

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.

- | | |
|--|---|
| <input checked="" 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. Wilder Road (County Highway 81)

Applicant's Signature and Certification

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

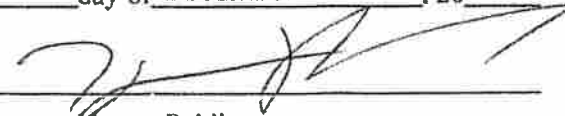
I, Goldy Rosenfeld - Schwartz, hereby depose and say that all the above statements contained in the papers submitted herewith are true.

Mailing Address


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

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.

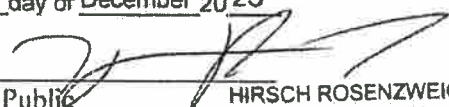
The applicant is the (owner) (contract vendee) of the said property.

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

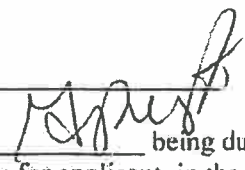
Notary Public

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

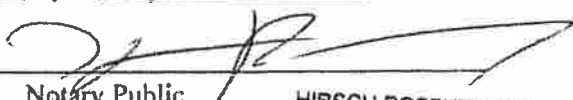
That the following are all of the owners of property 750 feet (distance) from the premises as to which this application is being taken.

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

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 the building so that it may be plainly seen by all

PERMIT
ISSUED
BY
BUILDING DEPARTMENT
VILLAGE OF WESLEY HILLS

This notice shall not be removed from Building until Building shall not be used until a Certificate of Occupancy has been issued by the Building Inspector.

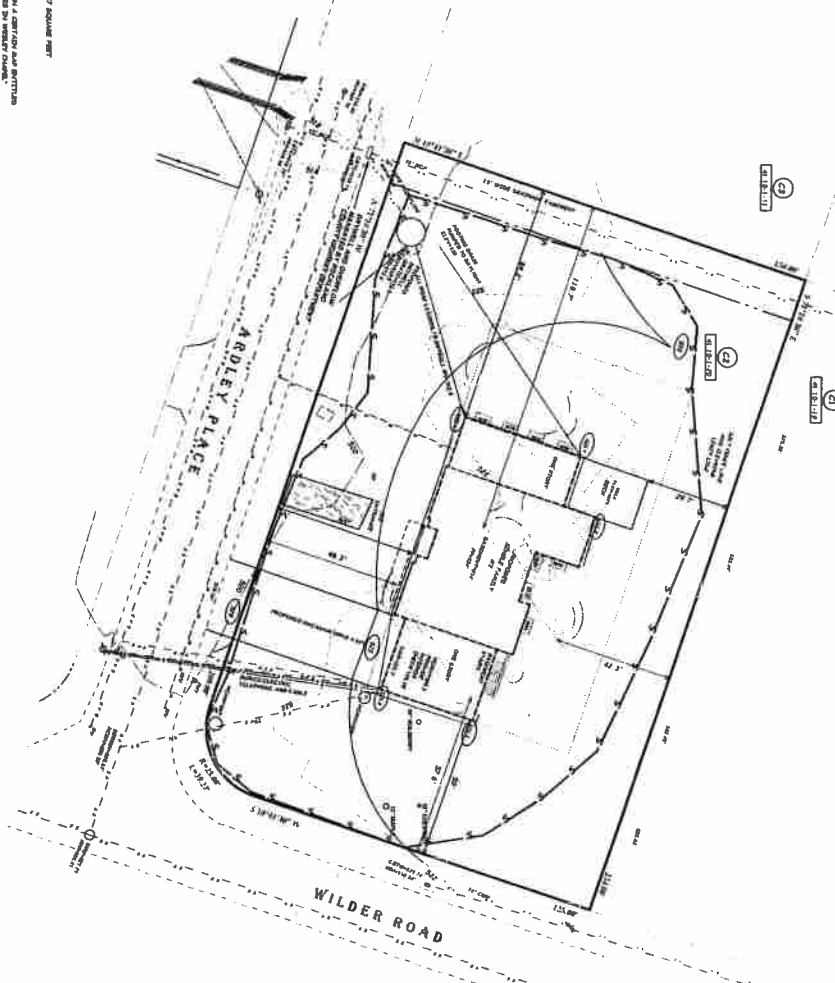
Date: 10.02.20
Permit expires one year from above date.

[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

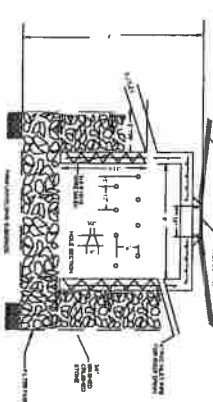
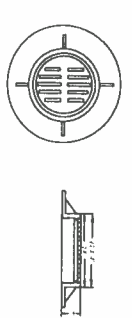


BASE REQUIREMENTS										ZONE: R-3.5 SINGLE-FAMILY RESIDENTIAL										
ITEM	UNIT	MIN.	MAX.	REMARKS	ITEM	UNIT	MIN.	MAX.	REMARKS	ITEM	UNIT	MIN.	MAX.	REMARKS	ITEM	UNIT	MIN.	MAX.	REMARKS	
LOT AREA	SQ. FT.	10,000	15,000		MINIMUM FRONT YARD SETBACK	FT.	10	15		MINIMUM SIDE YARD SETBACK	FT.	5	10		MINIMUM REAR YARD SETBACK	FT.	10	15		
MINIMUM LOT WIDTH	FT.	30	40		MINIMUM FRONT SETBACK	FT.	10	15		MINIMUM SIDE YARD SETBACK	FT.	5	10		MINIMUM REAR YARD SETBACK	FT.	10	15		
MINIMUM LOT DEPTH	FT.	30	40		MINIMUM FRONT SETBACK	FT.	10	15		MINIMUM SIDE YARD SETBACK	FT.	5	10		MINIMUM REAR YARD SETBACK	FT.	10	15		
MINIMUM FRONT SETBACK	FT.	10	15		MINIMUM FRONT SETBACK	FT.	10	15		MINIMUM SIDE YARD SETBACK	FT.	5	10		MINIMUM REAR YARD SETBACK	FT.	10	15		
MINIMUM SIDE YARD SETBACK	FT.	5	10		MINIMUM FRONT SETBACK	FT.	10	15		MINIMUM SIDE YARD SETBACK	FT.	5	10		MINIMUM REAR YARD SETBACK	FT.	10	15		
MINIMUM REAR YARD SETBACK	FT.	10	15		MINIMUM FRONT SETBACK	FT.	10	15		MINIMUM SIDE YARD SETBACK	FT.	5	10		MINIMUM REAR YARD SETBACK	FT.	10	15		

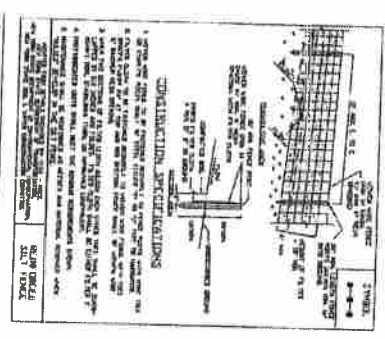
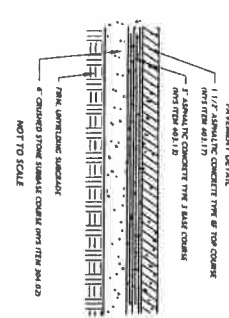
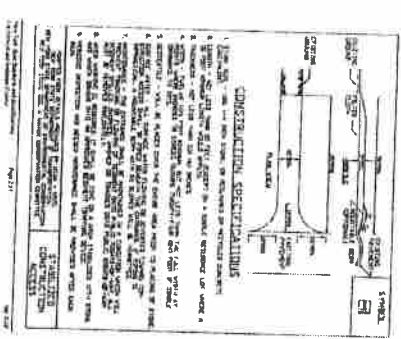
EXISTING COVERAGE:
 1) EXISTING DRIVE AND DRIVEWAY 1,100 SQ. FT.
 2) EXISTING DRIVEWAY 1,100 SQ. FT.
 3) EXISTING DRIVEWAY 1,100 SQ. FT.
 4) EXISTING DRIVEWAY 1,100 SQ. FT.
TOTAL DRIVEWAY: 4,400 SQ. FT.

PROPOSED COVERAGE:
 1) EXISTING DRIVE AND DRIVEWAY 1,100 SQ. FT.
 2) EXISTING DRIVEWAY 1,100 SQ. FT.
 3) EXISTING DRIVEWAY 1,100 SQ. FT.
 4) EXISTING DRIVEWAY 1,100 SQ. FT.
TOTAL DRIVEWAY: 4,400 SQ. FT.

ADDITIONAL BUILDING COVERAGE:
 1) EXISTING DRIVEWAY 1,100 SQ. FT.
 2) EXISTING DRIVEWAY 1,100 SQ. FT.
 3) EXISTING DRIVEWAY 1,100 SQ. FT.
 4) EXISTING DRIVEWAY 1,100 SQ. FT.
TOTAL BUILDING COVERAGE: 4,400 SQ. FT.



DRYWELL MANDATED BY ROCKLAND COUNTY HIGHWAY DEPARTMENT



2 ARDLEY PL
 TOWN OF RAMAPO, ROCKLAND COUNTY
 NEW YORK
 ANTHONY R. CELENTANO P.E.
 31 ROCKAWAY ROAD
 WEST NY, NY 10994
 845.528.5280 FAX 845.528.5274
 ANTHONY R. CELENTANO P.E.

LET AREA = 14,796.27 SQUARE FEET
 TOTAL LOT AREA = 14,796.27 SQUARE FEET
 UNDEVELOPED AREA = 14,796.27 SQUARE FEET
 AS SHOWN ON THIS PLAN AND AS SHOWN ON THE ZONING MAP AND ZONING REGULATIONS.

EXHIBIT C

BUILDING PERMIT FOR POOL

2 Ardlev Pl
(Address)

Yitzchok 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.

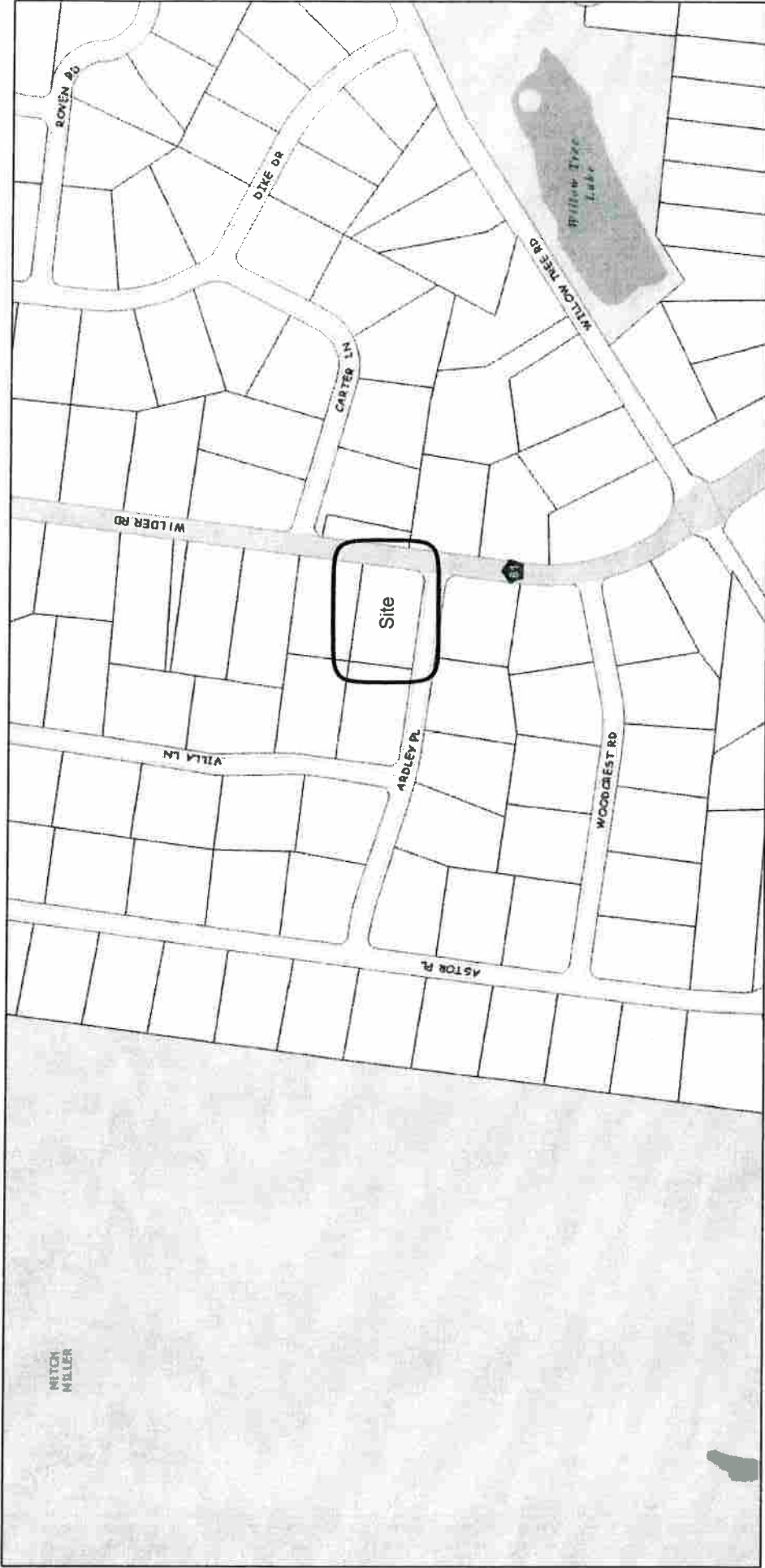

Building Inspector
Village of Wesley Hills
845-354-0400

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

EXHIBIT D

POOL PLOT PLAN

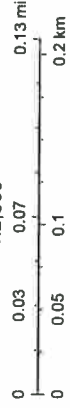
ArcGIS Web Map



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