doris Ulman, Assistant Village Attorney, questioned if the applicant needed an override for the Rockland County Department of Planning letter?

Amy Mele stated that they do not need an override, as they feel they have addressed everything in the letter.

Chairman Gewirtz questioned if a berm should be added in the northwest corner.

Devon Cichlow stated they can address this.

Chairman Gewirtz asked if anyone from the public wished to speak.

Janice Golda, 16 Martha Road, was present and affirmed to tell the truth. Ms. Golda stated that over the past five years the property has been raised higher than hers, and she is concerned about the water coming onto her property.

Jeff Golda, 16 Martha Road, was present and affirmed to tell the truth. Mr. Golda stated that he is in support of recreation, but this is a large house and would like to see more drainage added.

Mike Rosenberg, 12 Martha Road, was present and affirmed to tell the truth. Mr. Rosenberg stated that the property is higher than his and is concerned about the water running off the driveway. Mr. Rosenberg questioned if they put a berm where the walking path is along the tennis court?

Devon Circhlo stated that they can look over everything and add the berm and more drainage where it is needed.

Stuart Zelmanovitz made a motion to close the public hearing, seconded by Chairman Gewirtz.

Stuart Zelmanovitz stated that this is a large variance. It seems the only thing that seems to be a concern is the drainage.

Chairman Gewirtz stated that the applicant is willing to add more drainage.

Barry Rozenburg stated that there is a lot of impervious surface.

Stuart Zelmanovitz made a motion to approve the application with conditions that landscaping be approved by the Planning Board and add more drainage and the agency letters, seconded by Stefanie Collantes.

Approved - 3

Abstention — 1

**In the Matter of the application of**

**Mark Friedman**

**Premises situated on the east side of Martha Drive**

**Approximately 350 feet south of Grandview Ave,**

**Known as 12A Martha Drive, designated on the Tax Map as**

**Section 41.14 Block 1 Lot 62, in an R-50 Zoning District**

**WHEREAS**, application has been made to the Zoning Board of Appeals of the Village of Wesley Hills by Mark Friedman 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, cabana, tennis court and pergola having a side yard of 25 feet for the cabana instead of the minimum required of 30 feet, rear yard of 28 feet instead of the minimum required of 50 feet, impervious surface ratio of .39 instead of the maximum

permitted of .20 and the front yard impervious surface ratio of .23 instead of the maximum permitted of .15, and

**WHEREAS**, after due notice a public hearing on said application was held by the Zoning Board of Appeals on February 18, 2026, which hearing was continued on March 11, 2026, and

**WHEREAS**, the applicant appeared by his attorney and his engineer, who testified as follows:

That this is a flag lot which accounts for a large portion of the front yard impervious surface ratio;

That applicants are avid tennis players and require the professional size tennis court, which increases the impervious surface ratio;

That this lot is 80,000 square feet which can accommodate the family's recreational needs, and

**WHEREAS**, the owners of two neighboring properties testified that the subject property has a higher elevation than their properties, that all three properties are wet and have drainage problems and that they are concerned that construction at the subject property will increase the water problems on their properties, and

**WHEREAS**, the applicant's attorney and engineer assured the Board and the neighbors that they would provide sufficient drywells and other drainage structures on the property to guarantee no increase in water runoff; and

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

**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 Friedman for variances from the provisions of Section 230-17 Attachment I and Section 230-140(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, cabana, tennis court and pergola having a side yard of 25 feet for the cabana instead of the minimum required of 30 feet, rear yard of 28 feet instead of the minimum required of 50 feet, impervious surface ratio of .39 instead of the maximum permitted of .20 and front yard impervious surface ratio of .23 instead of the maximum permitted of .15, Building Permit Plan dated of December 7, 2020, as last revised March 6, 2026, is hereby approved, subject to the following conditions:

1. That applicant submits a landscaping plan providing screening for adjacent properties from the pool and tennis court and providing for some absorption of water from overall construction, said landscaping plan is to be approved by the Wesley Hills Planning Board;
2. That applicant installs a berm along the walking path near the tennis court;

3. The applicant provides sufficient drainage structures to prevent an increase in water runoff, subject to approval of the Village Engineer;
4. Compliance with GML review letter from Rockland County Planning Department dated February 4, 2026;
5. Compliance with Rockland County Sewer District No 1 letter dated February 4, 2026;
6. Compliance with any other Rockland County Agency review letters submitted in accordance with the GML review, and be it further

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

1. That although the impervious surface ratio and front yard impervious surface ratio variances are large, this is an oversized lot at 80,000 square feet and a large part of the impervious surface is caused by the driveway, the swimming pool and tennis court, which have no height and do not impact the aesthetics of the neighborhood;
2. That although the subject lot and adjacent lots currently have water problems, these will not be exacerbated by the proposed construction because of the conditions imposed by the Zoning Board of Appeals;
3. That the benefit to the applicant by granting the variances is substantial, whereas any detriment to adjoining properties or to the neighborhood by water runoff will be addressed by the applicant's engineer and corrections overseen by the Village Engineer.

5. **The application submitted by Saul Horowitz for a variance from the provisions of Section 230-17 Attachment I of the Code of the Village of Wesley Hills, to permit the maintenance and use of a deck having a side yard of 15.6 feet instead of the minimum required of 25 feet and a total side yard of 41.9 feet instead of the minimum required of 60 feet.**

**The subject premises are situated on the north side of East Willow Tree Road approximately 120 feet west of Arcadian Drive, known as 21 Rochelle Lane, designated on the Tax Map as Section 41.08, Block 2, Lot 58.8, in an R-35 Zoning District.**

Chairman Gewirtz read the Public Hearing Notice into the record.

Paul Baum, Applicant's Attorney, was present. Mr Baum stated that they are seeking a variance for a deck that has already been built. Mr Baum stated that the deck has a certificate of occupancy that was issued in 2008. Mr. Baum stated that they have letters of support for this application.

Chairman Gewirtz read the letters of support into the record.

Horowitz Family Trust, 21 Rochelle Lane is in support of this application.

Michael Rothchild, 14 Rochelle Lane is in support of this application. This property is closest to the

deck.

Chairman Gewirtz asked if anyone from the public wished to speak.

No one from the public wished to speak.

Barry Rozenberg made a motion to close the public hearing, seconded by Stefanie Collantes. Upon vote, this motion carried unanimously.

Stefanie Collantes made a motion to approve this application, seconded by Barry Rozenburg. Upon vote, this motion carried unanimously.

**In the Matter of the application of**

**Saul Horowitz**

**Premises situated on the north side of East Willow**

**Tree Road approximately 120 Feet west of Arcadian Drive,**

**Known as 21 Rochelle Lane, designated on the Tax Map as**

**Section 41.08 Block 1 Lot 58.8 in an R-35 Zoning District**

**WHEREAS**, application has been made to the Zoning Board of Appeals of the Village of Wesley Hills by Saul Horowitz 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 deck having a side yard of 15.6 feet instead of the minimum required of 25 feet and a total side yard of 41.9 feet instead of the minimum required of 60 feet, and

**WHEREAS**, after due notice, a public hearing on said application was held by the Zoning Board of Appeals on February 18, 2026, which hearing was continued on March 11, 2026, and

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

That the applicant's father had the deck built and received a certificate of occupancy for the deck in 2008;

That neither the applicant nor his father knew that a variance was required nor did the Building Inspector raise the issue in 2008;

That the current Building Inspector notified the applicant that the deck was in violation even though it had a certificate of occupancy back in 2008; and

**WHEREAS**, applicant submitted a letter in support of the application from his neighbor, who owns the property closest to the deck, and

**WHEREAS**, members of the Zoning Board of Appeals visited the site and viewed the placement of the deck,

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

**RESOLVED**, that the application submitted by Saul Horowitz 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 deck having a side yard of 15.6 feet instead of the minimum required of 25 feet and a total side yard of 41.9 feet instead of the minimum required of 60 feet is hereby approved, and be it further

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

1. That the deck received a certificate of occupancy 18 years ago and, upon information and belief, there have been no complaints against it since that time;
  2. That applicant believed that the deck was legal until the current Building Inspector advised him that it was not;
  3. That the neighbor owning property closest to the deck has submitted a letter in support of the application;
  4. That the interests of justice require that the application be approved because the applicant had no knowledge that the deck was illegal and, for 18 years, relied on the fact that a certificate of occupancy had been issued for the deck;
  5. 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.
6. **The application submitted by Dov and Freda Hook for a variance from the provisions of Section 230-17 Attachment I of the Code of the Village of Wesley Hills, to permit the construction, maintenance and use of an addition to a single family residence having a side yard of 15 feet instead of the minimum required of 30 feet.**

**The subject premises are situated on the north side of Timber Trail approximately 790 feet east of Wilder Road, known as 21 Timber Trail, designated on the Tax Map as Section 32.14, Block 1, Lot 13, in an R-50 Zoning District.**

Chairman Gewirtz read the Public Hearing Notice into the record.

Dov Hook, the Applicant, was present and affirmed to tell the truth. Mr. Hook stated that they would like to replace the rotting deck and build an enclosed structure.

Chairman Gewirtz stated that at the site visit, they saw a drop-off of 60 to 70 feet behind where the deck is.

Stefanie Collantes questioned if the structure was going to be two levels.

Dov Hook stated that it is just going to one level.

Chairman Gewirtz asked if anyone from the public wished to speak.

No one from the public wished to speak.

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

Stuart Zelmanovitz made a motion to approve this application, seconded by Barry Rozenberg. Upon vote, this motion carried unanimously.

**In the Matter of the application of**

**Dov and Freida Hook**

**Premises situated on the north side of Timber Trail**

**Approximately 700 feet east of Wilder Road, known as**

**21 Timber Trail, designated on the Tax Map as Section**

**32.14 Block 1 Lot 13, in an R-50 Zoning District**

**WHEREAS**, application has been made to the Zoning Board of Appeals of the Village of Wesley Hills by Dov and Frieda Hook for a variance from the provisions of Section 230-17 Attachment I of the Code of the Village of Wesley Hills, to permit the construction, maintenance and use of an addition to a single family residence having a side yard of 15 feet instead of the minimum required of 30 feet, and

**WHEREAS**, after due notice, a public hearing on said application was held by the Zoning Board of Appeals on February 18, 2026, which was continued on March 11, 2026, and

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

That there is currently a rotted deck in the same location as the proposed addition;

That applicant proposes to replace the one-story deck with a one story addition to the residence;

That no other property is affected by the proposed addition because there is a drop-off of the property behind the proposed addition, and

**WHEREAS**, members of the Zoning Board of Appeals visited the site and viewed the location of the proposed addition and its proximity to the cliff/drop off, and

**WHEREAS**, no one appeared in opposition to the application,

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

**RESOLVED**, that the application submitted by Dov and Frieda Hook for a variance from the provisions of Section 230-17 Attachment I of the Code of the Village of Wesley Hills to permit the construction , maintenance and use of an addition to a single family residence having a side yard of 15 feet instead of the minimum required of 30 feet, is hereby approved, and be it further

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

1. That the proposed addition is a replacement to an existing porch and will not add setbacks that do not already exist, although the new addition will have a larger impact than the existing deck;
2. That behind the proposed addition is a cliff with a drop-off of 60 to 70 feet;
3. That no adjoining properties will be affected by the construction of the addition;
4. That the benefit to the applicant by granting the variance is substantial, whereas no detriment to adjacent properties of the community has been identified.

7. **The application submitted by Cheskel March for variances from the provisions of Section 230-17 Attachment I and 230-31 of the Code of the Village of Wesley Hills, to permit the construction, maintenance and use of an addition to a residence having a total side yard of 45 feet instead of the minimum required of 60 feet, impervious surface ratio of .389 instead of the maximum permitted of .25 and building coverage of .206 instead of the maximum permitted of .10.**

**The subject premises are situated on the south side of Grandview Avenue approximately 200 feet west of Forshay Road, known as 174 Grandview Avenue, designated on the Tax Map as Section 41.14, Block 1, Lot 51, in an R-35 Zoning District.**

Chairman Gewirtz read the Public Hearing Notice into the record.

Mendy Ornter, Applicant's representative, was present and affirmed to tell the truth. Mr Ornter stated that they have submitted new plans for the board to review. Mr. Ornter stated that the applicant is proposing an addition to the residence. Mr. Ornter stated that they have requested an override from the County Highway Department, but they have not heard back from them.

Chairman Gewirtz stated that this is a small property and anything that will be done will exacerbate the conditions.

Mendy Ornter stated that the variances that they are requesting are not significant.

Doris Ulman stated that the property is crowded with all the structures. Ms. Ulman stated that the applicant has not reduced the proposed addition.

Mendy Ornter stated that the applicant does not need to give up the land to the Rockland County Highway Department.

Doris Ulman stated that the applicant will need to provide a letter from the Rockland County Highway

Department, in order to rescind the requirement.

Cheskel March, homeowner of 174 Grandview Ave, was present and affirmed to tell the truth. Mr. March stated that he has a growing family and would like the Board to approve this application.

Stefanie Collantes stated that these are large variances.

Barry Rozenberg stated that this is not the property to build this large addition on.

Chairman Gewirtz stated that the applicant could ask for an adjournment to look at their plans and make adjustments.

Mendy Ornter stated that they would like to be adjourned to the April 15, 2026, meeting.

Stuart Zelmanovitz made a motion to adjourn this application to the April 15, 2026, meeting, seconded by Barry Rozenberg. Upon vote, this motion carried unanimously.

## **PUBLIC HEARING**

8. **The application submitted by Ahuva Katz Cherns for a variance from the provisions of Section 230-140(5) of the Code of the Village of Wesley Hills, to permit the maintenance and use of a cabana that is 2,337 square feet instead of the maximum permitted of 900 square feet.**

**The subject premises are situated on the north side of Willow Tree Road approximately 700 feet west of New York State Route 306, known as 38 Willow Tree Road, designated on the Tax Map as Section 41.07, Block 2, Lot 33, in an R50 Zoning District.**

Chairman Gewirtz read the Public Hearing Notice into the record.

Amy Mele, ESQ, Applicant's representative, was present. Ms. Mele stated that this application has been held up in litigation. Ms. Mele stated that the Building Inspector misread the code for the accessory structure. Ms. Mele stated that there is no impact on the neighborhood.

Chairman Gewirtz stated that you can see the structure from the road, and it does have an impact on the neighborhood.

Yisroel Cherns, 38 Willow Tree Road, was present and affirmed to tell the truth. Mr. Cherns stated that the Board has done two site visits previously. Mr. Cherns stated that if the variance is not granted, he can attach the building to the house, but he believes this would have a greater impact on the neighborhood.

Stuart Zelmanovitz stated that this is not self-created.

Chairman Gewirtz questioned what is in the cabana?

Yisroel Cherns stated that there is a loft for storage, there is a mikvah, cold plunge, and Spa in the cabana. Mr. Cherns stated that bushes have been planted around the cabana.

Chairman Gewirtz asked if anyone from the public wished to speak.

No one from the public wished to speak.

Chairman Gewirtz stated that the applicant has acted in good faith.

Stuart Zelmanovitz made a motion to approve this application, with the condition that adequate screening be installed on the front and side of the property to screen the cabana from the road, seconded by Stefanie Collantes. Upon vote, this motion was approved.

3 Ayes

1 Nay

**In the Matter of the application of**

**Ahuva Katz Cherns**

**Premises situated on the north side of Willow**

**Tree Road approximately 700 feet west of New**

**York 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**

**WHEREAS**, application has been made to the Zoning Board of Appeals of the Village of Wesley Hills by Ahuva Katz Cherns for a variance from the provisions of Section 230-140(5) of the Code of the Village of Wesley Hills to permit the maintenance and use of a cabana that is 2,337 square feet instead of the maximum permitted of 900 square feet, and

**WHEREAS**, after due notice, a public hearing on said application was held by the Zoning Board of Appeals on the 18<sup>th</sup> day of June 2025, which hearing was continued on March 11, 2026, and

**WHEREAS**, the applicant appeared by her attorney and her representative, who testified as followed:

That applicant received a building permit for construction of the 2,337 square foot cabana and began construction of the cabana;

That thereafter applicant received notification from the Building Inspector that he had made a mistake and that the law does not permit an accessory building that is larger than 900 square feet;

That applicant immediately stopped construction and applied to this Board for a variance;

That when the building permit was issued the applicant did not know that there was a limitation on the size of the accessory buildings;

That the property is greater than one acre and the building is aesthetically pleasing and does not adversely impact surrounding properties or the neighborhood;

That a resident brought a lawsuit against the applicant and the Village which is the reason this application was not heard until tonight; that the lawsuit has since been withdrawn, and

**WHEREAS**, members of the Zoning Board of Appeals visited the site and viewed the size and placement of the cabana, and

**WHEREAS**, no one appeared in opposition to the application,

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

**RESOLVED**, that the application submitted by Ahuva Katz Cherns for a variance from the provisions of Section 230-14O(5) to permit the maintenance and use of a cabana that is 2,337 square feet instead of the maximum permitted of 900 square feet is hereby granted subject to the condition that adequate screening be installed along the front and side of the property to screen the building from view, said screening to be approved by the Village Engineer, and be it further

**RESOLVED**, that the Zoning Board of Appeals hereby makes the following Finding of Facts:

1. That the applicant had no knowledge of the size limitation of accessory buildings when she applied for and received the building permit for the cabana;
2. That, relying on the Building Inspector's determination, the applicant spent considerable amounts of money on construction of the cabana and it will be damaged if the building has to be torn down;
3. That applicant could attach the cabana to the residence with a long roof, but this would create a massive, unattractive building;
4. That the benefit to the applicant by granting the variance is substantial, whereas any detriment to the neighborhood or to the community will be addressed by the condition requiring screening to be installed as required above.

## **DISCUSSIONS**

### **APPROVAL OF MINUTES**

#### **9. February 18, 2026 and December 29, 2025**

Chairman Gewirtz made a motion to approve the December 29, 2025, minutes, seconded by Stuart Zelmanovitz.

2 Ayes -Chairman Gewritz and Member Stuart Zelmanovitz.

Abstains- Memeber Stefanie Collantes and Baryy Rozenberg

Stefanie Collantes made a motion to approve the February 18, 2026, minutes, seconded by Barry Rosenberg.

3 Ayes- Chairman Gewirtz, Member Stefanie Collantes and Member Barry Rosenberg

1 Abstaining — Member Stuart Zelmanovitz

### **ADJOURNMENT**

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

Respectively submitted,

Stephanie Caputo — Secretary to the Planning and Zoning Boards

DRAFT