



ZONING BOARD OF APPEALS MEETING AGENDA

February 21, 2024 at 7:30 PM

432 Route 306, Wesley Hills, NY 10952

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

CALL TO ORDER

ROLL CALL

PUBLIC HEARING

1. Application submitted by Nancy Rubin on behalf of Mark Schwartz and Goldie Slater for variances from the provisions of Sections 230-17 Attachment I and 230-14O(4)(a) to permit the maintenance and use of a single-family residence, inground swimming pool, cabana, circular driveway and other structures having front yard impervious surface ratio of .46 instead of the maximum permitted of .20, impervious surface ratio of .36 instead of the maximum permitted of .25, side yard of 19.9 feet instead of the minimum required of 25 feet, cabana side yard of 14.8 feet instead of the minimum required of 25 feet and the variance previously granted of 18 feet and cabana rear yard of 17 feet instead of the minimum required of 50 feet and the variance previously granted of 18 feet.

The subject premises are situated on the south side of Ardley Place approximately 700 feet west of Wilder Road, known as 7 Ardley Place, designated on the Tax Map as Section 41.1·0 Block 1 Lot 24. in an R-35 Zoning District.

2. Application submitted by Willow Tree Management LLC 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 building coverage of .119 instead of the maximum permitted of .105 and front yard impervious surface ratio of .23 instead of the maximum permitted of .20.

The subject premises are situated on the west side of Rochelle Lane at the intersection with East Willow Tree Road, known as 1 Rochelle Lane, designated on the Tax Map as Section 41.08 Block 1 Lot 58.1, in an R-35 Zoning District.

3. Application submitted by Bassie Hurwitz 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 driveway to a single-family residence having impervious surface ratio of .29 instead of the prior variance granted of .26.

The subject premises are situated on the west side of Spook Rock Road at the intersection with Oren Court, known as 89 Spook Rock Road, designated on the Tax Map as Section 40.16 Block 1 Lot 10.21, in an R-50 Zoning District.

- 4.** Application submitted by Goldy Rosenfeld for variances from the provisions of Sections 230-17 Attachment I and 230-14O(4)(a) of the Code of the Village of Wesley Hills, to permit the maintenance and use of a single family residence and inground swimming pool having building height of 26.18 feet instead of the maximum permitted of 25 feet, impervious surface ratio of .30 instead of the maximum permitted of .25 and rear yard for the pool of 11.5 feet instead of the minimum required of 15 feet.

The subject premises are situated on the north side of Ardley Place at the intersection with Wilder Road, known as 2 Ardley Place, designated on the Tax Map as Section 41.10 Block I Lot 20, in an R 35 Zoning District.

APPROVAL OF MINUTES

- 5.** January 23, 2024

ADJOURNMENT

File Attachments for Item:

1. Application submitted by Nancy Rubin on behalf of Mark Schwartz and Goldie Slater for variances from the provisions of Sections 230-17 Attachment I and 230-14O(4)(a) to permit the maintenance and use of a single-family residence, inground swimming pool, cabana, circular driveway and other structures having front yard impervious surface ratio of .46 instead of the maximum permitted of .20, impervious surface ratio of .36 instead of the maximum permitted of .25, side yard of 19.9 feet instead of the minimum required of 25 feet, cabana side yard of 14.8 feet instead of the minimum required of 25 feet and the variance previously granted of 18 feet and cabana rear yard of 17 feet instead of the minimum required of 50 feet and the variance previously granted of 18 feet.

The subject premises are situated on the south side of Ardley Place approximately 700 feet west of Wilder Road, known as 7 Ardley Place, designated on the Tax Map as Section 41.1-0 Block 1 Lot 24. in an R-35 Zoning District.

PART I

Name of Municipality VILLAGE OF WESLEY HILLS Date 11/13/23

Please check all that apply:

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

Project Name: _____

Applicant: Nancy Rubin, Project Manager Phone # 845-424-0244
 Address 16 Squadron Blvd, New City NY 10956
Street Name & Number (Post Office) State Zip code

Property Owner: Mark Schwartz + Goldie Slater Phone # 718-288-1653
 Address 7 Ardley Place, Monsey NY 10952
Street Name & Number (Post Office) State Zip code

Engineer/Architect/Surveyor: Civil Tec Phone # 845-547-2241
 Address 139 Lafayette Ave, Suffern NY 10901
Street Name & Number (Post Office) State Zip code

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

Contact Person: Nancy Rubin Phone # 845-424-0244
 Address 16 Squadron Blvd, New City NY 10956
Street Name & Number (Post Office) State Zip code

Tax Map Designation:

Section 41-10 Block 1 Lot(s) 24
Section _____ Block _____ Lot(s) _____

Location: On the South side of Ardley,
700 feet left of Wilder.

Acreage of Parcel 36,542 SF **Zoning District** R-35
School District East Ramapo **Postal District** 10952

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

We are applying to the ZBA for variances for the following:
side yard for accessory structure, rear yard for accessory
structure, side yard and impervious surface ratio.
The narrative attached goes into deeper detail.

If subdivision:

- 1) Is any variance from the subdivision regulations required? _____
- 2) Is any open space being offered? ___ If so, what amount? _____

Project History: Has this project ever been reviewed before? Yes

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

This project appeared twice previously before the ZBA.
See attached resolutions. The public hearings were held on

5/19/21,
6/16/21,
and
11/16/22.

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

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



This property is within 500 feet of:
(Check all that apply)

IF ANY ITEM IS CHECKED, A REVIEW MUST BE DONE BY THE ROCKLAND COUNTY COMMISSIONER OF PLANNING UNDER THE STATE GENERAL MUNICIPAL LAW, SECTIONS 239 K, L, M, AND N.

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

List name(s) of facility checked above. _____

Applicant's Signature and Certification

State of New York
County of ~~Rockland~~ ^{Putnam} SS.:
Town/Village of Wesley Hills

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

Mailing Address

Nancy Rubin
16 Squadron Blvd
New City, NY 10956
NR

SWORN to before this
16th day of November, 2022

[Signature]
Notary Public

YEHUDA ABBOUDI
NOTARY PUBLIC
STATE OF NEW JERSEY
MY COMMISSION EXPIRES JUNE 17, 2025
COMMISSION: #50017921

Affidavit of Ownership/Owner's Consent

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

I, Mark Schwitz being duly sworn, hereby
depose and say that I reside at: 7 Ardley Place, Monsey, NY 10952
_____ in the county of Rockland in the state of NY.

I am the * _____ owner in fee simple of premises located at:
7 Ardley Place, Monsey, NY 10952

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

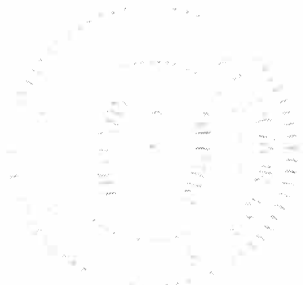
Said premises have been in my/its possession since 19 2020. Said premises are
also known and designated on the Town of Ramapo Tax Map as:
section 41.10 block 1 lot(s) 24

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 _____
Mailing Address 7 Ardley Place
Monsey, NY 10952

SWORN to before this
10th day of October, 20 23

Virginia M Smith
Notary Public



* 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
the class of stock.
VIRGINIA M SMITH
Notary Public, State of New York
My Commission Expires Dec 15, 2026

Affidavit Pursuant to Section 809 of the General Municipal Law

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

I, Nancy Rubin, 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

nr

Nancy Rubin
16 Squadron Blvd Suite 104
New City, NY 10956

certifies that he is owner or agent of all that certain lot, piece or parcel of land and/or building described in this application and if not the owner that he has been duly and properly authorized to make this application and to assume responsibility for the owner in connection with this application for the relief below set forth:

2. To the Zoning Board of the Town/Village of
(Board, Commission or Agency)
Westey Hills, Rockland County, New York:

Application, petition or request is hereby submitted for:

- Variance or modification from the requirement of Section 230-17;
- Special permit per the requirements of Section _____;
- Review and approval of proposed subdivision plat;
- Exemption from a plat or official map;
- An order to issue a certificate, permit or license;
- An amendment to the Zoning Ordinance or Official Map or change thereof;
- Other (explain) _____;

To permit construction, maintenance and use of We are requesting variances due to fact that we are looking for less side yard, rear yard for accessory structure, side yard for accessory structure and additional impervious surface ratio.

3. Premises affected are in a R-35 zone and from the town of Westey Hills tax map, the property is know as Section 41.10, Block, 1, Lot(s) 24.

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 N/A
- b. Nature of interest _____
- c. If stockholder, number of shares _____
- d. If officer or partner, nature of office and name of partnership _____
- e. If a spouse or brother, sister, parent, child, grandchild or the spouse of any of these blood relatives of such state, county or town/village officer or employee, state name and address of such relative and nature of relationship to officer and employee and nature and extent of office, interest or participation or association having an interest in such ownership or in any business entity sharing in such ownership. _____

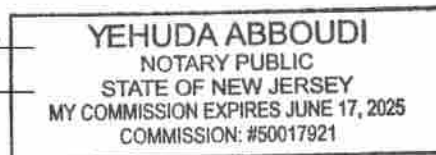
f. In the event of corporate ownership: A list of all directors, officers and stockholders of each corporation owning more than five (5%) percent of any class of stock, must be attached, if any of these are officers or employees of the State of New York, or of the County of Rockland, or of the Town/Village of _____.

I, Nancy Rubin, do hereby depose and say that all the above statements and statements contained in the papers submitted herewith are true, knowing that a person who knowingly and intentionally violates this section is guilty of a misdemeanor.

Mailing Address Nancy Rubin
16 Squadron Blvd
New City, NY 10952 *NR*

SWORN to before this

16th day of March, 2023
[Signature]
Notary Public



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 }
VILLAGE OF WESLEY HILLS } SS:

Mark Schurz being duly sworn, deposes and

says that he/she resides at 7 Ardley Place

Monsey, NY 10952

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. 41.10 Lot No. 24 and that he/she hereby authorizes the attached application to be submitted in his/her behalf and that the statements of fact contained in said application are true.

The applicant is the (owner) (contract vendee) of the said property.

Owner: [Signature]

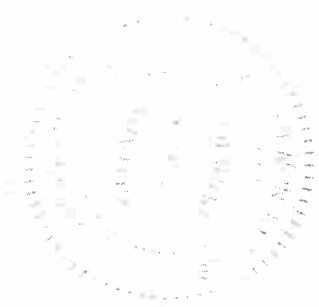
Address: 7 Ardley Place
Monsey, NY 10952

Sworn to before me this

10th day of October 20 23

[Signature]
Notary Public

VIRGINIA M SMITH
Notary Public, State of New Jersey
My Commission Expires Dec 15, 2026



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

Nancy Rubin
APPLICANT

11/13/23
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 _____
For additional impervious surface ratio and for loss
near to accessory side to accessory and side yard.





11/41.10-1-41
SHIMOFF WARREN & ROBIN
188 WILLOW TREE RD
MONSEY, NY 10952

11/41.10-1-42
WILLOW TREE TRUST
PH1203
9401 COLLINS AVENUE
SURFSIDE, FL 33154

11/41.10-1-40
KING ARICKA
186 WILLOW TREE RD
MONSEY, NY 10952

11/41.10-2-2
HAMERMAN JACOB
32 WILDER ROAD
MONSEY, NY 10952

11/41.10-1-35
MARKOWITZ HILLEL & RUTH
5 WOODCREST RD
MONSEY, NY 10952

11/41.10-1-36
SCHWARTZ ARON Z
6 SOUNDVIEW DR
SPRING VALLEY, NY 10977

11/41.10-1-38
OFFMAN FREDERICK &
DEBORAH
16 ASTOR PL
MONSEY, NY 10952

11/41.10-2-45.3
ONE HUNDRED FIFTY SIX
WILLOW TREE ROAD LLC
2 WILDER ROAD
MONSEY, NY 10952

11/41.10-1-29
REISS DANIEL P & BLANCHE
6 WOODCREST RD
MONSEY, NY 10952

11/41.10-1-52
GOLDBRENNER ASHER &
ALIZA
19 ASTOR PLACE
MONSEY, NY 10952

11/41.10-1-49
KATZ ISRAEL & DASYA
13 ASTOR PL
MONSEY, NY 10952

11/41.10-1-48
HIDALGO NELSON D &
GARCENIA G
11 ASTOR PL
MONSEY, NY 10952

11/41.10-1-25
STERNBUCH MICHEL & TZIPPY
9 ARDLEY PLACE
MONSEY, NY 10952

11/41.10-1-13
KLEIN JEFFREY A & CHERYL
6 VILLA LA
MONSEY, NY 10952

11/41.10-1-34
LIPSCHITZ NEAL & SUSAN J
3 WOODCREST RD
MONSEY, NY 10952

11/41.10-1-32
RIEDER SHIMON
1 WOODCREST RD
WESLEY HILLS, NY 10952

11/41.10-2-45.1
LEVINSON SAM & MICHELLE
2 WILDER ROAD
MONSEY, NY 10952

11/41.10-1-30
HERSZFELD LEGACY TRUST
4 WOODCREST RD
MONSEY, NY 10952

11/41.10-1-27
MATHIOS RACHELLE
10 WOODCREST RD
WESLEY HILLS, NY 10952

11/41.10-2-45.2
CSYKB 1-20 TRUST
8 WILDER RD
MONSEY, NY 10952

11/41.10-1-39
RIEDER SHIMON &
FRIEDMAN NICOLE
14 ASTOR PLACE
MONSEY, NY 10952

11/41.10-1-47
WIZMAN KAREN ANNE &
WIZMAN ELIEZER JOEL
12 ASTOR PL
MONSEY, NY 10952

11/41.10-2-59
ACS REAL ESTATE TRUST
1 CARTER LA
MONSEY, NY 10952

11/41.10-1-33
1 WILDER LLC
C/O BEN LEV
18039 BURBANK BLVD
ENCINO, CA 90316

11/41.10-1-50
ROSENBERG SAMUEL L
15 ASTOR PL
MONSEY, NY 10952

11/41.10-1-37
STEWART JEFFREY M &
ELIZABETH
9 WOODCREST RD
MONSEY, NY 10952

11/41.10-1-51
MITTEL YAAKOV & REBECCA
17 ASTOR PL
MONSEY, NY 10952

11/41.10-1-31
GREENBLATT JACOB & RACHEL
2 WOODCREST RD
MONSEY, NY 10952

11/41.10-1-28
HAAS JOSEPH & BATSHEVA
8 WOODCREST RD
MONSEY, NY 10952

11/41.10-1-20
ROSENFELD YITZCHOK
2 ARDLEY PL
MONSEY, NY 10952

11/41.10-1-54
SUN CAPITAL PROPERTIES
LLC
C/O ROBOT RAVIT
23 ASTOR PL
MONSEY, NY 10952

11/41.10-1-26
BALBAN MORTON & HILDA
22 ASTOR PL
MONSEY, NY 10952

11/41.10-1-23
FELBERMAN SARA D
5 ARDLEY PL
MONSEY, NY 10952

11/41.10-1-24
SCHWARTZ MARK &
SLATER GOLDIE
7 ARDLEY PL
MONSEY, NY 10952

11/41.10-1-5
LAST IRA & VIVIAN
26 ASTOR PL
MONSEY, NY 10952

11/41.10-1-6
EGENHAUSER JACK & LINDA
28 ASTOR PL
MONSEY, NY 10952

11/41.10-1-9
NACHFOLGER ISRAEL &
MIRIAM
3 VILLA LANE
MONSEY, NY 10952

11/41.10-1-2
LNMD GROUP REALTY LLC
C/O ROBOT RAVIT
23 ASTOR PLACE
MONSEY, NY 10952

11/41.10-1-15
HOLTZBERG SHLOMO A &
MOLLIE N
35 WILDER RD
MONSEY, NY 10952-7126

11/41.06-1-75
TWERSKY GITTEL
9 VILLA LA
MONSEY, NY 10952

11/41.10-2-58
WEINER ALFRED J + DORIS R
3 CARTER LA
MONSEY, NY 10952

11/41.10-1-21
MELOHN JOSEPH ALEXANDER
& ROSEMARIE RICKY
1 ARDLEY PL
MONSEY, NY 10952

11/41.10-1-53
STILLMAN NORMAN A +
MARILYN
21 ASTOR PL
MONSEY, NY 10952

11/41.10-1-10
PANCER AVROM & BASTZION
1 VILLA LANE
MONSEY, NY 10952

11/41.10-1-4
RUBINSTEIN ARYE
25 ASTOR PL
MONSEY, NY 10952

11/41.10-1-18
BALLOU MARY K
C/O KASEY SCHMID
70 NELSON RD
MONROE, NY 10950

11/41.10-1-17
BALLOU MARY K
C/O KACEY SCHMID
70 NELSON RD
MONROE, NY 10950

11/41.10-1-8
KOPCIEL ELIEZER TRUST
7 VILLA LA
MONSEY, NY 10952

11/41.10-1-14
GARTENBERG GARY N & MALKI
A
8 VILLA LA
MONSEY, NY 10952-1020

11/41.06-1-76
34 ASTOR PLACE REALTY LLC
32 ASTOR PL
MONSEY, NY 10952

11/41.10-1-11
DOBERMAN ALAN & CHERYL
4 ARDLEY PL
MONSEY, NY 10952

11/41.10-1-22
MARKOWITZ BARRY & IDA
3 ARDLEY PL
WESLEY HILLS, NY 10952

11/41.10-2-61
GOLD ABRAHAM
1 CARTER LANE
WESLEY HILLS, NY 10952

11/41.10-1-19
ROSENFELD YITZCHOK
4 CARTER LANE
MONSEY, NY 10952

11/41.10-1-12
JACOBS SANFORD & STACY
4 VILLA LA
MONSEY, NY 10952

11/41.10-1-3
WOLFSET BRADLEY S &
ESTHER
27 ASTOR PL
MONSEY, NY 10952

11/41.10-1-16
BALLOU MARY K
C/O KASEY SCHMID
70 NELSON RD
MONROE, NY 10950

11/41.10-1-7
GREENSTEIN-DEUTSCH ALIZA
30 ASTOR PLACE
MONSEY, NY 10952

11/41.10-1-1
WIEDER DEVORAH
31 ASTOR PL
MONSEY, NY 10952

11/41.06-1-72
LEBOVICS JACOB & DEBORAH
10 VILLA LANE
MONSEY, NY 10952

04A-U1

label size 1" x 2-5/8" compatible with Avery® 5160/8160

11/41.06-1-78
NUSSEN MARK & GILA T
33 ASTOR PL
MONSEY, NY 10952

11/41.09-1-15
RAMAPO TOWN OF
237 RT 59
SUFFERN, NY 10901

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 }

Nancy Rubin being ^{affirm} ~~duly sworn~~, deposes and says that he/she is the applicant in the matter of an application before the Village of Wesley Hills Planning Board affecting property located at 7 Ardley Place, Wesley Hills, Town of Ramapo, Rockland County, New York.

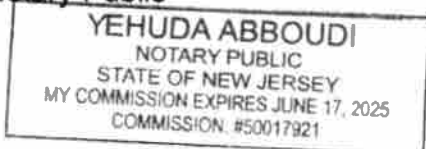
That on the 29th day of November 2023, he/she posted the posters provided by the Planning Board of the Village of Wesley Hills giving notice of the hearing on this application in a conspicuous place visible from every street along the frontage of the plot affected by this application.

[Signature]

Sworn to before me this

29th day of November 2023

[Signature]
Notary Public



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

1. That the variances are not substantial, each one being less than 20% of the requirement;
2. That there is no feasible alternative to granting the variances since the architect has testified that the entire design of the residence would be changed if the height were reduced;
3. That the reason for the variance is the flat roof, i.e., if the residence had a gabled roof the Village definition of height would be complied with;
4. That the benefit to the applicant by granting the variances is substantial whereas no detriment to neighboring properties or to the environment has been identified.

**Item #9 –Public Hearing- Mark Schwartz and Goldie Slater
7 Ardley Place**

Chairman Schwab read the public hearing notice into the record. Mark Schwartz, homeowner, was present and affirmed to tell the truth. Mr. Schwartz stated that there had been a site visit of his property last weekend. Mr. Schwartz agreed that the driveway should not be 20 feet wide. Mr. Schwartz stated that the current plan states that the driveway is 15.9 feet wide.

Doris Ulman asked why the need for the four (4) additional feet than currently exist. Mr. Schwartz stated that it is current difficult to get out of the driveway, requiring a K-turn to exit in many situations. Mr. Schwartz stated that this request is purely a practical matter.

Chairman Schwab asked if anyone from the public wished to be heard. No one wished to be heard.

Chairman Schwab asked if anyone from the Board wished to be heard. Stefanie Collantes-Bouvry stated that this seemed to be a reasonable request.

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

Dennis Dale made a motion to approve this application, seconded by Carole Anderson. Upon vote, this motion carried unanimously.

In the Matter of the Application of
Nancy Rubin as Project Manager for
Mark Schwartz and Goldie Slater
Premises situated on the south side of Ardley Place
Approximately 700 feet west of Wilder Road, known
As 7 Ardley Place, designated on the Tax Map as
Section 41.10 Block 1 Lot 24, in an R-35 Zoning District

WHEREAS, application had been made to the Zoning Board of Appeals of the Village of Wesley Hills by Nancy Rubin as Project Manager for Mark Schwartz and Goldie Slater for a variance from the provisions of Section 230-34(D)(4) to permit a new circular driveway that is 20 feet wide instead of the maximum permitted of 12 feet wide, and

WHEREAS, after due notice, a public hearing on said application was held by the Zoning Board of Appeals on October 19, 2022, which hearing was continued on November 16, 2022, and

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

That the driveway is bordered by a wall on each side so that the maximum width of 12 feet is less than 12 and makes it difficult for cars to turn around to leave the driveway;

That applicant has reduced the request for the variance and is now requesting that the circular driveway be permitted at 16 feet wide;

That members of the Zoning Board of Appeals visited the site and noted that the existing 12 foot wide driveway does not permit vehicles to turnaround in order to exit the property; 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 Nancy Rubin as Project manager for Mark Schwartz and Goldie Slater for a variance from the provisions of Section 230-34(D)(4) of the Code of the Village of Wesley Hills, to permit the construction, maintenance and use of a circular driveway having a width of 16 feet instead of the maximum permitted of 12 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 way this driveway is constructed, the 12-foot width impedes the ability to turnaround to drive out of the property;
2. That there is no feasible alternative to granting the variance because of the safety issue;
3. That the benefit to the applicant by granting the variance is substantial whereas no detriment to adjoining properties or to the neighborhood has been identified.

**Item #8 –Public Hearing- Gartenberg
8 Villa Lane**

INSET B

In the Matter of the Application of
 Mark and Goldie Schwartz
 Premises situated on the south side of Ardley Place
 approximately 250 feet east of Astor Place, known as
 7 Ardley Place, designated on the Tax Map as Section
 41.20 Block 1 Lot 24, in an R-35 Zoning District

WHEREAS, application has been made to the Zoning Board of Appeals of the Village of Wesley Hills by Mark and Goldie Schwartz 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 and cabana having a side yard of 20.3 feet instead of the minimum required of 25 feet on the west side of the property, a side yard of 15.9 feet instead of the minimum required of 25 feet on the east side of the property, rear yard of 16.2 feet instead of the minimum required of 50 feet, total side yard of 58.4 feet instead of the minimum required of 60 feet, building coverage of .134 instead of the maximum permitted of .12 and front yard impervious surface ratio of .28 instead of the maximum permitted of .20, and

WHEREAS, after due notice, a public hearing was held by the Zoning Board of Appeals on May 19, 2021, which hearing was continued on June 16, 2021, and

WHEREAS, the applicants appeared in person and by their architect, who testified as follows:

That after the site visit and at the request of the Board, the applicant has revised the site plan 1) to install pervious pavers in the majority of the driveway so that the variance for front yard impervious surface ratio has been eliminated and 2) to move the cabana two feet further from the side and rear property lines so that the variances for the cabana have been reduced to 18 feet from the side property line and 18 feet from the rear property line;

That applicant has retained Yost Design Landscape Architects who have prepared a landscaping plan to reduce or eliminate any potential impacts on adjacent properties;

That the cabana is only 450 square feet of which 175 square feet is open porch so that the impact of the building will be minimal since there will be substantial open space within the side and rear yards;

That the next door neighbor has requested that the cabana be placed in the proposed location so that it is not intrusive;

That only one corner of the cabana is 18 feet from the property lines since the building will be placed on an angle; and

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

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

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 and Goldie Schwartz 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 and cabana having one side yard of 20.3 feet for an open decorative archway instead of the minimum required of 25 feet, having the other side yard of 18 feet instead of the minimum required of 25 feet for a cabana, rear yard of 18 feet instead of the minimum required of 50 feet for the cabana, total side yard of 58.4 feet instead of the minimum required of 60 feet and building coverage of .134 instead of the maximum permitted of .12 is hereby approved, subject to the condition that applicants install and maintain landscaping in accordance with the landscaping plan prepared by Yost Design Landscape Architecture dated November 16, 2020, and be it further

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

1. That none of the variances are substantial except for the rear yard variance for the cabana and, because the cabana will be constructed on a slant, only one corner of the cabana will be 18 feet from the property line; in addition the entire front on the cabana will be open porch so that only 275 square feet of the cabana will encroach into the rear yard;
2. That because of the clearing limit line that prevents construction throughout much of the rear yard of the property and the need to have the cabana in close proximity to the pool, the space within which the cabana can be placed is very limited;
3. That the landscaping plan provides adequate screening to limit the impacts on adjacent properties;
4. That the Zoning Board of Appeals appreciates applicants' efforts to reduce the size and number of variances and the submission of a revised site plan that eliminates the need for the front yard impervious surface variance and reduces the size of the side and rear yard variances for the cabana;
5. That the benefit to the applicant by granting the variances is substantial whereas no evidence of detriment to adjacent properties or to the community has been identified.

This property is within 500 feet of:
(Check all that apply)

IF ANY ITEM IS CHECKED, A REVIEW MUST BE DONE BY THE ROCKLAND COUNTY COMMISSIONER OF PLANNING UNDER THE STATE GENERAL MUNICIPAL LAW, SECTIONS 239 K, L, M, AND N.

- | | |
|---|---|
| <input type="checkbox"/> State or County Road | <input type="checkbox"/> State or County Park |
| <input type="checkbox"/> Long Path | <input type="checkbox"/> County Stream |
| <input type="checkbox"/> Municipal Boundary | <input type="checkbox"/> County Facility |

List name(s) of facility checked above. _____

Applicant's Signature and Certification

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

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

Mailing Address Nancy Rubin
16 Squadron Blvd
New City, NY 10956
NR

SWORN to before this
16th day of November, 2022

[Signature]
Notary Public

YEHUDA ABOUDI
NOTARY PUBLIC
STATE OF NEW JERSEY
MY COMMISSION EXPIRES JUNE 17, 2025
COMMISSION: #50017921

ACTUAL SIZE

PUBLIC HEARING NOTICE

PLEASE TAKE NOTICE that a public hearing will be held by the Zoning Board of Appeals of the Village of Wesley Hills on the 20th day of December, 2023 at 7:30 P.M. at the Village Hall, 432 Route 306, Wesley Hills, New York 10952 to consider the application submitted by Nancy Rubin on behalf of Mark Schwartz and Goldie Slater for variances from the provisions of Sections 230-17 Attachment I and 230-14O(4) (a) to permit the maintenance and use of a single family residence, inground swimming pool, cabana, circular driveway and other structures having front yard impervious surface ratio of .46 instead of the maximum permitted of .20, impervious surface ratio of .36 instead of the maximum permitted of .25, side yard of 19.9 feet instead of the minimum required of 25 feet, cabana side yard of 14.8 feet instead of t

minimum required of 25 feet and the variance previously granted of 18 feet and cabana rear yard of 17 feet instead of the minimum required of 50 feet and the variance previously granted of 18 feet.

The subject premises are situated on the south side of Ardley Place approximately 700 feet west of Wilder Road, known as 7 Ardley Place, designated on the Tax Map a

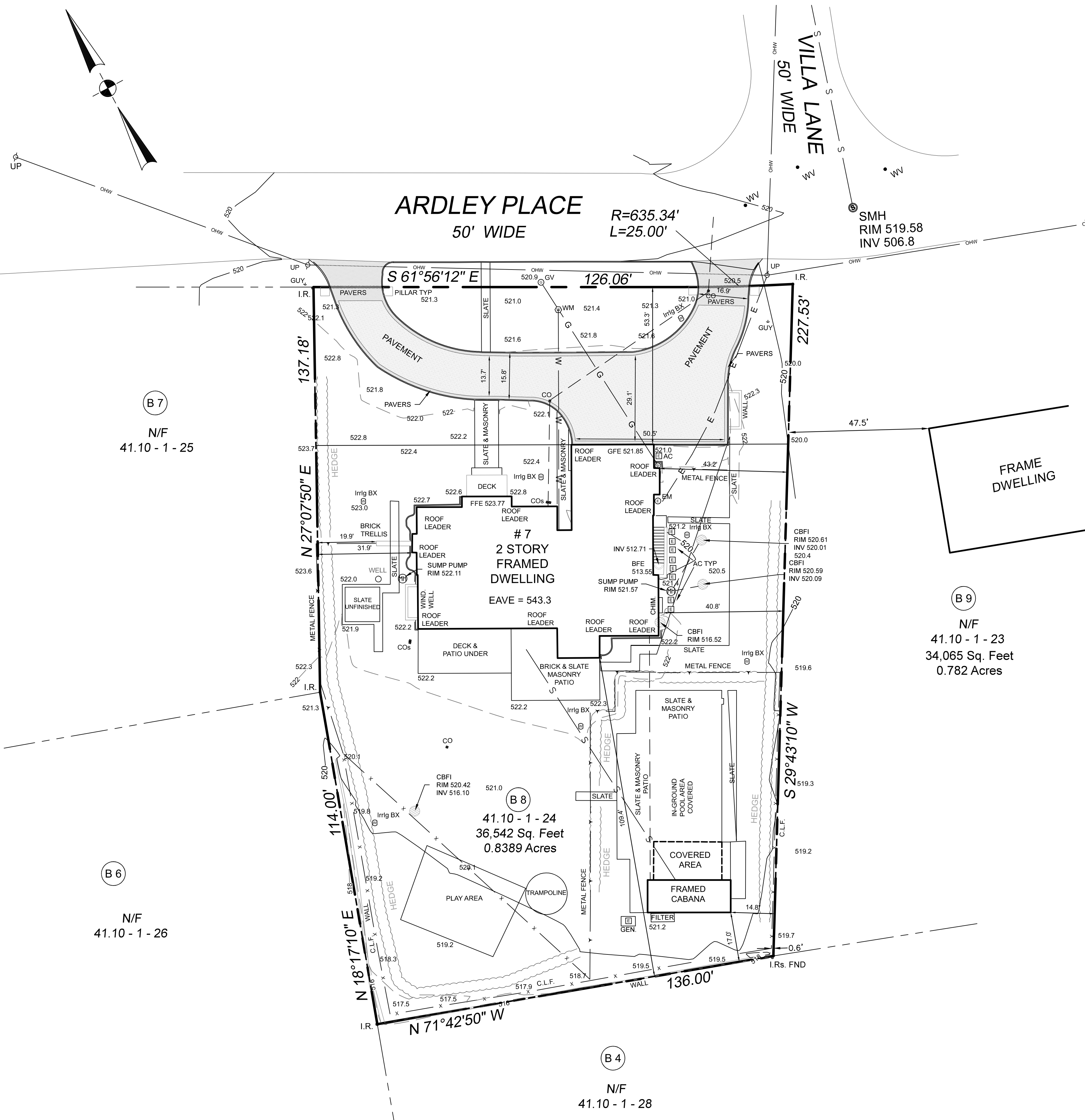
Section 41.1-0 Block 1 Lot 24. in an R-35 Zoning District.

Copies of the aforesaid application are available for public review at the office of the Village Clerk/Treasurer, Village of Wesley Hills, 432 Route 306, Wesley Hills, Ne

York 10952 between the hours of 9 A.M. and 4 P.M. Mondays through Fridays, exclusive of holidays.

Dated: Wesley Hills New York
November 29, 2023
Camille Guido-Downey
Village Clerk/Treasurer
Village of Wesley Hills

1x12-7/27147



VICINITY MAP
1" = 300'

SURVEY NOTES:

- IT IS A VIOLATION OF THE STATE EDUCATION LAW SECT 7209 (2) FOR ANY PERSON, UNLESS ACTING UNDER THE DIRECTION OF A LICENSED LAND SURVEYOR, TO ALTER AN ITEM IN ANY WAY ONLY COPIES OF THIS SURVEY MARKED WITH THE LAND SURVEYOR'S SIGNATURE AND AN ORIGINAL EMBOSSED SEAL ARE A VALID ORIGINAL PRODUCT OF THE LAND SURVEYOR. THIS SURVEY IS PREPARED ONLY FOR THE PARTIES AND PURPOSE INDICATED HEREON ANY CLAIM FOR LIABILITY SHALL NOT EXCEED THE AMOUNT OF THE AGREEMENT ANY EXTENSION OF USE BEYOND THE PURPOSE AGREED TO BETWEEN THE CLIENT AND THE SURVEYOR EXCEEDS THE SCOPE OF THE ENGAGEMENT HOLDS THE SURVEYOR HARMLESS FOR UNAUTHORIZED USE BY OTHER PARTIES PERSONS OR GOVERNMENTAL APPROVALS AND RENDERS THIS SURVEY MAP NULL & VOID. THIS SURVEY MAP IS SUBJECT TO AN ACCURATE ABSTRACT OF TITLE.
- THIS SURVEY MAP IS BASED ON AN ACTUAL FIELD SURVEY CONDUCTED FOR A SPECIFIC PURPOSE AND IS BASED ON SPECIFIC CONTRACTUAL REQUIREMENTS FOR THIS TRANSACTION. USE OF THIS MAP FOR SURVEY INSPECTION UPDATES IS STRICTLY PROHIBITED. THIS MAP MAY NOT BE COPIED IN WHOLE OR IN PART. THIS MAP MAY NOT BE USED FOR OTHER PURPOSES OR TRANSACTIONS. THIS MAP MAY NOT BE SOLD, RENTED, LEASED, PHOTOCOPIED, ENLARGED, REDUCED, TRACED OR TRANSFERRED IN ANY OTHER WAY WITHOUT THE PRIOR WRITTEN CONSENT OF A CIVIL TEC ENGINEERING & SURVEYING PC REPRESENTATIVE WHO'S SIGNATURE & SEAL APPEAR HEREON.
- VERTICAL DATUM IS NAVD88.
- ALL NONE VISIBLE UNDERGROUND UTILITIES (SUCH AS GAS, ELECTRIC, WATER AND OTHERS), SANITARY CONNECTIONS AND DRAINAGE CONNECTIONS ARE SHOWN AS PER CONTRACTOR, AND OR SHOWN AS PER PROPOSED PLAN AS PER THE TOWN ENGINEER'S REQUEST.

REFERENCES

- BEING SECTION 41.10, BLOCK 1, LOT 24 OF THE VILLAGE OF WESLEY HILLS AND TOWN OF RAMAPO TAX MAPING.
- LOT DESCRIBED BY DEED IN INSTRUMENT NO. 2006 AT PAGE 59187 AT THE ROCKLAND COUNTY CLERKS OFFICE.
- BEING LOT 8 IN BLOCK B ON A MAP ENTITLED "SECTION ONE OVERLOOK ESTATES", FILED IN THE ROCKLAND COUNTY CLERK'S OFFICE ON JULY 8, 1964 IN BOOK 68 ON PAGE 41 AS MAP NUMBER 3252.
- TOTAL AREA = 36,542 SQUARE FEET OR 0.838 ACRES.

Lot Coverage	
Driveway (pavers)	512 SF
Driveway (pavement)	3,031 SF
Dwelling	4,151 SF
Decks	575 SF
Brick & Slate Patio	585 SF
Stairs	120 SF
Pool/Pool Patio	1,924 SF
Cabana/Covered Area	645 SF
Walkways & Arch	1,336 SF
Pool Equipment	137 SF
Garbage & Utilities	58 SF
Pillars	36 SF
Total	13,074 SF
Total Impervious Coverage	
13,074 SF/36,542 SF	0.36

IMPERVIOUS IN FRONT YARD:
3,955 SF

AREA OF FRONT YARD: 8,583 SF

FRONT YARD IMPERVIOUS RATIO:
3,955 SF IMPERVIOUS/8,583 SF AREA OF FRONT YARD = 0.46
0.46 > 0.2

BUILDING COVERAGE CALCULATION FROM ARCHITECT:
1.5 STORY @ 1,957 SF + 2.5 STORY @ 2,895 SF TOTAL = 4,852 SF

4,852 SF = ACTUAL BUILDING COVERAGE
1,957/8,582 = 0.4 X 0.05 = 0.02 + 0.10 = 0.12
36,542 SF X 0.12 = 4,385 MAXIMUM ALLOWABLE BUILDING COVERAGE

PROVIDED BUILDING COVERAGE
HOUSE 4,151 SF + CABANA & COVERED AREA 645 SF = 4,796 SF

4,796 SF/36,542 SF = 0.131
VARIANCE WAS GRANTED FOR 0.134
0.131-0.134 SO OK

NO STEEP SLOPES

PARKING CALCULATION:
SINGLE FAMILY HOME REQUIRES 2 SPACES
2 GARAGE SPACES PROVIDED

Bulk Requirements: R-35 Single Family Residence																
	Min. Lot Area	Min. Lot Frontage	Min. Lot Width	Min. Front Yard	Min. Side Yard	Min. Side Accessory >100 SF	Min. Side Pool	Min. Total Side Yards	Min. Rear Yard	Min. Rear Accessory >100 SF	Min. Rear Pool	Max. Impervious Surface Ratio	Max. Front Yard Impervious Surface Ratio	Max. Building Coverage	Max. Building Height	Max. Exposed Building Height
Required	35,000 SF	100 FT	125 FT	50 FT	25 FT	25 FT	15 FT	60 FT	50 FT	15 FT	15 FT	0.25	0.2	0.12	2.5 stories/25 FT	40 FT
Actual	36,542 SF	162.2 FT	159.9 FT	53.3 FT	19.9 FT	14.8 FT	16.6 FT	60.7 FT	109.4 FT	17 FT	15.3 FT	0.36	0.46	0.131	22 FT	37 FT
Variance	No	No	No	No	Granted 20.3 FT/ Variance Required	Granted 18 FT/ Variance Required	No	Granted 58.4 FT	No	Granted 18 FT/ Variance Required	No	Yes	Yes	Granted 0.134	No	No

VARIANCES GRANTED BY ZBA ON JUNE 16, 2021

DATE	ISSUE	DESCRIPTION	REVISIONS
		S.B.L. 41.10-1-23 & 24	
ZBA PLAN			
FOR			
7 ARDLEY PLACE			
VILLAGE OF WESLEY HILLS - ROCKLAND COUNTY - NEW YORK			
CIVIL TEC Engineering & Surveying PC			DATE: 11/27/23
139 Lafayette Avenue, 2nd Fl. Suffern, NY 10901 P 845.547.2241 - F 845.547.2243		111 Main Street Chester, NY 10918 845.610.3521	DRAWN BY: WPD
Civil Engineering & Land Surveying Services that Build Confidence www.Civil-Tec.com			CHKD BY: SPD/RB
			JOB No. 3779
			SCALE: 1"=20'
			DWG No. 1 OF 25

VILLAGE OF WESLEY HILLS

432 Route 306

Wesley Hills, N.Y. 10952-1221

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

Dated: October 24, 2023

Tax Parcel ID: 41.10-1-24

Address: 7 Ardley Place

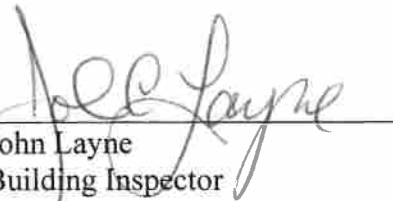
Applicant: Rubin/Schwartz & Slater

BUILDING AND ZONING DEPARTMENT:

Please be advised that your application for a building permit for the construction of a new single-family home, patio, and cabana has been denied. The requirements of the Zoning Law of the Village of Wesley Hills have not been satisfied. The following variances are required:

- Minimum side yard of 25 feet, proposing 19.9 feet
- Minimum side yard for accessory structure of 25 feet, proposing 14.8 feet
- Minimum rear yard for accessory structure of 50 feet, proposing 17 feet
- Maximum impervious surface ratio of 0.25, proposing 0.36
- Maximum front yard impervious surface ratio of 0.20, proposing 0.46

In addition, the Zoning Board of Appeals may review any existing non-conforming items and previously granted variances.



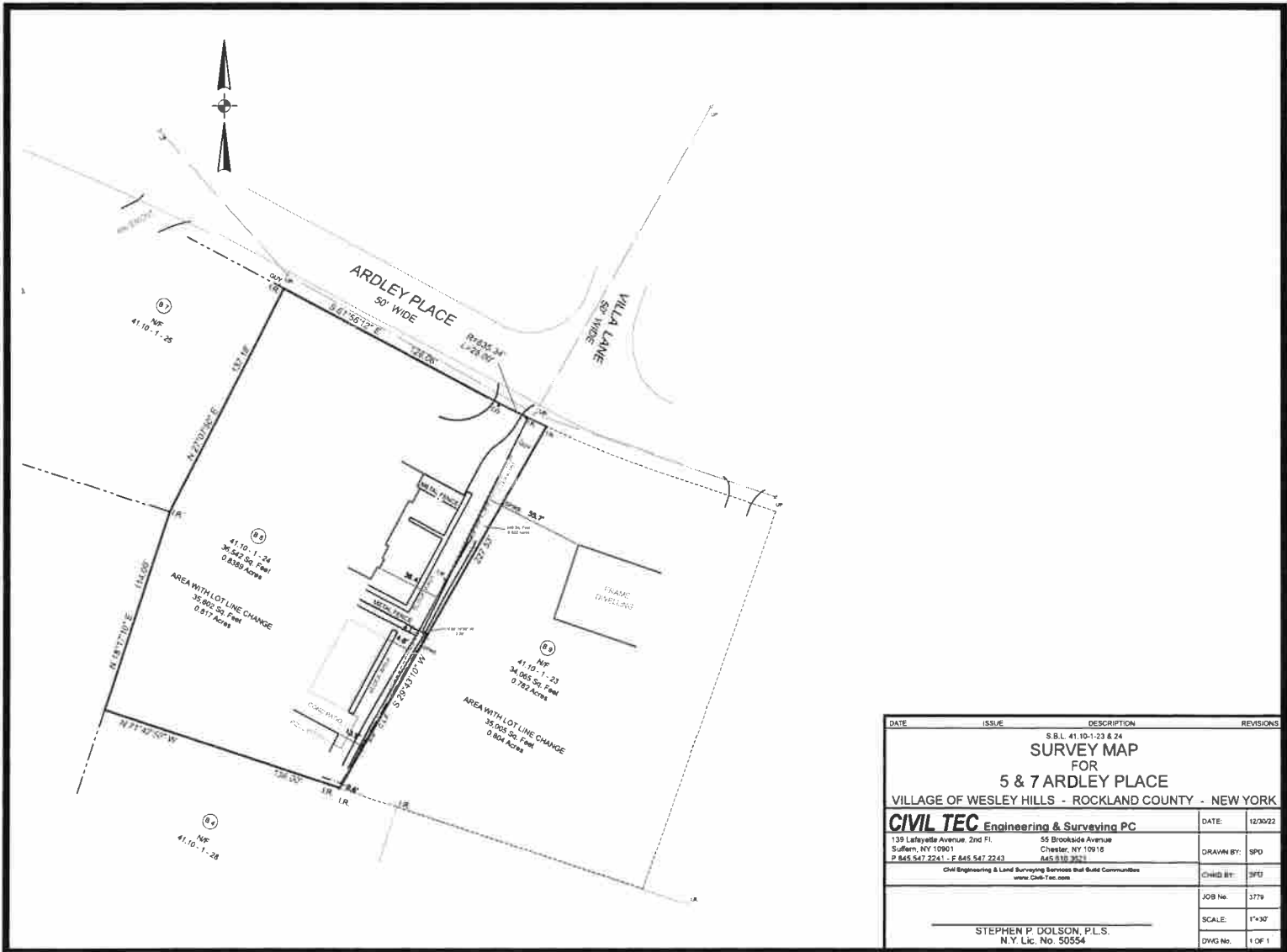
John Layne
Building Inspector

Cc: Zoning Board of Appeals

BUILDINGS DEPT.

DEC 6 2023

VILLAGE OF WESLEY HILLS



DATE	ISSUE	DESCRIPTION	REVISIONS
S.B.L. 41.10-1-23 & 24 SURVEY MAP FOR 5 & 7 ARDLEY PLACE VILLAGE OF WESLEY HILLS - ROCKLAND COUNTY - NEW YORK			
CIVIL TEC Engineering & Surveying PC 139 Lafayette Avenue, 2nd Fl. Sullien, NY 10961 P. 845.547.2241 - F. 845.547.2243			DATE: 12/20/22
55 Brookside Avenue Chester, NY 10916 845.810.3571 <small>Civil Engineering & Land Surveying Services that Build Communities www.Civil-Tec.com</small>			DRAWN BY: SPD
STEPHEN P. DOLSON, P.L.S. N.Y. Lic. No. 50554			CHG BY: SPD
			JOB No. 3779
			SCALE: 1"=30'
			DWG No. 1 OF 1

File Attachments for Item:

2. Application submitted by Willow Tree Management LLC 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 building coverage of .119 instead of the maximum permitted of .105 and front yard impervious surface ratio of .23 instead of the maximum permitted of .20.

The subject premises are situated on the west side of Rochelle Lane at the intersection with East Willow Tree Road, known as 1 Rochelle Lane, designated on the Tax Map as Section 41.08 Block 1 Lot 58.1, in an R-35 Zoning District.

PUBLIC HEARING NOTICE

PLEASE TAKE NOTICE that a public hearing will be held by the Zoning Board of Appeals of the Village of Wesley Hills on the 21st day of February, 2024 at 7:30 P.M. at the Village Hall, 432 Route 306, Wesley Hills, New York 10952 to consider the application submitted by Willow Tree Management LLC 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 building coverage of .119 instead of the maximum permitted of .105 and front yard impervious surface ratio of .23 instead of the maximum permitted of .20.

The subject premises are situated on the west side of Rochelle Lane at the intersection with East Willow Tree Road, known as 1 Rochelle Lane, designated on the Tax Map as Section 41.08 Block 1 Lot 58.1, in an R-35 Zoning District.

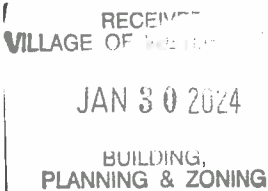
Copies of the aforesaid application are available for public review at the office of the Village Clerk/Treasurer, Village of Wesley Hills, 432 Route 306, Wesley Hills, New York 10952 between the hours of 9 AM. and 4 P.M. Mondays through Fridays, exclusive of holidays.

Dated: Wesley Hills, New York
February 1, 2024

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

January 23, 2024

Re: **Narrative – 1 Rochelle Lane (Tax Lot41.08-1-58.1)**



To Whom This May Concern,

1 Rochelle Lane is proposing a single story one family house. The house sits on a 35,000 SF lot at the above-mentioned address.

The property is in the "R35" residential zone and is connected to public water and sewer. The home is conforming to bulk table requirements.

PER SECTION 230-17 NOTE 10:
 AREAS LESS THAN 1.5 STY AND 15' = 426 SF
 TOTAL BUILDING AREA = 4,172 SF

426 SF / 4,172 SF = 0.1021
 0.1021 X 0.05 = 0.0051
 0.0051 + 0.10 = .1051
 .1051 X 35,028 SF = 3,681 SF
 4,172 SF EXCEEDS 3,681F

PROPOSED BUILDING COVERAGE = 4,172 SF
 4,172 SF / 35,028 = .119

Building coverage permitted = 0.1051
 Building coverage provided = 0.119

Permitted building coverage

The applicant requests to be placed on the Zoning Board agenda Zoning Board of Appeals to seek the required variance. Should any questions arise, do not hesitate to reach out to us.

Very truly yours,

Solomon Menche

JAN 30 2024

PART I

BUILDING,
PLANNING & ZONING

Name of Municipality VILLAGE OF WESLEY HILLS Date 1/30/24

Please check all that apply:

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

Project Name: 1 Rochelle Lane

Applicant: Sol Menche Phone # 845-465-6865
Address 241 Viola Rd Monsey NY 10952
Street Name & Number (Post Office) State Zip code

Property Owner: Willow Tree Management LLC Phone # 845-465-6865
Address 241 Viola Rd Monsey NY 10952
Street Name & Number (Post Office) State Zip code

Engineer/Architect/Surveyor: Civil Tec Phone # 845-547-2241
Address 139 Lafayette Ave Suffern NY 10921
Street Name & Number (Post Office) State Zip code

Attorney: Robert Menche Phone # 914-588-3298
Address 386 Rt 59 Monsey NY 10952
Street Name & Number (Post Office) State Zip code

Contact Person: Sol Menche Phone # 914-588-7621
Address 241 Viola Rd Monsey NY 10952
Street Name & Number (Post Office) State Zip code

Tax Map Designation:

Section 4108 Block 1 Lot(s) 551
Section _____ Block _____ Lot(s) _____

Location: On the West side of Rockville Lane,
0 feet North of Willow Ave. Rd.

Acreeage of Parcel 0.8 AC Zoning District R-35
School District East Hanover Postal District Sunny Valley

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

1 family residence

If subdivision:

- 1) Is any variance from the subdivision regulations required? _____
- 2) Is any open space being offered? ___ If so, what amount? _____

Project History: Has this project ever been reviewed before? _____

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.

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

This property is within 500 feet of:
(Check all that apply)

NONE

IF ANY ITEM IS CHECKED, A REVIEW MUST BE DONE BY THE ROCKLAND COUNTY COMMISSIONER OF PLANNING UNDER THE STATE GENERAL MUNICIPAL LAW, SECTIONS 239 K, L, M, AND N.

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

List name(s) of facility checked above. _____

Applicant's Signature and Certification

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

I, *Karla S. Israel* *for Willow Tree Project LLC*, hereby depose and say that all the above statements contained in the papers submitted herewith are true.

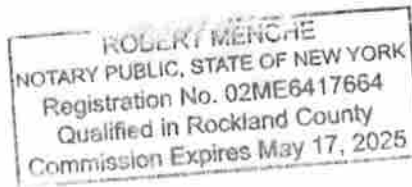
Mailing Address

Karla S.
2111 Viola Rd
Monsey NY 10912

SWORN to before this

30 day of *November*, 20*23*

Notary Public



Affidavit of Ownership/Owner's Consent

State of New York)

County of Rockland) SS.:

Town/Village of Monsey

I, Karl S. Israel ~~being~~ authorized signatory ^{for Willow Tree Management LLC} being duly sworn, hereby
depose and say that I reside at: 241 Viola Rd

in the county of Rockland in the state of Ny

I am the * authorized signatory ^{Willow Tree Management LLC} owner in fee simple of premises located at:

Rockelle Lane
described in a certain deed of said premises recorded in the Rockland County Clerk's
Office in Liber 112 of conveyances, page 8. map 7476

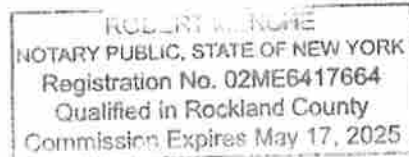
Said premises have been in my/its possession since 19_____. Said premises are
also known and designated on the Town of Monsey Tax Map as:
section 41.08 block 1 lot(s) 58.1

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 K. Israel
Mailing Address 241 Viola Rd
Monsey Ny 10952

SWORN to before this
30 day of October, 2027

Notary Public



* 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 Monsey

I, Kate S Tschal Mayor for Willow Tree Management LLC, 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

Willow Tree Management LLC
241 Viola Rd
Monsey NY 10952

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

Application, petition or request is hereby submitted for:

- Variance or modification from the requirement of Section _____;
- 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 single family residence

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

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 _____ in the petition, request or application or in the property or subject matter to which it relates:

(if none, so state)

a. Name and address of officer or employee _____

NONE

b. Nature of interest _____

c. If stockholder, number of shares _____

d. If officer or partner, nature of office and name of partnership _____

e. If a spouse or brother, sister, parent, child, grandchild or the spouse of any of these blood relatives of such state, county or town/village officer or employee, state name and address of such relative and nature of relationship to officer and employee and nature and extent of office, interest or participation or association having an interest in such ownership or in any business entity sharing in such ownership. _____

f. In the event of corporate ownership: A list of all directors, officers and stockholders of each corporation owning more than five (5%) percent of any class of stock, must be attached, if any of these are officers or employees of the State of New York, or of the County of Rockland, or of the Town/Village of _____.

I, _____, do hereby depose and say that all the above statements and statements contained in the papers submitted herewith are true, knowing that a person who knowingly and intentionally violates this section is guilty of a misdemeanor.

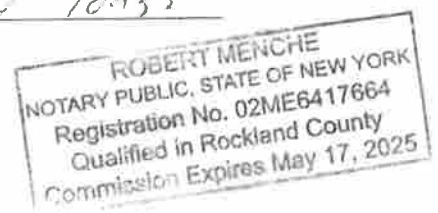
Mailing Address

*241 Victoria
Pensacola 10952*

SWORN to before this

30 day of November, 2023

Notary Public



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 }
VILLAGE OF WESLEY HILLS ;

Signature for Willow Tree Management LLC

Gabe S Israel as authorized being duly sworn, deposes and

says that he/she resides at *2411 Viola Rd*
Monsey NY 10952

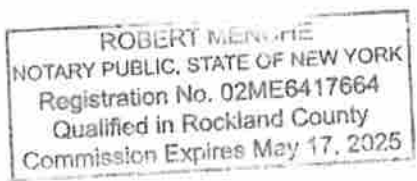
in the County of Rockland, State of New York; that he/she is the owner in fee of all that certain lot, piece or parcel of land situated, lying and being in the Village of Wesley Hills, and designated on the Town of Ramapo Map as Section No. _____ Lot No. _____ and that he/she hereby authorizes the attached 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: *K. Israel*
Address: *2411 Viola Rd*
Monsey NY 10952

Sworn to before me this
50 day of *NOV* 20*23*

[Signature]
Notary Public



WRITTEN CONSENT

The undersigned, Solomon Menche, an individual, being the sole member and manager of **WILLOW TREE MANAGEMENT LLC**, a New York limited liability company (the “Company”); hereby consent to the following:

RESOLVED, that **KAILA S. ISRAEL** is hereby duly appointed, authorized, and directed to execute, as the “Authorized Signatory” any and all documents on behalf of the Company, necessary and required by the Village of Wesley Hills for building/planning/zoning applications to the Village of Wesley Hills and it’s various municipal boards in connection with the building of a one family home at the address commonly known as 1 Rochelle Lane, Spring Valley, NY 10977.

RESOLVED, that this Written Consent may be executed in several counterparts, each of which shall be deemed an original, but all of which shall constitute one and the same document. A facsimile or pdf copy of this Written Consent shall have the same force and effect as an original.

[remainder of page intentionally left blank]

Signature Certificate

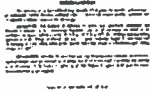


Item 2.

Envelope Ref: f38dbce3429df6565157e9579ebc742ccf6b23c9

Author: Robert Menche Creation Date: 30 Nov 2023, 08:00:57, PST Completion Date: 30 Nov 2023, 08:01:58, PST

Document Details:



Name: Written Consent (Willow Tree Managment LLC)

Type:

Document Ref: 7e97c9f6a679d0c1f64d304dcec37a01937abb916941891bad05d0ed6b642312

Document Total Pages: 2

Document Signed By:

Name: Solomon Menche
Email: solmenche@gmail.com
IP: 2600:4040:900d:5400:b106:543a:419d:1691
Location: SPRING VALLEY, NY (US)
Date: 30 Nov 2023, 08:01:58, PST
Consent: eSignature Consent Accepted
Security Level: Email

Solomon Menche

Signer ID : F1VFGBXM10...

Document History:

Envelope Created Robert Menche created this envelope on 30 Nov 2023, 08:00:57, PST
Invitation Sent Invitation sent to Solomon Menche on 30 Nov 2023, 08:01:21, PST
Invitation Accepted Invitation accepted by Solomon Menche on 30 Nov 2023, 08:01:42, PST
Signed by Solomon Menche Solomon Menche signed this Envelope on 30 Nov 2023, 08:01:58, PST
Executed Document(s) successfully executed on 30 Nov 2023, 08:01:58, PST
Signed Document(s) Link emailed to solmenche@gmail.com
Signed Document(s) Link emailed to robert@menchelaw.com

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 }

_____ 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
_____, Wesley Hills, Town of Ramapo,
Rockland County, New York.

That on the _____ day of _____ 200__, 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

_____ day of _____ 200__

Notary Public

DISCLAIMER

APPLICANT TAKES FULL RESPONSIBILITY FOR RESEARCHING THE TAX MAP FOR THE LIST OF NAMES OF PROPERTY OWNERS ON THE ENCLOSED *AFFIDAVIT OF MAILING LIST*, AND SUPPLYING THE NECESSARY AMOUNT OF SELF-ADDRESSED STAMPED ENVELOPES.

THE APPLICANT'S ENVELOPES MUST COINCIDE WITH THE LIST. THE CLERK'S RESPONSIBILITY IS LIMITED TO CHECKING NAMES ON THE ENVELOPES AGAINST THE AFOREMENTIONED AFFIDAVIT BEFORE MAILING THEM.

RECEIPT OF THIS DISCLAIMER IS ACKNOWLEDGED

APPLICANT

DATED

PART II

Application before the Zoning Board of Appeals

Application, petition or request is hereby submitted for:

- () Variance from the requirement of Section _____;
- () 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 _____



Item 2.

11/41.12-2-47
LAZARUS MARK & LINDA
8 MARK DR
SPRING VALLEY, NY 10977

11/41.12-1-21
5 SKYLINE TERRACE LLC
1 SKYLINE TERR
SPRING VALLEY, NY 10977

11/41.12-2-43
KLAHR SHMUEL & ROCHEL
LEAH
3 ARCADIAN DR
WESLEY HILLS, NY 10977

11/41.12-2-63
ZELMANOVIC DAVID & ELAINE
4 MARK DR
SPRING VALLEY, NY 10977

11/41.12-2-6
HOROWTIZ FAMILY TRUST
21 ROCHELLE LANE
SPRING VALLEY, NY 10977

11/41.08-1-45
EAST WILLOW TREE LLC
36TH FLOOR
225 BROADWAY
NEW YORK, NY 10007

11/41.12-2-48
BAIS LUBAVITCH
7-9 MARK DR
SPRING VALLEY, NY 10977

11/41.12-2-50
MIKULANINEC JOHN S &
JUDITH L
4 NO SHERRI LA
SPRING VALLEY, NY 10977

11/41.12-2-60
SARFATY ELIAHU
1 NO SHERRI LN
SPRING VALLEY, NY 10977

11/41.12-2-49
BL-RES I HOLDINGS LLC
190 WILLIS AVENUE
MINEOLA, NY 11501

11/41.12-2-44.2
FISCHMAN LISA M
C/O OZ COURT CORP.
500 NEW HEMPSTEAD ROAD
NEW CITY, NY 10956

11/41.12-1-19
LERER DANIEL & RIVKA
2 SKYLINE TERR
WESLEY HILLS, NY 10977

11/41.12-1-18
GELBEIN ADAM & JUDITH
6 SKYLINE TERR
SPRING VALLEY, NY 10977

11/41.12-1-17
SCHWARTZ HENRY & SILA
10 SKYLINE TERR
SPRING VALLEY, NY 10977

11/41.12-1-16
16 SKYLINE TERRACE LLC
16 SKYLINE TERR
WESLEY HILLS, NY 10977

11/41.12-1-22
TRUST UNDER THE SEVENTH
WILL OF HIRSCH NATHAN
95 LAWERENCE AVE
BROOKLYN, NY 11230

11/41.12-1-20
HANDLER ASHER
POBOX 580
LAKEWOOD, NJ 08701

11/41.12-2-64
ABIKZER TZIVYA
6 MARK DR
SPRING VALLEY, NY 10977

11/41.12-2-61
3 MARK DR LLC
PO BOX 580
LAKEWOOD, NJ 08701

11/41.12-2-44.1
RAKOWER DOV & TZIPPY
PO BOX D1800
POMONA, NY 10970

11/41.12-2-5
GINSBURG MORDECHAI
& SHERI LIVING TRUST
1 ARCADIAN DR
SRPING VALLEY, NY 10977

11/41.12-2-4
UMANKSKY AMALIA 2016
FAMILY TRUST
57 E WILLOW TREE RD
SPRING VALLEY, NY 10977

11/41.12-2-2
CONG SHAAR HASHAMAYIM
% J. EISENREICH
71 E WILLOW TREE RD
WESLEY HILLS, NY 10977

11/41.12-2-1
TAMBOR JACOB
2 MARK DRIVE
SPRING VALLEY, NY 10977

11/41.08-2-58.16
BRODY RIKKI
2 ROCHELLE LA
SPRING VALLEY, NY 10977

11/41.08-2-58.9
WILLOW TREE MNGT LLC
241 VIOLA RD
MONSEY, NY 10952

11/41.12-2-62
BARKHORDAR SIAMAK & SOROH
T
1907 PREUSS RD
LOS ANGELES, CA 90034

11/41.12-1-5
STEFANSKY AARON & FAYE
DINAH
91 WILLOW TREE RD E
SPRING VALLEY, NY 10977

11/41.12-1-6
97 E WILLOW TREE ROAD LLC
97 E WILLOW TREE RD
SPRING VALLEY, NY 10977-101

11/41.12-1-7
103 E WILLOW TREE ROAD
LLC & HANDLER ASHER
103 E WILLOW TREE RD
SPRING VALLEY, NY 10977

Item 2.

11/41.12-1-8
109 E WILLOW TREE
ROAD LLC
C/O HANDLER ASHER
109 E WILLOW TREE RD
SPRING VALLEY, NY 10977
11/41.08-2-58.10
WESTREICH DAYNA
545 WEST END AVE #4A
NEW YORK, NY 10024

11/41.12-1-4
HAGER LIPA
2 DEERWOOD RD
SPRING VALLEY, NY 10977

11/41.08-2-58.1
WILLOW TREE MNGT LLC
241 VIOLA RD
MONSEY, NY 10952

11/41.12-1-2
WEINSTEIN DAVID & SABRINA
LEGACY TRUST
102 E WILLOW TREE RD
WESLEY HILLS, NY 10977

11/41.12-1-3
ASH ROCHEL & URIEL
96 WILLOW TREE RD E
SPRING VALLEY, NY 10977

11/41.08-2-58.15
RUBE DAVID S & ROSOLYN J
4N ROCHELLE LA
WESLEY HILLS, NY 10977

11/41.08-1-43
BEREN JONATHAN & DENISE
3 DEERWOOD RD
SPRING VALLEY, NY 10977

11/41.08-2-57
GRUBER DAVID
4 DEERWOOD RD
SPRING VALLEY, NY 10977

11/41.08-2-58.2
WILLOW TREE MNGT LLC
241 VIOLA RD
MONSEY, NY 10952

11/41.08-2-58.14
NORMAN ARYEH CHANI
FAMILY TRUST
6 ROCHELLE LA
SPRING VALLEY, NY 10977

11/41.08-2-58.8
HOROWITZ SAUL & GITTY
21 ROCHELLE LA
SPRING VALLEY, NY 10977

11/41.08-2-58.11
EISENREICH JOEL & AHUVA
12 ROCHELLE LA
SPRING VALLEY, NY 10977

11/41.08-2-58.12
ADLER ESTHER M
10 ROCHELLE LA
SPRING VALLEY, NY 10977

11/41.08-1-42
BENISZ MARK & ELIZABETH
5 DEERWOOD RD
SPRING VALLEY, NY 10977

11/41.08-2-56
HOOK JONATHAN & NAOMI
6 DEERWOOD RD
WESLEY HILLS, NY 10977

11/41.08-2-55
LOEBENBERG LEGACY TRUST
8 DEERWOOD RD
SPRING VALLEY, NY 10977

11/41.08-2-58.13
MAMMON LAURENCE &
MICHELLE
8 ROCHELLE LA
SPRING VALLEY, NY 10977

11/41.08-2-58.3
BRAUNSTEIN SHALOM &
ELIANA
5 ROCHELLE LA
SPRING VALLEY, NY 10977

11/41.08-2-58.7
MESSNER ALAN & TOVA
15 ROCHELLE LA
SPRING VALLEY, NY 10977

11/41.08-1-41
ENGELSTEIN YARON
7 DEERWOOD RD
SPRING VALLEY, NY 10977

11/41.08-2-54
GREENWALD MOISHE &
NICOLE A
10 DEERWOOD RD
SPRING VALLEY, NY 10977

11/41.08-2-58.4
ZUPNIK JOSEPH & ELISA
7 ROCHELLE LA
SPRING VALLEY, NY 10977

11/41.08-2-58.6
FISHKIND ARI & DEBORAH
11 ROCHELLE LA
SPRING VALLEY, NY 10977

11/41.08-2-58.5
GRUBER BRENDA
9 ROCHELLE LANE
SPRING VALLEY, NY 10977

11/41.08-2-53
KURTZ CHAYA
12 DEERWOOD RD
SPRING VALLEY, NY 10977

11/41.08-1-44.2
PRAGER SHULAMIT
7 OLIVE COURT
LAKEWOOD, NJ 08701

11/41.08-1-40
MAKOWSKY FRADY & ABRAHAM
9 DEERWOOD RD
SPRING VALLEY, NY 10977

11/41.08-2-49
STERN YOAV & GILAH
18 CHARLOTTE DR
SPRING VALLEY, NY 10977

11/41.08-2-47
SHATZKES AVRUM
22 CHARLOTTE DR
SPRING VALLEY, NY 10977

11/41.08-2-49
STERN YOAV & GILAH
18 CHARLOTTE DR
SPRING VALLEY, NY 10977

11/41.08-2-48
 DAHAN ISRAEL & MELANIE
 20 CHARLOTTE DR
 SPRING VALLEY, NY 10977

11/41.08-2-50
 CONG ATERES ROSH INC
 16 CHARLOTTE DR
 SPRING VALLEY, NY 10977

11/41.08-1-39
 TAUB SAMUEL & GITY
 1363 EAST 31ST
 BROOKLYN, NY 11210

11/41.08-2-51
 COHN HENOCHE & MIRJAM
 14 CHARLOTTE DR
 SPRING VALLEY, NY 10977

11/41.08-2-52
 POLLAK STUART & ESTHER
 14 DEERWOOD RD
 SPRING VALLEY, NY 10977

11/41.12-2-3.1
 STERNHELL JOSHUA &
 MIRIAM
 5055 COLLINS AVE - APT 5D
 MIAMI, FL 33140

11/41.12-2-3.2
 STERNHELL JOSHUA & MIRIAM
 5055 COLLINS AVE-APT 5D
 MIAMI, FL 33140

11/41.12-2-3.3
 STERNHELL ELIEZER M
 42 N QUINCE LANE
 MONSEY, NY 10952

11/41.08-1-44.1
 EAST WILLOW TREE LLC
 36TH FLOOR
 225 BROADWAY
 NEW YORK, NY 10007

File Attachments for Item:

3. Application submitted by Bassie Hurwitz 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 driveway to a single-family residence having impervious surface ratio of .29 instead of the prior variance granted of .26.

The subject premises are situated on the west side of Spook Rock Road at the intersection with Oren Court, known as 89 Spook Rock Road, designated on the Tax Map as Section 40.16 Block 1 Lot 10.21, in an R-50 Zoning District.

ORIGINAL

Bassie Hurwitz
89 Spook Rock Road
Wesley Hills, New York 10901
917-757-1238

January 16, 2024

RECEIVED
VILLAGE OF WESLEY HILLS

JAN 16 2024

BUILDING,
PLANNING & ZONING

Village of Wesley Hills Zoning Board

Via Hand Delivery

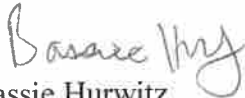
To Whom it May Concern:

I write this letter to you regarding the two-lot subdivision entitled "Subdivision Plat for Hurwitz" already approved by the Planning Board of the Village of Wesley Hills. This created a certain property now known as 91 Spook Rock Road (from my existing property of 89 Spook Rock Road). The approval required the existing driveway to be relocated to the common driveway easement, as well as removing some of my existing driveway on my property.

As part of the agreement that I signed with the Village to issue a C of O prior to the driveway being relocated, I retained my right to appeal to the Zoning Board regarding some of the requirements for the driveway. I agreed to make this application by January 12, 2024, but was advised that I could submit it by January 17, 2024 upon receipt of my Engineer's renderings.

At this time, I respectfully request a variance to allow the original 'cut outs' in my driveway to remain (see attached highlighted in yellow). The current curves of the driveway in front of the garage area have been utilized by me and my now elderly husband for the past 17 years, and create an easy flow from the driveway to the garage that would be difficult for us to make as the approved subdivision plan depicts. For the 'cut outs' to remain, the impervious surface ratio would increase from .26 to .29.

Thank you for your anticipated courtesies.


Bassie Hurwitz

ENGINEER'S COMMENTS

Item 3.

----- Forwarded message -----

From: <sparaco.steve@selsny.com>

Date: Mon, Jan 15, 2024 at 10:18 AM

Subject: RE: YB-3089-89 Spook Rock Road, Wesley Hills, NY

To: Renee Fein <ahfeinpc@gmail.com>

Cc: Bassie <bassiehurwitz@gmail.com>

Hi Renee,

Yes that is confirmed. Only the impervious on her lot has been indicated to be removed.

The plans clearly indicate the impervious area to be removed. Here is an 8.5" x 11" sheet at larger scale (1"=20') to help clarify the proposed areas to be removed.

As far as a letter, you should just add it to your ZBA narrative. Simply put, previously there was 11,260 sf of impervious area for the approved development at Lot #1 (see approved subdivision set last revised 5-2-18).

The ratio was 11,260 sf / 44,097 sf yielding an impervious area ratio of 0.255 which was rounded up to 0.26 on the plan. For the proposed plan the increase of 1,330 sf (resulting from not sawcutting and removing the pavement in the driveway for Lot #1) makes the total impervious area now 12,590 sf for the proposed ZBA plan. This yields a new ratio of 12,590 sf / 44,097 sf = 0.286 which rounds up to 0.29. This is the number indicated in the plan attached above.

Please let us know if you need anything else.

Steve Sparaco, P.E.

SPARACO & YOUNGBLOOD, PLLC

P.O Box #818

18 North Main Street

Harriman, NY 10926

(845)-782-8543 ext 102 (office phone)

(845)-782-5901 (fax)

PART I

Name of Municipality VILLAGE OF WESLEY HILLS Date _____

Please check all that apply:

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

Project Name: Herwitz Drive #17

Applicant: Bessie Herwitz Phone # 917-757-1238
 Address 89 Spoon Rock Road, Suffern NY 10990
Street Name & Number (Post Office) State Zip code

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

Engineer/Architect/Surveyor: STEVE SPALDO, P.E. Phone # 845-782-8543
 Address P.O. Box 818, 13 North Main St. Halliway, NY 10926
Street Name & Number (Post Office) State Zip code

Attorney: ALAN H. FEIN PC Phone # 845-369-1000
 Address 2 EXECUTIVE BLVD #303 SUFFERN NY 10901
Street Name & Number (Post Office) State Zip code

Contact Person: ALAN H. FEIN Phone # 845-369-1000
 Address 2 EXECUTIVE BLVD #303 SUFFERN NY 10901
Street Name & Number (Post Office) State Zip code

Tax Map Designation:

Section 40.16 Block 1 Lot(s) 10.21. (LOT #1)
Section _____ Block _____ Lot(s) _____

Location: On the WEST side of SPOOK ROCK ROAD.
_____ feet _____ of _____.

Acreeage of Parcel 1.01 Zoning District WESLEY HILLS
School District SUPERIOR Postal District SUPERIOR

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

ALLOW VARIANCE FOR AGREED UPON DRIVEWAY CUTS TO
REMAIN THIS INCREASING IMPERVIOUS SURFACE FROM
.26 TO .29.

If subdivision:

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

Project History: Has this project ever been reviewed before? YES

If so, list case number, name, date, and the board you appeared before.
JANUARY 3, 2024 - PLANNING BOARD MEETING

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

40.16-1-10.22 (LOT #12)

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

This property is within 500 feet of:
(Check all that apply)

IF ANY ITEM IS CHECKED, A REVIEW MUST BE DONE BY THE ROCKLAND COUNTY COMMISSIONER OF PLANNING UNDER THE STATE GENERAL MUNICIPAL LAW, SECTIONS 239 K, L, M, AND N.

- | | |
|---|---|
| <input type="checkbox"/> State or County Road | <input type="checkbox"/> State or County Park |
| <input type="checkbox"/> Long Path | <input type="checkbox"/> County Stream |
| <input type="checkbox"/> Municipal Boundary | <input type="checkbox"/> County Facility |

List name(s) of facility checked above. _____

Applicant's Signature and Certification

State of New York
County of Rockland, SS.:
Town/Village of SUFFERN

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

Mailing Address

39 Spook Rock Road
SUFFERN, NY 10901

x Bessie Hopewitz

SWORN to before this
15th day of JANUARY, 2024.

Notary Public

RENEE E. FEIN
NOTARY PUBLIC, STATE OF NEW YORK
Registration No. 01FE5007340
Qualified in Rockland County
Commission Expires January 25, 2027

Affidavit of Ownership/Owner's Consent

State of New York)
County of Rockland) SS
Town/Village of SUFFERN)

I, BASSIE HUGGINS being duly sworn, hereby
depose and say that I reside at: 89 SPOOK ROCK ROAD, SUFFERN, NY 10901

in the county of ROCKLAND in the state of NEW YORK.

I am the * me owner in fee simple of premises located at:
89 SPOOK ROCK ROAD, SUFFERN, NY 10901

described in a certain deed of said premises recorded in the Rockland County Clerk's
Office in Liber _____ of conveyances, page INST. JURY # 2007-00034342

Said premises have been in my/its possession since 19 2007. Said premises are
also known and designated on the Town of LAMAR Tax Map as:
section 40.16 block 1 lot(s) 10.21 (LOT #1)

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 BASSIE HUGGINS Bassie Hugg
Mailing Address 89 SPOOK ROCK ROAD
SUFFERN, NY 10901

SWORN to before this
15th day of JANUARY, 20 24

[Signature]
Notary Public

RENEE E. FEIN
NOTARY PUBLIC, STATE OF NEW YORK
Registration No. 01FE5007340
Qualified in Rockland County
Commission Expires January 25, 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 SUFFERN)

I, BESSIE HEKOWITZ, 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
BESSIE HEKOWITZ
89 SPOOK ROCK ROAD
SUFFERN, NEW YORK 10901

certifies that he is owner or agent of all that certain lot, piece or parcel of land and/or building described in this application **and if not the owner that he has been duly and properly authorized to make this application and to assume responsibility for the owner in connection with this application for the relief below set forth:**

2. To the ZONING BOARD of the Town/Village of
 (Board, Commission or Agency)
WESLEY HUS, Rockland County, New York:

Application, petition or request is hereby submitted for:

- Variance or modification from the requirement of Section 230-17;
- Special permit per the requirements of Section _____;
- Review and approval of proposed subdivision plat;
- Exemption from a plat or official map;
- An order to issue a certificate, permit or license;
- An amendment to the Zoning Ordinance or Official Map or change thereof;
- Other (explain) _____;

To permit construction, maintenance and use of _____

3. Premises affected are in a R-50 zone and from the town of RAMAPO tax map, the property is know as Section 40.16, Block, 1, Lot(s) 10.21 (LOT#1).

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 _____ 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 _____
- b. Nature of interest _____
- c. If stockholder, number of shares _____
- d. If officer or partner, nature of office and name of partnership _____
- e. If a spouse or brother, sister, parent, child, grandchild or the spouse of any of these blood relatives of such state, county or town/village officer or employee, state name and address of such relative and nature of relationship to officer and employee and nature and extent of office, interest or participation or association having an interest in such ownership or in any business entity sharing in such ownership. _____

f. In the event of corporate ownership: A list of all directors, officers and stockholders of each corporation owning more than five (5%) percent of any class of stock, must be attached, if any of these are officers or employees of the State of New York, or of the County of Rockland, or of the Town/Village of _____.

I, _____, do hereby depose and say that all the above statements and statements contained in the papers submitted herewith are true, knowing that a person who knowingly and intentionally violates this section is guilty of a misdemeanor.

Mailing Address

Bessie Himm
89 SPOOK ROCK RD
SUNBUR, NY 10901

SWORN to before this

15th day of JANUARY, 2024

Notary Public

RENEE E. FEIN
NOTARY PUBLIC, STATE OF NEW YORK
Registration No. 01FE5007340
Qualified in Rockland County
Commission Expires January 25, 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 }

Bessie Horowitz being duly sworn, deposes and

says that he/she resides at 89 Spook Rock Road
Suffron, 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. 40.16 Lot No. 10.21 (LOT #1) and that he/she hereby
authorizes the attached application to be submitted in his/her behalf and
that the statements of fact contained in said application are true.

The applicant is the (owner) (contract vendee) of the said property.

Owner: Bessie Horowitz
Address: 89 Spook Rock Road
Suffron, NY 10901

Sworn to before me this

15 day of April 2024

Notary Public

RENEE E. FEIN
NOTARY PUBLIC, STATE OF NEW YORK
Registration No. 01FE5007340
Qualified in Rockland County
Commission Expires January 25, 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 }
VILLAGE OF WESLEY HILLS } SS:

Bessie Herwine 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 89 Starbuck, Wesley Hills, Town of Ramapo, Rockland County, New York.

That on the 15th day of January 2024, 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.

Bessie Herwine

Sworn to before me this

15th day of January 2024
[Signature]

Notary Public

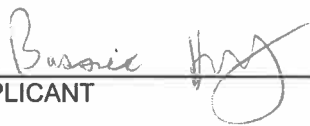
RENEE E. FEIN
NOTARY PUBLIC, STATE OF NEW YORK
Registration No. 01FE5007340
Qualified in Rockland County
Commission Expires January 25, 2027

DISCLAIMER

APPLICANT TAKES FULL RESPONSIBILITY FOR RESEARCHING THE TAX MAP FOR THE LIST OF NAMES OF PROPERTY OWNERS ON THE ENCLOSED *AFFIDAVIT OF MAILING LIST*, AND SUPPLYING THE NECESSARY AMOUNT OF SELF-ADDRESSED STAMPED ENVELOPES.

THE APPLICANT'S ENVELOPES MUST COINCIDE WITH THE LIST. THE CLERK'S RESPONSIBILITY IS LIMITED TO CHECKING NAMES ON THE ENVELOPES AGAINST THE AFOREMENTIONED AFFIDAVIT BEFORE MAILING THEM.

RECEIPT OF THIS DISCLAIMER IS ACKNOWLEDGED



APPLICANT



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 _____

AFFIDAVIT

State of New York
County of Rockland) SS.:
Town/Village of WISLEY HILLS)

I, Bessie Hunsy 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 (board) in the town/village of WISLEY HILLS affecting property located at 89 SPOOK ROCK RD, Rockland County, New York.

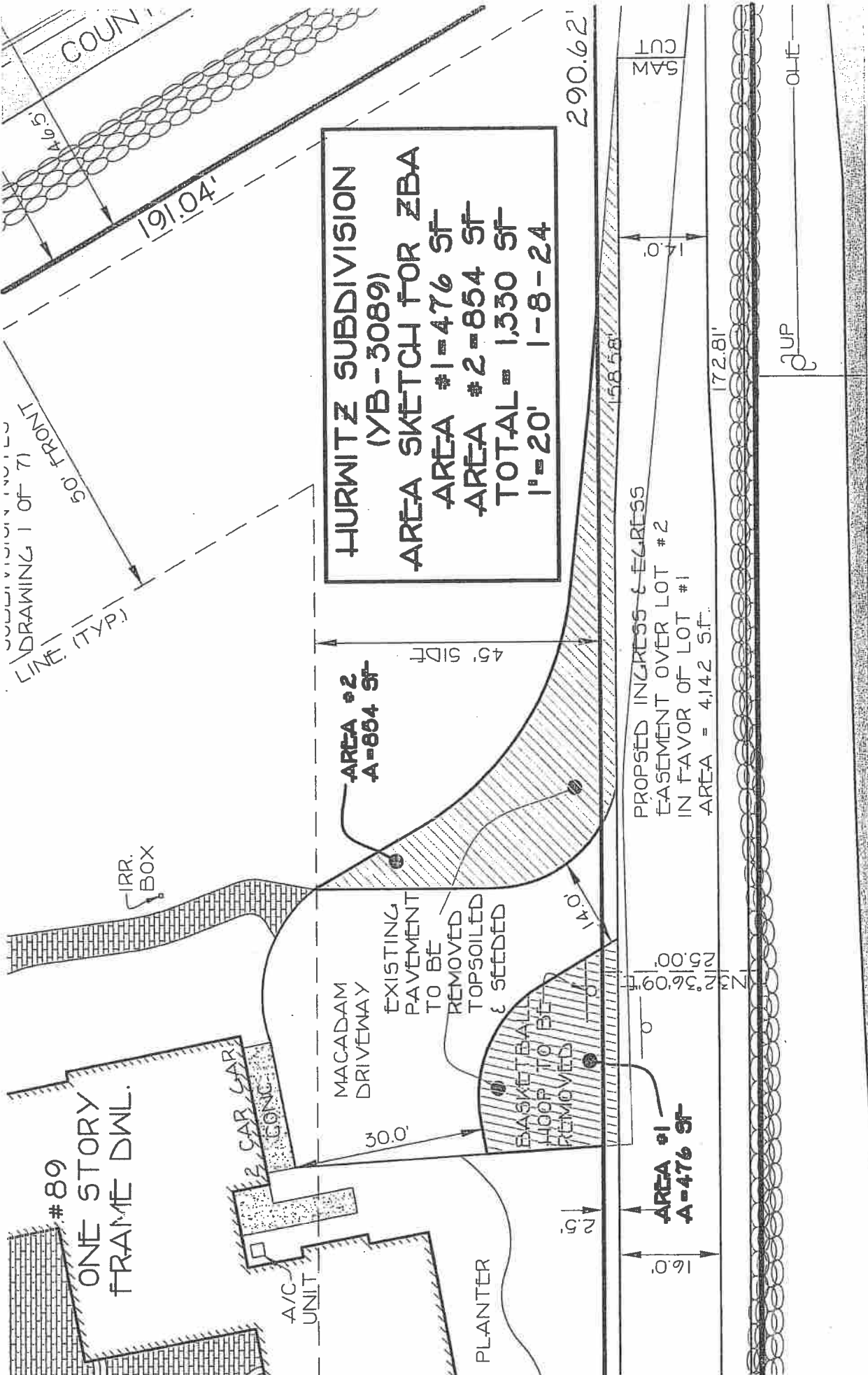
That the following are all of the owners of property 750 feet (distance) from the premises as to which this application is being taken.

SECTION/BLOCK/LOT	NAME	ADDRESS
<u>40.16-1-13</u>	<u>Yosef & Gode Chajmowicz</u>	<u>1 Olden Ct. Wisley Hills, NY 10901</u>
<u>40.16-1-12</u>	<u>Yehoshua Mendel</u>	<u>3 Olden Ct. Wisley Hills, NY 10901</u>
<u>40.16-1-11</u>	<u>Denise & Alan DeTong</u>	<u>5 Olden Ct. Wisley Hills, NY 10901</u>
<u>40.16-1-10.1</u>	<u>Abraham Rutner</u>	<u>87 Spook Rock Rd. Wisley Hills, NY</u>
<u>41.13-1-5</u>	<u>Shasitani Golani</u>	<u>88 Spook Rock Rd. Wisley Hills, NY 10901</u>
<u>41.13-1-3</u>	<u>Christopher & Patricia Rice</u>	<u>86 Spook Rock Rd. Wisley Hills, NY 10901</u>
<u>40.16-1-10.22(#2)</u>	<u>Jacob Fuchs</u>	<u>91 Spook Rock Rd. Wisley Hills, NY 10901</u>
<u>41.13-1-2</u>	<u>Jeremiah L. Fuchs</u>	<u>94 Spook Rock Rd. Wisley Hills, NY 10901</u>
<u>40.16-1-14</u>	<u>Judy Goldring</u>	<u>95 Spook Rock Rd. Wisley Hills, NY 10901</u>

Bessie Hunsy
SWORN to before this
15th day of January, 2024

[Signature]
Notary Public

RENEE E. FEIN
NOTARY PUBLIC, STATE OF NEW YORK
Registration No. 01FE5007340
Qualified in Rockland County
Commission Expires January 25, 2027



NOTES:

1. THE SUBDIVISION OF LOT 4 AND A CERTAIN MAP ENTITLED "TRIAL PLAT" SUBDIVISION OF PROPERTY FOR MAJESTY FILED IN THE COUNTY CLERK'S OFFICE ON APRIL 24, 1985 AS MAP 44892.
2. THE SUBDIVISION PLAT FOR MAJESTY FILED IN THE ROCKLAND COUNTY CLERK'S OFFICE ON APRIL 24, 1985 AS MAP 44892.
3. THE SUBDIVISION PLAT FOR MAJESTY FILED IN THE ROCKLAND COUNTY CLERK'S OFFICE ON APRIL 24, 1985 AS MAP 44892.
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20. THE SUBDIVISION PLAT FOR MAJESTY FILED IN THE ROCKLAND COUNTY CLERK'S OFFICE ON APRIL 24, 1985 AS MAP 44892.

REVISIONS

NO.	DATE	DESCRIPTION
1	11/15/85	AS SUBMITTED
2	11/15/85	AS SUBMITTED
3	11/15/85	AS SUBMITTED

SPARACO & YONKALO, P.L.C.
 CIVIL ENGINEERS & LAND SURVEYORS
 100 HARTLAND STREET
 HARTLAND, NEW YORK 12148
 PHONE: (518) 785-1111
 FAX: (518) 785-1112

ROCKLAND COUNTY NORMALS AGENCY
 CLERK OF COUNTY CLERK'S OFFICE

MAP REFERENCES:

- 1. THE SUBDIVISION PLAT FOR MAJESTY FILED IN THE ROCKLAND COUNTY CLERK'S OFFICE ON APRIL 24, 1985 AS MAP 44892.
- 2. THE SUBDIVISION PLAT FOR MAJESTY FILED IN THE ROCKLAND COUNTY CLERK'S OFFICE ON APRIL 24, 1985 AS MAP 44892.
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- 20. THE SUBDIVISION PLAT FOR MAJESTY FILED IN THE ROCKLAND COUNTY CLERK'S OFFICE ON APRIL 24, 1985 AS MAP 44892.

ZONING LOT AREA CALC.
 48,534 SQ. FT. (1.1142 AC. X 0.72) = 45,227 SQ. FT.

BULK TABLE

R-50	MAXIMUM PERMITTED AREA	LOT AREA	PERCENT PERMITTED AREA	MAXIMUM PERMITTED HEIGHT	MAXIMUM PERMITTED NUMBER OF UNITS	MAXIMUM PERMITTED NUMBER OF UNITS		MAXIMUM PERMITTED NUMBER OF UNITS		MAXIMUM PERMITTED NUMBER OF UNITS	
						LOT 1	LOT 2	LOT 1	LOT 2	LOT 1	LOT 2
PROPOSED	44,097	48,534	100	30	0	0	0	0	0	0	0
PROPOSED	44,097	48,534	100	30	0	0	0	0	0	0	0
MAXIMUM	44,097	48,534	100	30	0	0	0	0	0	0	0

APPLICANT: _____ DATE: _____

OWNER: _____ DATE: _____

OWNER: _____ DATE: _____

NOTICE: THE SUBDIVISION PLAT FOR MAJESTY FILED IN THE ROCKLAND COUNTY CLERK'S OFFICE ON APRIL 24, 1985 AS MAP 44892.

SPARACO & YONKALO, P.L.C.
 CIVIL ENGINEERS & LAND SURVEYORS
 100 HARTLAND STREET
 HARTLAND, NEW YORK 12148
 PHONE: (518) 785-1111
 FAX: (518) 785-1112

ROCKLAND COUNTY NORMALS AGENCY
 CLERK OF COUNTY CLERK'S OFFICE

VILLAGE OF WESLEY HILLS
432 Route 306
Wesley Hills, N.Y. 10952-1221
Phone: 845-354-0400 Fax: 845-354-4097 www.wesleyhills.org

Dated: January 17, 2024
Tax Parcel ID: 40.16-1-10.21
Address: 89 Spook Rock Road
Applicant: Bassie Hurwitz

BUILDING AND ZONING DEPARTMENT:

Please be advised that your application for a building permit for revised site work 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 impervious surface ratio of 0.29 when 0.26 was approved, and 0.20 is required.

In addition, the Zoning Board of Appeals may review any existing non-conforming items and previously granted variances.



John Layne
Building Inspector

Cc: Zoning Board of Appeals

PUBLIC HEARING NOTICE

PLEASE TAKE NOTICE that a public hearing will be held by the Zoning Board of Appeals of the Village of Wesley Hills on the 21st day of February, 2024 at 7:30 P.M. at the Village Hall, 432 Route 306, Wesley Hills, New York 10952 to consider the application submitted by Bassie Hurwitz 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 driveway to a single family residence having impervious surface ratio of .29 instead of the prior variance granted of .26.

The subject premises are situated on the west side of Spook Rock Road at the intersection with Oren Court, known as 89 Spook Rock Road, designated on the Tax Map as Section 40.16 Block 1 Lot 10.21, in an R-50 Zoning District.

Copies of the aforesaid application are available for public review at the office of the Village Clerk/Treasurer, Village of Wesley Hills, 432 Route 306, Wesley Hills, New York 10952 between the hours of 9 A.M. and 4 P.M. Mondays through Fridays, exclusive of holidays.

Dated: Wesley Hills, New York
February 1, 2024

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

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

Municipality: Village of Wesley Hills

Date Sent: 1/17/2024

Board: ___ Planning ZBA ___ Town/Village

Meeting Date: 2/21/2024

File Name Bassie Hurwitz

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
- RC Department of Environmental Health (Sewers, Water, Mosquito Code, Underground Tanks)
- RC Sewer District #1
- NYS Department of Environmental Conservation
- 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
- Adjacent Municipality
- Other _____

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

239 (n): ___ Subdivision

239 (l) & (m): ___ Site Plan Variance ___ Special Permit ___ Zone Change/Amendment

___ Other – Please list _____

Location of Parcel(s) 89 Spook Rock Road

Acreeage of Parcel (s) 1.005

Existing Sq. Footage _____ Proposed Sq. Footage _____

The Property in Question Lies Within 500 Feet of:

- County Road
- County Stream
- County Park
- County or State Facility
- State Road, Thruway, or Parkway
- State Park
- Village, Town, or County Boundary (Vill. of New Hemp.)
- The Long Path

Map 40.16 Block 1 Lot(s) 10.21 Map Date: 5/2/2018

Current Zoning: R-50

Brief Project Description: APPLICATION FOR A VARIANCE PERMITTING THE DRIVEWAY TO REMAIN AS IS, AS OPPOSED TO THE DRIVEWAY ON THE APPROVED SUBDIVISION PLAN.

Variances Needed (if applicable)	Required	Approved	Proposed
Maximum impervious surface ratio	0.20	0.26	0.29

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

GML Report

Property Information:

Parcel ID: 40.16-1-10.21	Date Parcel: February 2023
OLD ID:	Address: 89 SPOOK ROCK RD
Address 2:	Alternative:
City: SUFFERN	State: NY
Zip: 10901	Book Page:
Deed Date: 12/4/2007 12:00:00 AM	Instrument: 2007-00062207
Municipality: Wesley Hills	Deed Acres: 1.010
GIS Acres: 1.005	

GML Criteria:

GML Review: YES	Palisades Parkway: NO
Thruway: NO	County Road: YES
State Road: NO	County Regulated Streams: YES
Long Path: NO	County Park: NO
State Park: NO	State Property: NO
County Property: NO	Village Boundary: NO
Town Boundary: NO	Orange County Boundary: NO
X Coordinate: 602098	Y Coordinate: 844901

Rockland County

Ed Day, Rockland County Executive

"REVISED"

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

RECEIVED
VILLAGE OF WESLEY HILLS

JAN 26 2024

BUILDING,
PLANNING & ZONING

Charles H. "Skip" Vezzetti
Superintendent of Highways

January 24, 2024

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

**Re: Site Plan Review for Driveway Configuration
89 Spook Rock Road in Wesley Hills, NY
Tax Lot #40.16-1-10.21; R-50 Zoning District**

Dear Ms. Schultz:

The Rockland County Highway Department ("RCHD") was in receipt of the above application along with a site plan prepared by Sparaco & Youngblood, PLLC., dated 01.08.24, as part of the GML review process. The review has been complete now and we offer the following comments.

1. The applicant shall ensure that the existing/proposed drainage system in the parcel is adequately designed to produce no net increase in the peak rate of discharge from the site at all design points.
2. The proposed access easement shall be prepared and recorded in the Rockland County Clerk Office.
3. The existing road work permit must be renewed along with the revised site plan if the proposed amendment is approved by the Village.

We appreciate you for the opportunity to review the site plan. Please feel free to contact us at 845 638 5060 with any question or concern you may have regarding this matter.

Thank you.

Page 2



Dyan Rajasingham
Engineer III

CC: Rockland County Department of Planning
Sparaco & Youngblood, PLLC. – Consulting Engineers

ROCKLAND COUNTY SEWER DISTRICT NO. 1

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

Michael Specht
Chairman

Michael R. Saber, P.E.
Executive Director

January 25, 2024

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

RECEIVED
FEB - 1 2024
VILLAGE OF WESLEY HILLS

Re: Bassie Hurwitz
91 Spook Rock Road
Tax Lot 11/40.16-1-10.21 (formerly a portion of 8./22/A1C5B)

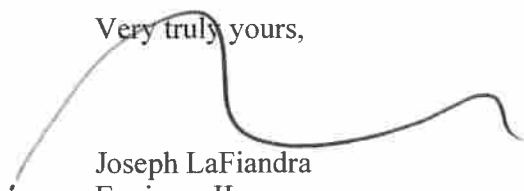
Dear Ms. Schultz:

Our office has received and reviewed a ZBA planimetric plan that was last revised on January 8, 2024, which Sparaco & Youngblood prepared for the above referenced project. We thank you for the opportunity to comment on this application. Our comments are as follows:

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

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

Very truly yours,



Joseph LaFiandra
Engineer II

cc: M. Saber M. Dolphin
Michael Kezner – Rockland County Department of Planning
Michael Sadowski, P.E. – Town of Ramapo DPW
Steven M. Sparaco, P.E. – P.O. Box 818, Harriman, NY 10926-0818
Bassie Hurwitz – 89 Spook Rock Road, Suffern, NY 10901-2706

File: TOR 40.16-1-10.2 – 89 Spook Rock Road
Reader

Rocklandgov.com

DRAINAGE AGENCY
DIVISION OF THE HIGHWAY DEPARTMENT
26 Scotland Hill Road
Chestnut Ridge, New York 10977
Phone: (845) 638-5060; Fax: (845) 638-5037
Email: Drainageagency@co.rockland.ny.us

Charles H. "Skip" Vezzetti
Superintendent of Highways
Chairman, Drainage Agency

Vincent Altieri, Esq.
Executive Director

Via email: buildingdept@wesleyhills.org

January 30, 2024

Zoning Board of Appeals
Village of Wesley Hills
432 Route 306
Wesley Hills, NY 10952
Attn.: Alicia Schultz, Deputy Village Clerk

Re: Hurwitz Driveway

Location: 89 Spook Rock Road, Suffern
Parcel ID(s): Section 40.16, Block 1, Lot(s) 10.21
Municipality Village of Wesley Hills
Resource: Willow Tree Brook

Dear Zoning Board Members:

The Rockland County Drainage Agency (RCDA) has reviewed the above referenced proposal as prepared by Sparaco & Youngblood, PLLC, dated/last revised 01/08/2024, included with the municipal referral dated 1/17/2024. Based on a review, the RCDA offers the following comment(s):

- 1) The above referenced site is outside the jurisdiction of the RCDA, pursuant to the Rockland County Stream Control Act, Chapter 846. Therefore, a Stream Control Act permit from the RCDA is not required for developments within this site. Also, the RCDA has no further comments regarding the proposal, pursuant to the State Environmental Quality Review (SEQR).
- 2) The RCDA recommends that the municipal land use boards and/or departments review all development proposals for this site and ensure that developments with increase in impervious areas and/or land disturbances will not result any increase in stormwater runoff from the site and will have adequate measures to prevent soil erosion and control sediment from leaving the site.

Please contact the undersigned at (845) 638-5060 or by email: drainageagency@co.rockland.ny.us, if you have any questions regarding this matter.

Very truly yours,



Liron Derguti, Engineer I
Rockland County Drainage Agency

c: Vincent Altieri, Esq., RCDA
Building Department, Village of Wesley Hills
Planning Board, Village of Wesley Hills
Bassie Hurwitz, Owner/Representative
Steven M. Sparaco, P.E., Sparaco & Youngblood, PLLC
Rockland County Planning Department
Rockland County Highway Department
File

buildingdept@wesleyhills.org
buildingdept@wesleyhills.org
bassiehurwitz@gmail.com
sparaco.steve@selsny.com
(by email)
(by email)

(File: 24 RGR 04)

File Attachments for Item:

4. Application submitted by Goldy Rosenfeld for variances from the provisions of Sections 230-17 Attachment I and 230-14O(4)(a) of the Code of the Village of Wesley Hills, to permit the maintenance and use of a single family residence and inground swimming pool having building height of 26.18 feet instead of the maximum permitted of 25 feet, impervious surface ratio of .30 instead of the maximum permitted of .25 and rear yard for the pool of 11.5 feet instead of the minimum required of 15 feet.

The subject premises are situated on the north side of Ardley Place at the intersection with Wilder Road, known as 2 Ardley Place, designated on the Tax Map as Section 41.10 Block I Lot 20, in an R 35 Zoning District.

DEC. 27 2023

PART I

VILLAGE OF WESLEY HILLS

Name of Municipality VILLAGE OF WESLEY HILLS Date 12/13/23

Please check all that apply:

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

Project Name: 2 Ardley Place

Applicant: Goldy Rosenfeld Phone # _____

Address 2 Ardley Place Monsey NY 10952
Street Name & Number (Post Office) State Zip code

Property Owner: Yitzchok Rosenfeld Phone # _____

Address 2 Ardley Place Monsey NY 10952
Street Name & Number (Post Office) State Zip code

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

Address 633 Woodmont Lane Sloatsburg NY 10974
Street Name & Number (Post Office) State Zip code

Attorney: Paul S. Baum, Esq., Sarajian & Baum PLLC Phone # 845-206-4556

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

Contact Person: Attorney Phone # _____

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



Tax Map Designation:

Section 41.10 Block 1 Lot(s) 20

Section _____ Block _____ Lot(s) _____

Location: On the north side of Ardley Place,
at the intersection feet of Wilder Road Road.

Acreeage of Parcel 34,695 SF **Zoning District** R-35
School District East Ramapo **Postal District** Monsey

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

See attached narrative summary.

If subdivision:

- 1) Is any variance from the subdivision regulations required? _____
- 2) Is any open space being offered? ___ If so, what amount? _____

Project History: Has this project ever been reviewed before? _____

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.

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



This property is within 500 feet of:
(Check all that apply)

IF ANY ITEM IS CHECKED, A REVIEW MUST BE DONE BY THE ROCKLAND COUNTY COMMISSIONER OF PLANNING UNDER THE STATE GENERAL MUNICIPAL LAW, SECTIONS 239 K, L, M, AND N.

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

List name(s) of facility checked above. Wilder Road (County Highway 81)

Applicant's Signature and Certification

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

I, Goldy Rosenfeld - Schwartz, hereby depose and say that all the above statements contained in the papers submitted herewith are true.

Mailing Address

[Signature]
2 Ardley Place
Monsey, NY 10952

SWORN to before this

14 day of December, 2023

[Signature]
Notary Public

HIRSCH ROSENZWEIG
Notary Public, State of New York
Reg. No. 01RO0002288
Qualified in Rockland County
Commission Expires 03/06/2027



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

I, Yitzchok Rosenfeld being duly sworn, hereby
depose and say that I reside at: _____


in the county of Rockland in the state of NY

I am the * _____ owner in fee simple of premises located at:
2 Ardley Place, Monsey, NY 10952

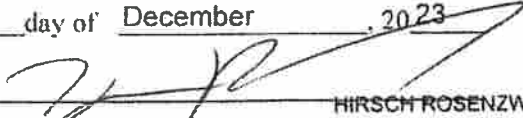
described in a certain deed of said premises recorded in the Rockland County Clerk's
Office in Liber ^{Instrument #2019-20120} _____ of conveyances, page _____.

Said premises have been in my/its possession since 19 2019. Said premises are
also known and designated on the Town of Ramapo Tax Map as:
section 41.10 block 1 lot(s) 20

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 
Mailing Address 2 Ardley Place
Monsey, NY 10952

SWORN to before this
14 day of December, 2023


Notary Public **HIRSCH ROSENZWEIG**
Notary Public, State of New York
Reg. No. 01RO0002288
Qualified in Rockland County
Commission Expires 03/06/2027

* *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 _____)

I, Yitzchok Rosenfeld, 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

Yitzchok Rosenfeld
2 Ardley Place
Monsey, NY 10952

certifies that he is owner or agent of all that certain lot, piece or parcel of land and/or building described in this application and if not the owner that he has been duly and properly authorized to make this application and to assume responsibility for the owner in connection with this application for the relief below set forth:

2. To the Zoning Board of Appeals of the Town/Village of
(Board, Commission or Agency)
Wesley Hills, Rockland County, New York:

Application, petition or request is hereby submitted for:

- Variance or modification from the requirement of Section 230-17 and 230-14(O)(4)(a) ;
- Special permit per the requirements of Section _____;
- Review and approval of proposed subdivision plat;
- Exemption from a plat or official map;
- An order to issue a certificate, permit or license;
- An amendment to the Zoning Ordinance or Official Map or change thereof;
- Other (*explain*) _____;

To permit construction, maintenance and use of a single family home and pool. See narrative

3. Premises affected are in a R-35 zone and from the town of Ramapo tax map, the property is know as Section 41.10, Block, 1, Lot(s) 20.



4. There is no state officer, Rockland County Officer or employee or town/village officer or employee nor his or her spouse, brother, sister, parent, child or grandchild, or a spouse of any of these relatives who is the applicant or who has an interest in the person, partnership or association making this application, petition or request, or is an officer, director, partner or employee of the applicant, or that such officer or employee, if this applicant is a corporation, legally or beneficially owns or controls any stock of the applicant in excess of 5% of the total of the corporation if its stock is listed on the New York or American Stock Exchanges; or is a member or partner of the applicant, if the applicant is an association or a partnership; nor that such town/village officer or employee nor any member of his family in any of the foregoing classes is a party to an agreement with the applicant, express or implied, whereby such officer or employee may receive any payment or other benefit, whether or not for service rendered, which is dependent or contingent upon the favorable approval of this application, petition or request.

5. That to the extent that the same is known to your applicant, and to the owner of the subject premises there is disclosed herewith the interest of the following officer or employee of the State of New York or the County of Rockland or of the Town/Village of Wesley Hills in the petition, request or application or in the property or subject matter to which it relates:

(if none, so state)

a. Name and address of officer or employee NONE

b. Nature of interest _____

c. If stockholder, number of shares _____

d. If officer or partner, nature of office and name of partnership _____

e. If a spouse or brother, sister, parent, child, grandchild or the spouse of any of these blood relatives of such state, county or town/village officer or employee, state name and address of such relative and nature of relationship to officer and employee and nature and extent of office, interest or participation or association having an interest in such ownership or in any business entity sharing in such ownership. _____

f. In the event of corporate ownership: A list of all directors, officers and stockholders of each corporation owning more than five (5%) percent of any class of stock, must be attached, if any of these are officers or employees of the State of New York, or of the County of Rockland, or of the Town/Village of _____.

I, Yitzchok Rosenfeld, do hereby depose and say that all the above statements and statements contained in the papers submitted herewith are true, knowing that a person who knowingly and intentionally violates this section is guilty of a misdemeanor.

Mailing Address

2 Ardley Place
Monsey, NY 10952

SWORN to before this

14 day of December, 2023

Notary Public

[Signature]
HIRSCH ROSENZWEIG
Notary Public, State of New York
Reg. No. 01RO0002288
Qualified in Rockland County
Commission Expires 03/06/2027

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 }

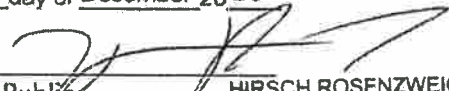
Yitzchok Rosenfeld being duly sworn, deposes and
says that he/she resides at 2 Ardley Place, Monsey, NY 10952

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. 41.10 Lot No. 1-20 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: 
Address: 2 Ardley Place
Monsey, NY 10952

Sworn to before me this

14 day of December 2023


Notary Public **HIRSCH ROSENZWEIG**
Notary Public, State of New York
Reg. No. 01RO0002288
Qualified in Rockland County
Commission Expires 03/06/2027



Affidavit of Ownership/Owner's Consent

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

I, Yitzchok Rosenfeld being duly sworn, hereby
depose and say that I reside at: _____

_____ in the county of Rockland in the state of NY

I am the * _____ owner in fee simple of premises located at:
2 Ardley Place, Monsey, NY 10952

described in a certain deed of said premises recorded in the Rockland County Clerk's
Office in Liber Instrument #2019-20120 of conveyances, page _____.

Said premises have been in my/its possession since 19 2019. Said premises are
also known and designated on the Town of Ramapo Tax Map as:
section 41.10 block 1 lot(s) 20

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 _____
Mailing Address 2 Ardley Place
Monsey, NY 10952

SWORN to before this
14 day of December, 2023

Notary Public

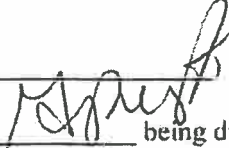
HIRSCH ROSENZWEIG
Notary Public, State of New York
Reg. No. 01RO0002288
Qualified in Rockland County
Commission Expires 03/06/2027

* 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

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

I, Goldy Rosenfeld - Schwartz  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 of Appeals (board) in the town/village of Wesley Hills affecting property located at 2 Ardley Place, Rockland County, New York.

Monsey, NY 10952


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

SECTION/BLOCK/LOT NAME ADDRESS

TO BE PROVIDED UNDER SEPARATE COVER

SWORN to before this

14 day of December, 2023

Notary Public 

HIRSCH ROSENZWEIG
Notary Public, State of New York
Reg. No. 01RO0002288
Qualified in Rockland County
Commission Expires 03/05/2027

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

M. Puente
APPLICANT

12/14/23
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 and 230-14(O)(4)(a) _____;
- Special permit per the requirements of Section _____;
- Review of an administrative decision of the Building Inspector;
- An order to issue a Certificate of Occupancy;
- An order to issue a Building Permit;
- An interpretation of the Zoning Ordinance or Map;
- Certification of an existing non-conforming structure or use;
- Other (*explain*) _____;

To permit construction, maintenance and use of a single family home and pool. See narrative



**NARRATIVE SUMMARY
FOR
2 ARDLEY PLACE
S/B/L: 41.10-1-20**

INTRODUCTION

This narrative summary is submitted in support of the within application by Goldy Rosenfeld, the owner of the single-family dwelling located at 2 Ardley Place (the "Property"). The applicant is seeking variances in order to legalize the construction of a new single-family home and pool (the "Project"). The Project will require variances from the Table of Dimensional Requirements for the R-35 Zone as follows:

	Permitted	Proposed
Maximum Building Height	25 ft	26.18 ft.
Max. Impervious Surface Ratio	.25	.30
Rear Yard for Pool	15 ft.	11.5 ft.

The applicant has constructed a new single-family dwelling and inground swimming pool on the Property. A building permit for the construction of the home was issued on October 2, 2020. A copy of the building permit is attached as Exhibit A. A copy of the plot plan is attached as Exhibit B. Thereafter, an inground swimming pool was added. A permit for the pool was issued on January 10, 2022. A copy of the building permit is attached as Exhibit C. A copy of the plot plan is attached as Exhibit D.

Upon the final inspection to close out the permits and obtain the final certificates of occupancy for the house and pool, it was discovered that the due to the grading of the property, the elevation of the house exceeded the 25-foot height requirement by 1.18 feet. It was further determined that the patio area around the pool was constructed 3.5 feet closer to the rear yard than the 15 feet permitted by the code. Further, upon the final calculation of the impervious surface ratio, the final calculation determined the ratio was .30.

The applicant seeks the variances to legalize these existing conditions.

SEQRA

The action is a Type II pursuant to 6 NYCRR 617.5(c)(2) replacement, rehabilitation or reconstruction of a structure or facility, in kind, on the same site); (11) construction or expansion of a single-family, a two-family or a three-family residence on an approved lot including provision of necessary utility connections); (12) construction, expansion or placement of minor accessory/appurtenant residential structures, including garages, carports, patios, decks, swimming pools, tennis courts, satellite dishes, fences, barns, storage sheds or other buildings not changing land use or density; (16) granting of individual setback and lot line variances and adjustments) and; (17) granting of an area variance for a single-family, two-family or three-family residence. It is not subject to environmental review pursuant to SEQRA. An SEAF Part 1 has been submitted.

GML

The property is within 500' of Wilder Road (County Highway 81). Pursuant to General

Page 2

Municipal Law Section 239-m, a referral to the Rockland County Department of Planning is required.

VARIANCES

The requested variances will not impact any of the neighbors, will not change the character of the neighborhood or create any detriment to neighboring properties, nor will they cause an adverse effect or impact on the physical or environmental conditions of the neighborhood or district. The height of the home is only 22.95'. However, due to a high-water table, the first floor elevation was set at 525.23' instead of the originally proposed 524'. Because the average existing grade is 522' the house is considered to be 26.18' high instead of the 24.95' originally proposed in the plans so that the final building height, measured from average grade, exceeds the 25-foot height requirement by a minimal 1.8'. The deficiency is so slight that it will be undetectable from anyone viewing the home.

The deficiency in the rear yard for the pool is also minimal. The pool itself is set back more than the 15' required by the code, but the patio around the pool encroaches into the rear yard by 3.5'. The applicant also owns the property to the north that is most impacted by the pool variance.

At the time of the issuance of the pool permit, the impervious surface ratio was proposed to be .238 based on an area of 8,317 SF. The final calculated impervious area is 10,409 SF for a ratio of .30. The increase in impervious area is due to an increase in the actual size of the driveway/front walk from 1,627 SF to 2,121 SF (a gain of 494 SF), an increase in the pool area from 2,194 SF to 3,790 SF (a gain of 1596 SF), and a slight increase in the house from 4,204 to 4,318 (a gain of 114 SF). The additional impervious surface will be addressed by an appropriate storm water management system to be approved by the Village's Engineering Consultant so that there will be no net increase in the peak rate of runoff. The water will be appropriately detained and will not impact any neighbors.

There are no other feasible alternatives to the variances other than to tear off the roof of the house or tear out the additional pool patio in the rear yard. That would not be a practical approach based on the limited impacts these conditions have on the neighborhood. There is no other reasonable manner in which the property can be brought into compliance other than granting the variances.

Under the particular circumstances of this case, the benefit to the applicant from the grant of the variances significantly outweighs any detriment to the health, safety and welfare of the neighborhood. It is therefore respectfully requested that the Zoning Board grant the variances requested.

Dated: December 13, 2023

EXHIBIT A

BUILDING PERMIT FOR DWELLING

2 Ardley Pl
(Address)

Yitzchok Rosenfeld
(Owner)

VILLAGE OF WESLEY HILLS BUILDING ZONE ORDINANCE

THIS **PERMIT**

NOTICE

To be fastened on a part of

it may be plainly seen by all

PERMIT
ISSUED
BY
BUILDING DEPARTMENT
VILLAGE OF WESLEY HILLS

This notice shall not be removed from Building
of Occupancy by

Building shall not be used until a Certificate
Building Inspector.

Date: 10.02.20
Permit expires one year from above date.

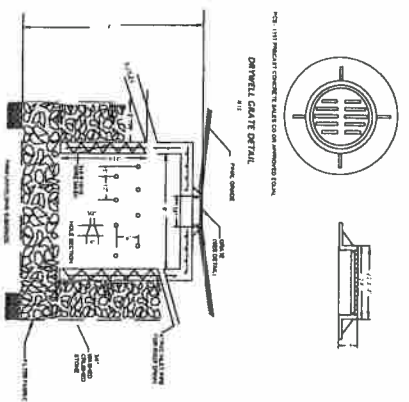
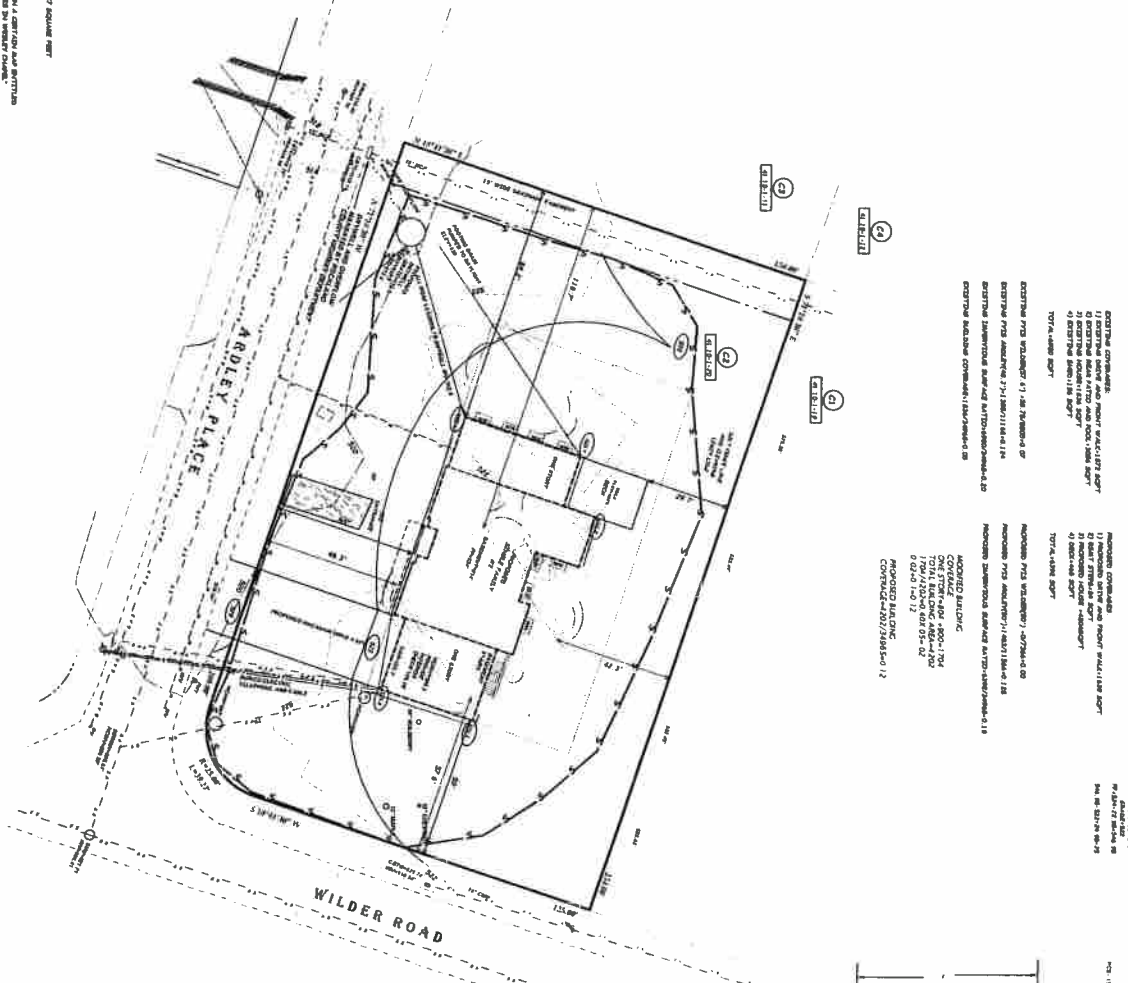
[Signature]
Building Inspector
Village of Wesley Hills
845.354.0700

BY LAW THIS CARD MUST BE VISIBLE FROM THE ROAD DURING CONSTRUCTION

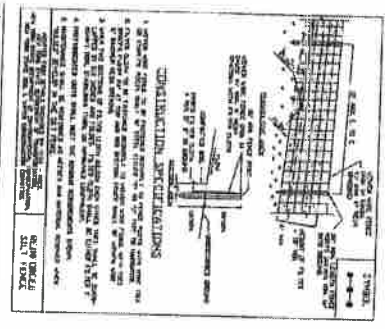
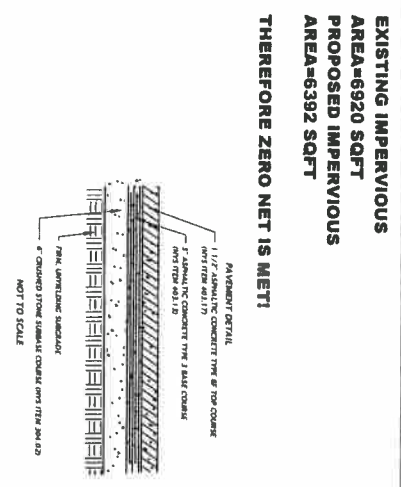
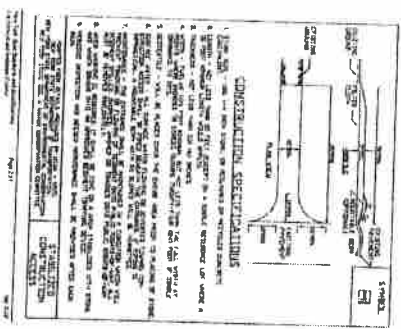
EXHIBIT B

PLOT PLAN FOR DWELLING

BASE REQUIREMENTS										ZONING: R.3.5 SINGLE-FAMILY RESIDENTIAL									
ITEM	UNIT	REQ'D	PROV'D	DEFICIT	ITEM	UNIT	REQ'D	PROV'D	DEFICIT	ITEM	UNIT	REQ'D	PROV'D	DEFICIT	ITEM	UNIT	REQ'D	PROV'D	DEFICIT
1.0	SQ. FT.	1000	1000	0	1.0	SQ. FT.	1000	1000	0	1.0	SQ. FT.	1000	1000	0	1.0	SQ. FT.	1000	1000	0
2.0	SQ. FT.	1000	1000	0	2.0	SQ. FT.	1000	1000	0	2.0	SQ. FT.	1000	1000	0	2.0	SQ. FT.	1000	1000	0
3.0	SQ. FT.	1000	1000	0	3.0	SQ. FT.	1000	1000	0	3.0	SQ. FT.	1000	1000	0	3.0	SQ. FT.	1000	1000	0
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10.0	SQ. FT.	1000	1000	0	10.0	SQ. FT.	1000	1000	0	10.0	SQ. FT.	1000	1000	0	10.0	SQ. FT.	1000	1000	0



DRYWELL MANDATED BY ROCKLAND COUNTY HIGHWAY DEPARTMENT



2 ARDLEY PL
 ANTHONY R. CELENTANO PE
 31 ROCKAWAY ROAD
 WESTFIELD, NY 12145
 518-538-5391 FAX 518-538-5392

EXHIBIT C

BUILDING PERMIT FOR POOL

2 Ardley Pl
(Address)

Yitzhak Rosenfeld
(Owner)

VILLAGE OF WESLEY HILLS BUILDING ZONE ORDINANCE

THIS **PERMIT** NOTICE

To be fastened on a part of building for which it is issued where it may be plainly seen by all

PERMIT NO. 4714 HAS BEEN
ISSUED FOR THIS BUILDING



This notice shall not be removed from Building to which it is attached and Building shall not be used until a Certificate of Occupancy has been issued by the Building Inspector.

Date: 01-10-21
Permit expires one year from above date.

[Signature]
Building Inspector
Village of Wesley Hills
845-354-0400

BY LAW THIS CARD MUST BE VISIBLE FROM THE ROAD DURING CONSTRUCTION

EXHIBIT D

POOL PLOT PLAN

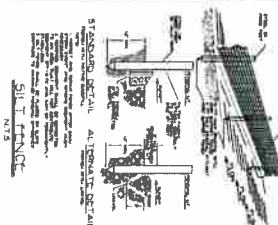
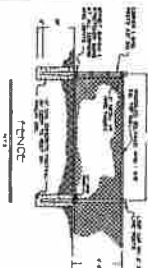
TAX SECTION 4110 BLOCK 1 LOT 20

REFERENCES:

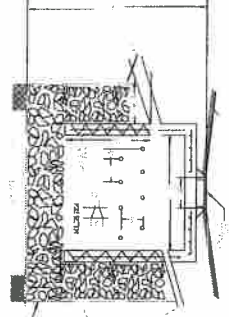
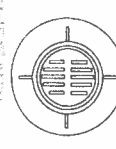
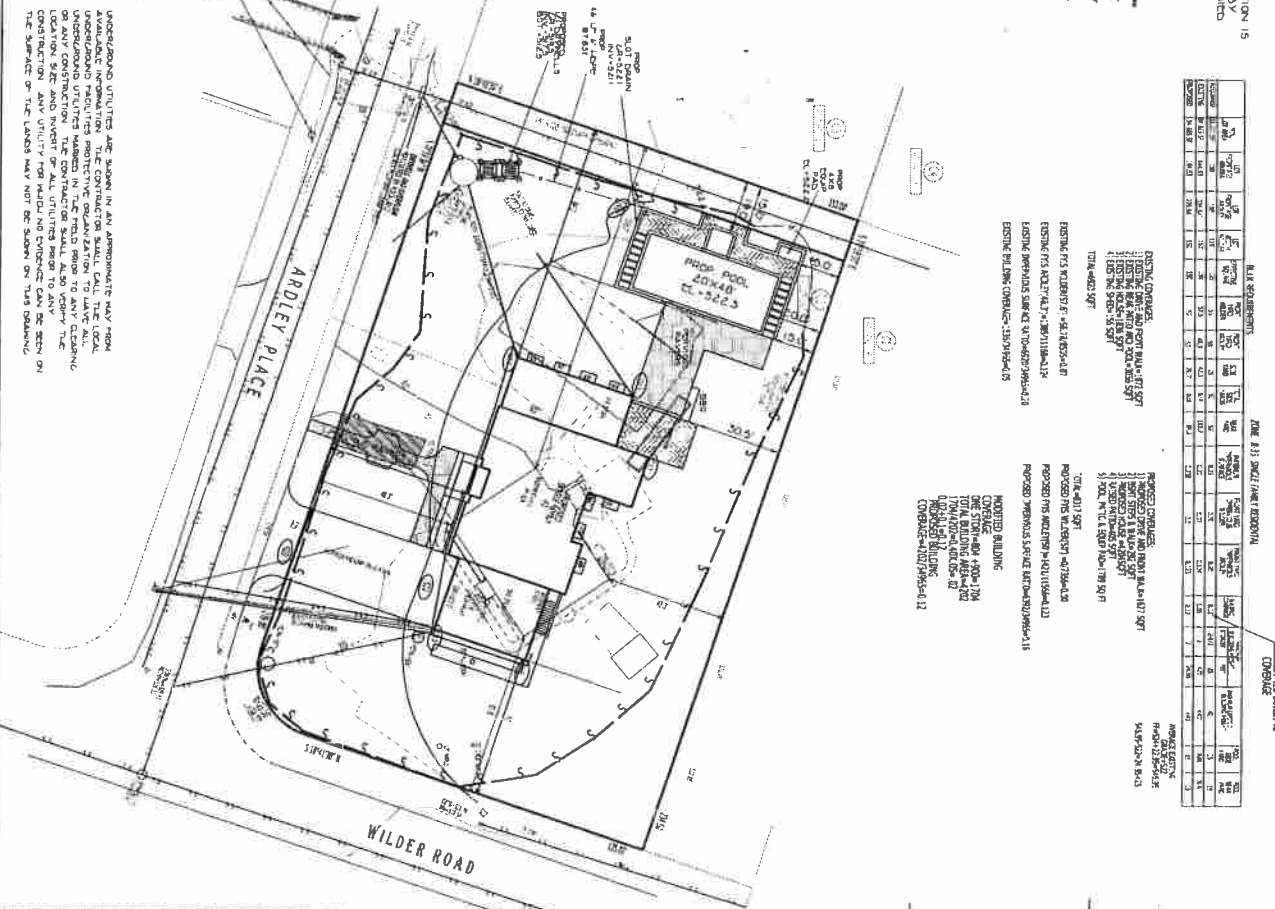
ALL DIMENSIONS & TOLERANCES UNLESS OTHERWISE SPECIFIED SHALL BE IN ACCORDANCE WITH THE DIMENSIONING PRACTICES OF THE AMERICAN INSTITUTE OF ARCHITECTS (AIA) AND THE ARCHITECTURAL RECORDING PRACTICES OF THE AMERICAN SOCIETY OF CIVIL ENGINEERS (ASCE).

DATE OF REVISION: 04/20/20
 DRAWN BY: [Signature]
 CHECKED BY: [Signature]

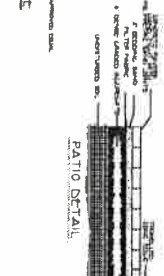
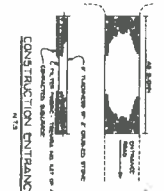
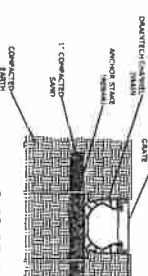
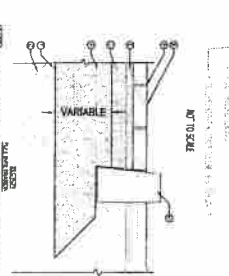
AREA SCHEDULES		ZONE B33 SINGLE-FAMILY RESIDENTIAL	
NO.	DESCRIPTION	AREA (SQ. FT.)	AREA (SQ. FT.)
1	EXISTING HOUSE	1,200	1,200
2	EXISTING GARAGE	400	400
3	EXISTING DRIVE	1,000	1,000
4	EXISTING PATIO	200	200
5	EXISTING POOL	1,000	1,000
6	EXISTING DECK	1,000	1,000
7	EXISTING PORCH	1,000	1,000
8	EXISTING WALKWAY	1,000	1,000
9	EXISTING DRIVEWAY	1,000	1,000
10	EXISTING DRIVEWAY	1,000	1,000
11	EXISTING DRIVEWAY	1,000	1,000
12	EXISTING DRIVEWAY	1,000	1,000
13	EXISTING DRIVEWAY	1,000	1,000
14	EXISTING DRIVEWAY	1,000	1,000
15	EXISTING DRIVEWAY	1,000	1,000
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17	EXISTING DRIVEWAY	1,000	1,000
18	EXISTING DRIVEWAY	1,000	1,000
19	EXISTING DRIVEWAY	1,000	1,000
20	EXISTING DRIVEWAY	1,000	1,000
21	EXISTING DRIVEWAY	1,000	1,000
22	EXISTING DRIVEWAY	1,000	1,000
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24	EXISTING DRIVEWAY	1,000	1,000
25	EXISTING DRIVEWAY	1,000	1,000
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PAUL GDANSKI P.E. 072890



DRYWELL MANDATED BY ROCKLAND COUNTY HIGHWAY DEPARTMENT

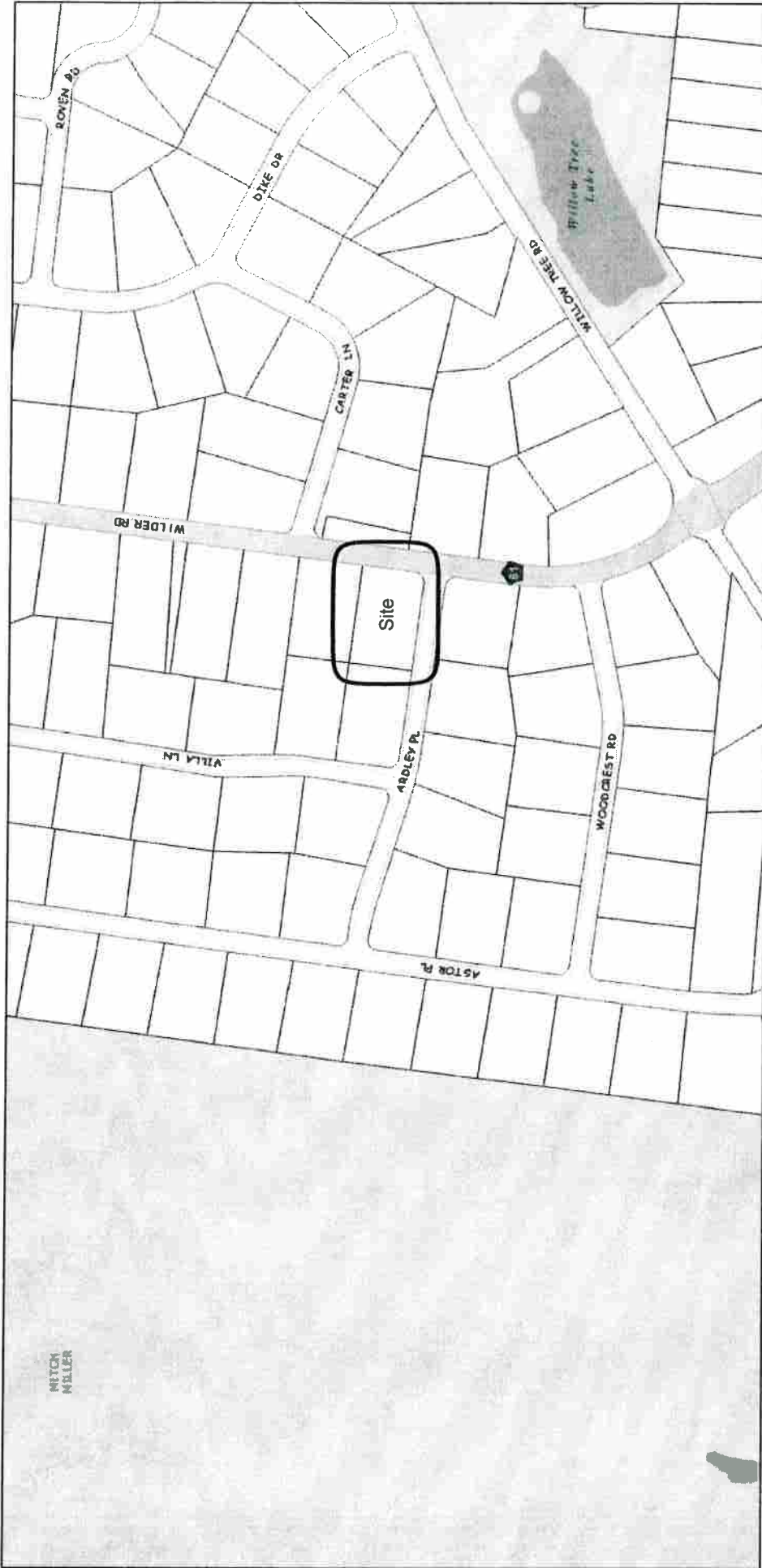


NO.	DESCRIPTION	AREA (SQ. FT.)	AREA (SQ. FT.)
1	EXISTING HOUSE	1,200	1,200
2	EXISTING GARAGE	400	400
3	EXISTING DRIVE	1,000	1,000
4	EXISTING PATIO	200	200
5	EXISTING POOL	1,000	1,000
6	EXISTING DECK	1,000	1,000
7	EXISTING PORCH	1,000	1,000
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PAUL GDANSKI P.E., PLLC
 633 WOODMONT LANE
 SLATSBURG, NEW YORK 10974
 (917) 418-0999
 EMAIL: P.GDANSKI@ARTLINK.NET

POOL PLAN FOR 2 ARDLEY
 VILLAGE OF WESLEY HILLS
 TOWN OF RAMAPO
 ROCKLAND COUNTY, NEW YORK

ArcGIS Web Map



12/22/2023, 2:02:04 PM

- ROW County Highway
- Parcel Layer

1:2,800



2 Ardley Place Vicinity Map

BUILDING DEPT.

DEC 27 2023

VILLAGE OF WESLEY HILLS

Web AppBuilder for ArcGIS

Item 4.

Short Environmental Assessment Form

Part 1 - Project Information

BUILDING DEPT.

Item 4.

DEC 29 2023

Instructions for Completing

Part 1 – Project Information. The applicant or project sponsor is responsible for the completion of Part 1. Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification. Complete Part 1 based on information currently available. If additional research or investigation would be needed to fully respond to any item, please answer as thoroughly as possible based on current information.

Complete all items in Part 1. You may also provide any additional information which you believe will be needed by or useful to the lead agency; attach additional pages as necessary to supplement any item.

Part 1 – Project and Sponsor Information			
Name of Action or Project: 2 Ardley Place			
Project Location (describe, and attach a location map): 2 Ardley Place, Wesley Hills, NY 10952			
Brief Description of Proposed Action: Variances for height, rear yard and maximum impervious surface ratio			
Name of Applicant or Sponsor: Yitzchok Rosenfeld		Telephone:	
		E-Mail:	
Address: 2 Ardley Place			
City/PO: Wesley Hills		State: NY	Zip Code: 10952
1. Does the proposed action only involve the legislative adoption of a plan, local law, ordinance, administrative rule, or regulation? If Yes, attach a narrative description of the intent of the proposed action and the environmental resources that may be affected in the municipality and proceed to Part 2. If no, continue to question 2.			NO <input type="checkbox"/>
			YES <input type="checkbox"/>
2. Does the proposed action require a permit, approval or funding from any other government Agency? If Yes, list agency(s) name and permit or approval:			NO <input type="checkbox"/>
			YES <input type="checkbox"/>
3. a. Total acreage of the site of the proposed action?		_____ 34,965 SF acres	
b. Total acreage to be physically disturbed?		_____ acres	
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor?		_____ acres	
4. Check all land uses that occur on, are adjoining or near the proposed action:			
<input type="checkbox"/> Urban <input type="checkbox"/> Rural (non-agriculture) <input type="checkbox"/> Industrial <input type="checkbox"/> Commercial <input checked="" type="checkbox"/> Residential (suburban)			
<input type="checkbox"/> Forest <input type="checkbox"/> Agriculture <input type="checkbox"/> Aquatic <input type="checkbox"/> Other(Specify):			
<input type="checkbox"/> Parkland			

		NO	YES	Item 4.
5. Is the proposed action,	a. A permitted use under the zoning regulations?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	b. Consistent with the adopted comprehensive plan?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
6. Is the proposed action consistent with the predominant character of the existing built or natural landscape?		<input type="checkbox"/>	<input checked="" type="checkbox"/>	
7. Is the site of the proposed action located in, or does it adjoin, a state listed Critical Environmental Area?		<input type="checkbox"/>	<input checked="" type="checkbox"/>	
If Yes, identify: _____		<input checked="" type="checkbox"/>	<input type="checkbox"/>	
8. a. Will the proposed action result in a substantial increase in traffic above present levels?		<input type="checkbox"/>	<input checked="" type="checkbox"/>	
	b. Are public transportation services available at or near the site of the proposed action?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
	c. Are any pedestrian accommodations or bicycle routes available on or near the site of the proposed action?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
9. Does the proposed action meet or exceed the state energy code requirements?		<input type="checkbox"/>	<input checked="" type="checkbox"/>	
If the proposed action will exceed requirements, describe design features and technologies: _____ _____				
10. Will the proposed action connect to an existing public/private water supply?		<input type="checkbox"/>	<input checked="" type="checkbox"/>	
If No, describe method for providing potable water: _____ _____				
11. Will the proposed action connect to existing wastewater utilities?		<input type="checkbox"/>	<input checked="" type="checkbox"/>	
If No, describe method for providing wastewater treatment: _____ _____				
12. a. Does the project site contain, or is it substantially contiguous to, a building, archaeological site, or district which is listed on the National or State Register of Historic Places, or that has been determined by the Commissioner of the NYS Office of Parks, Recreation and Historic Preservation to be eligible for listing on the State Register of Historic Places?		<input checked="" type="checkbox"/>	<input type="checkbox"/>	
b. Is the project site, or any portion of it, located in or adjacent to an area designated as sensitive for archaeological sites on the NY State Historic Preservation Office (SHPO) archaeological site inventory?		<input type="checkbox"/>	<input type="checkbox"/>	
13. a. Does any portion of the site of the proposed action, or lands adjoining the proposed action, contain wetlands or other waterbodies regulated by a federal, state or local agency?		<input checked="" type="checkbox"/>	<input type="checkbox"/>	
b. Would the proposed action physically alter, or encroach into, any existing wetland or waterbody?		<input checked="" type="checkbox"/>	<input type="checkbox"/>	
If Yes, identify the wetland or waterbody and extent of alterations in square feet or acres: _____ _____ _____				

14. Identify the typical habitat types that occur on, or are likely to be found on the project site. Check all that apply: <input type="checkbox"/> Shoreline <input type="checkbox"/> Forest <input type="checkbox"/> Agricultural/grasslands <input type="checkbox"/> Early mid-successional <input type="checkbox"/> Wetland <input type="checkbox"/> Urban <input checked="" type="checkbox"/> Suburban		
15. Does the site of the proposed action contain any species of animal, or associated habitats, listed by the State or Federal government as threatened or endangered?	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
16. Is the project site located in the 100-year flood plan?	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
17. Will the proposed action create storm water discharge, either from point or non-point sources? If Yes,	NO	YES
a. Will storm water discharges flow to adjacent properties?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
If Yes, briefly describe: _____ _____		
18. Does the proposed action include construction or other activities that would result in the impoundment of water or other liquids (e.g., retention pond, waste lagoon, dam)? If Yes, explain the purpose and size of the impoundment:	NO	YES
_____ _____	<input checked="" type="checkbox"/>	<input type="checkbox"/>
19. Has the site of the proposed action or an adjoining property been the location of an active or closed solid waste management facility? If Yes, describe:	NO	YES
_____ _____	<input checked="" type="checkbox"/>	<input type="checkbox"/>
20. Has the site of the proposed action or an adjoining property been the subject of remediation (ongoing or completed) for hazardous waste? If Yes, describe:	NO	YES
_____ _____	<input checked="" type="checkbox"/>	<input type="checkbox"/>

I CERTIFY THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE

Applicant/sponsor/name: Yitzchok Rosenfeld Date: _____

Signature: _____ Title: _____

VILLAGE OF WESLEY HILLS

432 Route 306

Wesley Hills, N.Y. 10952-1221

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

Dated: December 27, 2023

Tax Parcel ID: 41.10-1-20

Address: 2 Ardley Place

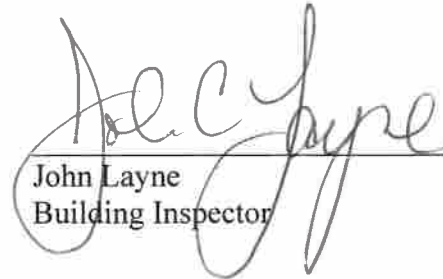
Applicant: Goldy Rosenfeld

BUILDING AND ZONING DEPARTMENT:

Please be advised that your application for a building permit for maintenance and use of a single-family home and inground pool 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 impervious surface ratio of 0.30 when 0.25 is required.
- Maximum building height of 26.18' when 25' is required.
- Maximum rear yard for pool of 11.5' when 15' is required.

In addition, the Zoning Board of Appeals may review any existing non-conforming items and previously granted variances.



John Layne
Building Inspector

Cc: Zoning Board of Appeals

Mayor: Marshall Katz Deputy Mayor: Edward McPherson

Trustees: Ruth Ivey, Yisroel Cherns, Milton Schwartz

Village Clerk: Camille Guido-Downey Village Attorneys: Frank Brown, Benjamin Selig

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

Municipality: Village of Wesley Hills

Date Sent: 12/28/2023

Board: ___ Planning ZBA ___ Town/Village Meeting Date: 1/17/2024

File Name Goldv Rosenfeld
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
- RC Department of Environmental Health (Sewers, Water, Mosquito Code, Underground Tanks)
- RC Sewer District #1
- NYS Department of Environmental Conservation
- 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
- Adjacent Municipality (Village of New Hempstead)
- Other _____

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

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

Location of Parcel(s) 2 Ardley Place

Acreeage of Parcel (s) 0.806

Existing Sq. Footage _____ Proposed Sq. Footage _____

The Property in Question Lies Within 500 Feet of:

- County Road
- County Stream
- County Park
- County or State Facility
- State Road, Thruway, or Parkway
- State Park
- Village, Town, or County Boundary (Vill. of New Hemp.)
- The Long Path

Map 41.10 Block 1 Lot(s) 20 Map Date: 3/10/2023

Current Zoning: R-35

Brief Project Description: APPLICATION FOR VARIANCES PERMITTING THE MAINTAINENCE AND USE OF A SINGLE-FAMILY RESIDENCE AND INGROUND SWIMMING POOL.

Variances Needed (if applicable)	Required	Existing	Proposed
Maximum impervious surface ratio	0.25	0.20	0.30
Maximum building height	25'	<25'	26.18'
Maximum rear yard for pool	15'	N/A	11.5'

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

GML Report

Property Information:

Parcel ID: 41.10-1-20	Date Parcel: February 2023
OLD ID: 9-30CC2	Address: 2 ARDLEY PL
Address 2:	Alternative:
City: MONSEY	State: NY
Zip: 10952	Book Page:
Deed Date: 10/2/2019 12:00:00 AM	Instrument: 2019-00028120
Municipality: Wesley Hills	Deed Acres: 0
GIS Acres: 0.806	

GML Criteria:

GML Review: YES	Palisades Parkway: NO
Thruway: NO	County Road: YES
State Road: NO	County Regulated Streams: NO
Long Path: NO	County Park: NO
State Park: NO	State Property: NO
County Property: NO	Village Boundary: NO
Town Boundary: NO	Orange County Boundary: NO
X Coordinate: 606596	Y Coordinate: 846459

Source: Rockland County GIS Portal

HIGHWAY DEPARTMENT

23 New Hempstead Road
New City, New York 10956
Phone: (845) 638-5060 Fax: (845) 638-5037
Email: highway@co.rockland.ny.us

Charles H. "Skip" Vezzetti
Superintendent of Highways

January 16, 2024

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

**Re: Site Plan Review for Single-Family Residence and In-Ground Pool
2 Ardley Place in Wesley Hills, NY
Tax Lot #41.10-1-20; R-35 Zoning District**

Dear Ms. Schultz:

The Rockland County Highway Department ("RCHD") was in receipt of the above application along with a site plan prepared by Anthony R. Celentano, P.L.S., dated 03.10.23, as part of the GML review process. The review has been complete now and we offer the following comments.

1. It appears the evergreen hedge/trees planted in the Rockland County Right of Way ("ROW") is causing a traffic safety issue at the intersection as the line of sight is restricted. The trees/hedge shall be removed, and the line of sight shall be enhanced to promote traffic safety at the intersection.
2. A drainage report shall be prepared to demonstrate that the existing/proposed drainage system in the parcel is adequately designed to produce no net increase in the peak rate of discharge from the site at all design points.
3. A road work permit must be secured from the RCHD prior to starting any construction work in the site.

We appreciate you for the opportunity to review the site plan. Please feel free to contact us at 845 638 5060 with any question or concern you may have regarding this matter.

Thank you.



Dyan Rajasingham
Engineer III

CC: Rockland County Department of Planning
Anthony R. Celentano, P.L.S. – Professional Land Surveyor

RECEIVED

JAN 25 2024

VILLAGE OF WESLEY HILLS

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

January 19, 2024

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

Tax Data: 41.10-1-20

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

Map Date: 12/04/2023

Date Review Received: 01/02/2024

Item: *GOLDY ROSENFELD/2 ARDLEY PLACE (Whi-204)*

Variations to legalize an existing single-family dwelling with a pool located on 0.80 acres in the R-35 zoning district. The requested variations include building height, rear yard to the pool, and maximum impervious surface ratio.

Northwest corner of Wilder Road and Ardley Place

Reason for Referral:

Wilder Road (CR 81)

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***

It is normally our policy to advise caution when granting a variance for impervious surface ratio that exceeds the maximum standard by 20 percent. However, the site features have already been constructed and appear to be consistent with other lots in the immediate vicinity. We therefore offer the following comments on the requested variations.

1 The applicant shall comply with the comments made by the Rockland County Highway Department in their letter dated January 16, 2024.

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

3 A review must be completed by the County of Rockland Sewer District No. 1, any comments or concerns addressed, and all required permits obtained.

4 The bulk table indicates a variance is needed from Section 230-14L for fence height. This is not indicated anywhere else in the application materials. This variance must be confirmed and, if required, the materials must be revised so that all application materials remain consistent. If the public hearing notice did not contain all required variations, it must be revised and reissued.

GOLDY ROSENFELD/2 ARDLEY PLACE (Whi-204)

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.

7 The following additional comments are offered strictly as observations and are not part of our General Municipal Law (GML) review. The board may have already addressed these points or may disregard them without any formal vote under the GML process:

7.1 This application was officially received by the Rockland County Planning Department on January 2, 2024. The application materials indicate that the public hearing was held on January 17, 2024. As a reminder, State General Municipal Law, Section 239 (m) 4.(b) states that "Such county planning agency or regional planning council, or an authorized agent of said agency or council, shall have thirty days after receipt of a full statement of such proposed action, or such longer period as may have been agreed upon by the county planning agency or regional planning council and the referring body, to report its recommendations to the referring body, accompanied by a statement of the reasons for such recommendations." Adequate time must be provided to the Rockland County Planning Department in order for us to do our review before the public hearing is scheduled and the matter heard before the board.

7.2 The bulk table shall not include estimations. The actual exposed building height must be indicated on the bulk table.

7.3 The site plan shall contain map notes that list all appropriate information, including the district details and parcel specific information such as lot area, zoning designation, owner, and existing and proposed use. The applicant's engineer has been reminded of this requirement, and the importance of providing these details.

7.4 The site plan must contain a vicinity map that has a north arrow and scale.

7.5 A revision table must be provided on the site plan. The revision dates shall be listed chronologically.



Douglas J. Schuetz
Acting Commissioner of Planning

cc: Mayor Marshall Katz, Wesley Hills
Rockland County Department of Health
Rockland County Highway Department
Rockland County Sewer District No. 1

Anthony R. Celentano P.L.S.

Rockland County Planning Board Members

**NYS General Municipal Law Section 239 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 does it make determinations, whether the item reviewed implicates the Religious Land Use and Institutionalized Persons Act. The County of Rockland Department of Planning defers to the municipality forwarding the item reviewed to render such opinions and make such determinations if appropriate under the circumstances.*

GOLDY ROSENFELD/2 ARDLEY PLACE (Whi-204)

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.

Proponents of projects are advised to apply for variances, special permits or exceptions, hardship approval or other relief.

Pursuant to New York State General Municipal Law §239-m(6), 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. A referring body which 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.

CENTER FOR ENVIRONMENTAL HEALTH

Dr. Robert L. Yeager Health Center
50 Sanatorium Road, Building D
Pomona, New York 10970
Phone: (845) 364-2608 Fax: (845) 364-2025



Public Health
Prevent. Promote. Protect.

EDWIN J. DAY
County Executive

SAMUEL RULLI, PE
Director, Environmental Health

January 26, 2024

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

RECEIVED

FEB - 1 2024

VILLAGE OF WESLEY HILLS

Re: Municipal Referral
2 Ardley Place
Variances for a Single-Family Dwelling
Tax lot 41.10-1-20

Dear Ms. Schultz:

We have received an application and plans as prepared by Anthony R. Celentano, PLS, revised through December 04, 2023, for the above referenced project. Comments are as follows:

1. Application is to be made to the RCDOH for review of the storm water management system for compliance with the County Mosquito Code. The drainage structures on the final survey differ from the original approval issued by this office.

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

Very truly yours,



Brandon Durant
Assistant Public Health Engineer
(845) 364-2642

cc: Michael Kezner, Rockland County Department of Planning
Anthony R. Celentano, PLS
MBSP (via email)



NY OFFICE
74 Lafayette Avenue, Suite 501 845.357.4
Suffern, NY 10901 845.357.1896 Fax

Item 4.

NJ OFFICE
22 Paris Avenue, Suite 105 201.750.3527 Tel
Rockleigh, NJ 07647

June 9, 2023

Village of Wesley Hills
432 Route 306
Wesley Hills, New York 10952

Attn: Alicia Shultz, Building Department

Re: 2 Ardley Place
As-built Review (x2)

Dear Ms. Schultz,

Our office has reviewed the "Final Survey for 2 Ardley Pl", prepared by Anthony Celentano, P.L.S. last revised May 10, 2023. A site visit was last performed on June 6, 2023. At this time, we do not recommend the issuance of a Certificate of Occupancy. It is noted that the two properties are under the same ownership, however, they're still considered two separate lots which may cause issues with zoning and the approval for the adjacent neighborhood gathering based on how the overall site is being utilized. We offer the following comments:

1. Swing set/play area to be shown on survey. Material of play area to be indicated. Trampoline and playset improvements are not consistent with the adjacent neighborhood gathering's special permit. Location of accessory structure(s) may require a variance for side setback and front yard setback.
2. Existing drainage easement on the north side of 29 Wilder should be labeled. The filed subdivision Map #3252 indicates that this 15' drainage easement is to the County of Rockland.
3. Please note that our office did not have the opportunity to review the pool plan. It is noted that a building permit was issued from the Village in January 2022. A swale was proposed in the location of the constructed pool/patio. Applicant shall demonstrate equivalent measure to replace the proposed swale to mitigate any negative impacts to the adjacent neighbors. Additional topography information in the northwesterly corner and pool/patio area shall be provided.
4. Due to the as-built impervious surface ratio and, Applicant to confirm that the installed drywell system provides sufficient volume to demonstrate a net decrease in peak runoff rates for the 100-year, 24-hour storm. Additional drainage mitigation may be required.
5. The maximum building height calculation has been corrected and is measured at 26.18' as noted in the Bulk Table. This requires a variance and is referred to the Zoning Board of Appeals for further consideration.
6. The pool patio encroaches the 15' pool setback requirements along the northern property line. This requires a variance and is referred to the Zoning Board of Appeals for further consideration.
7. The Bulk Table has been updated to indicate a maximum impervious surface ratio of 0.30, exceeding the allowable ratio of 0.25. This requires a variance and is referred to the Zoning Board of Appeals for further consideration.
8. The installed 4"/6" SDR-35 drainage pipes on the north side of building are shown encroaching into the adjacent property to the North (29 Wilder) and daylighting into a 15'-wide drainage easement on the North side of 29 Wilder. Drainage pipes to be removed/modified or appropriate easements shall be filed. Applicant to review the potential of rerouting the drainage pipes to the existing catch basin on the South side of the property.
9. During the site visit, it was found that the 4" and 6" SDR-35 drainage pipes are installed on top of the other at the point of daylight. Applicant to provide additional information on how these pipes were

installed and where the secondary line is from. Standing water was found in all four of the installed catch basins on the north side of the building. Inverts of the pipes to be provided on the survey and positive conveyance of runoff through the installed pipes to be demonstrated.

10. Fence and hedges appear to be located within the westerly 15' wide drainage easement on top of an existing drainage pipe. Fence & hedges shall be relocated east outside of the easement.
11. Fence, hedges, and grading along eastern property line to be relocated within the property or Applicant to seek approval from the Village Board. Please note that the allowable height for a fence along the front lot line is 4 feet. A 6-foot fence in the front yard must be setback at least 4 feet (2/3rds its height) from the property line to be in conformance. In the most recent site visit, it appears the fence has been relocated to the west side of the fence. Survey shall be updated to reflect this and confirm appropriate setbacks. Based upon field measurements, the fence appears to encroach within the allowable setback, possibly the R.O.W., and is not in conformance. Furthermore, a concern was raised for fence/hedge location as it relates to sufficient sight distance. The setbacks required per code will assist with this issue.
12. Soil to be removed from the existing catch basin in the Wilder Road R.O.W.
13. Signoff from the Town of Ramapo for sewer connection to be provided.
14. During the site visit, the water service curb box could not be found. Contractor to confirm location and curb box to be brought to grade if not done so already.
15. Roof leader inverts to be provided once drywells are cleaned of accumulated soil.
16. It appeared that the ripped inlet protection and accumulated soil remain within the two drywells. Drywell shall be cleaned of sediment, as necessary. Inlet protection for the two drywells to be removed.
17. Disturbed areas with the Wilder Road R.O.W. are to be repaired with topsoil and seed. Remains of the concrete base for fence poles to be removed.

Our office will continue our review upon submission of a revised survey and satisfaction to the outstanding comments above.

Very truly yours,



Matthew Trainor, P.E.

Project Engineer

BROOKER ENGINEERING, PLLC

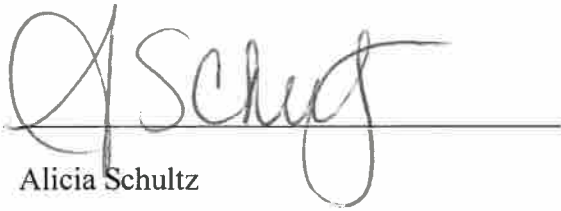
Y:\VILLAGES\WH Wesley Hills\WH0171 - 2020 Plot Plans\2 Ardley Place\2023-06-09 As-Built Survey Review x2.docx

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

Applicant Name: 2 Ardley Drive

CERTIFICATION

I, Alicia Schultz, Deputy Village Clerk of the Village of Wesley Hills, hereby certify that on the 2nd day of Jan., 2024, I mailed the attached notice by regular first class mail in all envelopes submitted to me by the Applicant addressed to all those names appearing on the affidavit of Property Owners by depositing same in an official depository under exclusion care and custody of the United States Postal Office within the State of New York.



Alicia Schultz

Deputy Village Clerk

ACTUAL SIZE

PUBLIC HEARING NOTICE

PLEASE TAKE NOTICE that a public hearing will be held by the Zoning Board of Appeals of the Village of Wesley Hills on the 17th day of January, 2024 at 7:30 P.M. at the Village Hall, 432 Route 306, Wesley Hills, New York 10952 to consider the application submitted by Goldy Rosenfeld for variances from the provisions of Sections 230-17 Attachment I and 230-140(4)(a) to permit the maintenance and use of a single family residence and inground swimming pool having building height of 26.18 feet instead of the maximum permitted of 25 feet, impervious surface ratio of .30 instead of the maximum permitted of .25 and rear yard for the pool of 11.5 feet instead of the minimum required of 15 feet.

The subject premises are situated on the north side of Ardley Place at the intersection with Wilder Road, known as 2 Ardley Place, designated on the Tax Map as Section 41.10 Block 1 Lot 20, in an R-35 Zoning District.

Copies of the aforesaid application are available for public review at the office of the Village Clerk/Treasurer, Village of Wesley Hills, 432 Route 306, Wesley Hills, New York 10952 between the hours of 9 A.M. and 4 P.M. Mondays through Fridays, exclusive of holidays.

Dated: Wesley Hills, New York
January 3, 2024

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

1x1-4/27179

PUBLIC HEARING NOTICE

PLEASE TAKE NOTICE that a public hearing will be held by the Zoning Board of Appeals of the Village of Wesley Hills on the 17th day of January, 2024 at 7:30 P.M. at the Village Hall, 432 Route 306, Wesley Hills, New York 10952 to consider the application submitted by Mark Maidique/Bridger AAD 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 non-building site improvements having impervious surface ratio of .23 instead of the maximum permitted of .20.

The subject premises are situated on the north side of Grandview Avenue and on the west side of Fieldcrest Drive, known as 191 Grandview Avenue, designated on the Tax Map as Section 41.14 Block 1 Lot 12, in an R-50 Zoning District.

Copies of the aforesaid application are available for public review at the office of the Village Clerk/Treasurer, Village of Wesley Hills, 432 Route 306, Wesley Hills, New York 10952 between the hours of 9 A.M. and 4 P.M. Mondays through Fridays, exclusive of holidays.

Dated: Wesley Hills, New York
January 3, 2024

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

File Attachments for Item:

5. January 23, 2024



ZONING BOARD OF APPEALS MEETING MINUTES

January 23, 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
Stuart Zelmanovitz, Member
Stefanie Collantes-Bouvry, Member
Anita Hajioff. Ad Hoc

ABSENT: Randi Marlin, Member
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 - 7 ARDLEY PLACE

Chairman Gewirtz read the public hearing notice into the record.

Doris Ulman stated that Nancy Rubin, representative for the applicant, has submitted an email requesting an adjournment to the February 21, 2024 meeting and noted that this is their second adjournment and that neither the applicant, nor any representative for the applicant, has shown for the Public Hearings

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

Sara Felberman, 5 Ardley Place, stated that in November 2022 they discovered a discrepancy with the filed map for #5 and #7 Ardley Place. Ms. Felberman handed out a packet of exhibits for the Board, which included a letter from CivilTec Engineering from November 21, 2022 that states the square footage of the property at 7 Ardley Place is 35,277 sq. feet, however the plot plan from CivilTec Engineering submitted with the current ZBA application has 36,542 sq. feet down as the square footage. Her exhibits also included a letter from Celentano Surveying, PLLC dated December 5, 2022, stating the filed map discrepancies for #5 and #7 Ardley Place.

Doris Ulman stated that the applicant has other discrepancies with their property discovered by the Village Engineer, and there will have to be some investigation into the filed map discrepancies.

Chairman Gewirtz stated that this will be the final adjournment and the applicant must attend the next meeting in February to answer to the multiple issues before the Board, and no variances will be granted until the filed map discrepancies are managed. Chairman Gewirtz requested a workshop for the application to be discussed on February 8, 2024.

Chairman Gewirtz made a motion to adjourn this application to the February 21, 2024, meeting, seconded by Stuart Zelmanovitz. Upon vote, this motion was carried unanimously.

ITEM #2 - PUBLIC HEARING – 191 GRANDVIEW AVENUE

Chairman Gewirtz read the public hearing notice into the record.

Mark Maidique, 320 Post Road, #180-200, Darien, CT 06820, was present and affirmed. Mr. Maidique stated that he has applied to the ZBA for a variance for maximum impervious surface ratio of 0.23 when 0.20 is allowed, which is actually less than the existing impervious surface ratio that is currently 0.241. Mr. Maidique stated that this variance is not for the house itself but for proposed site renovations to include the driveway, pool, patios, walkways and porches. Mr. Maidique also stated that even though this is a new project, they are proposing to replace existing conditions. Mr. Maidique added that due to the fact that this property is on a flag lot, a lot of the impervious surface is taken up by the long driveway.

Doris Ulman questioned what the accessory structure contains.

Mr. Maidique stated that it contains a guest room with a bathroom, and no kitchen exists.

Chairman Gewirtz made a motion to close the public hearing, seconded by Stefanie Collantes-Bouvry

Stuart Zelmanovitz made a motion to approve the amended application, subject to compliance with the following Rockland County agency letters, seconded by Stefanie Collantes-Bouvry.

- 1. Rockland County Highway Department
- 2. Rockland County Center of Environmental Health
- 3. Rockland County Department of Planning

(INSERT RESOLUTION)

Upon vote, this motion was carried unanimously.

Item #3 - APPROVAL OF MINUTES – DECEMBER 20, 2023

Stefanie Collantes-Bouvry made a motion to approve the December 20, 2023 minutes, seconded by Richard Weinberger. Upon vote, this motion was carried 4-0, Anita Hajioff abstained..

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

Respectfully submitted, Alicia Schultz