

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

**ORIGINAL**

January 16, 2024

RECEIVED  
VILLAGE OF WESLEY HILLS

JAN 16 2024

BUILDING,  
PLANNING & ZONING

Village of Wesley Hills Zoning Board

Via Hand Delivery

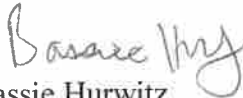
To Whom it May Concern:

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

----- 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 #1

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 Hopowitz, 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 Hopowitz

SWORN to before this  
15<sup>th</sup> 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, Bessie Huguette 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 Lamont 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 Bessie Huguette Bessie Huguette  
Mailing Address 89 Spook Rock Road  
Suffern, NY 10901

SWORN to before this  
15<sup>th</sup> 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 HERWITZ, 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 HERWITZ  
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 HUIS, 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 FOLK RD  
SUNBUR, NY 10901

SWORN to before this

15<sup>th</sup> 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 } SS:  
VILLAGE OF WESLEY HILLS }

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 15<sup>th</sup> 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

15<sup>th</sup> 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

**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 Hurny 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.

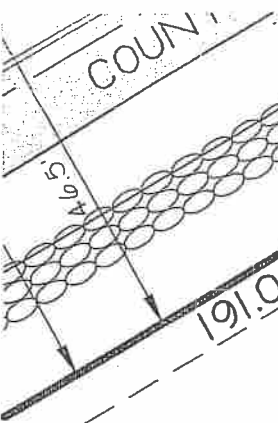
That the following are all of the owners of property 750 feet (distance) from the premises as to which this application is being taken.

SECTION/BLOCK/LOT	NAME	ADDRESS
<u>40.16-1-13</u>	<u>Yosef &amp; 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 &amp; Alan DeLong</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 &amp; Patricia Rice</u>	<u>86 Spook Rock Rd. Wisley Hills, NY 10901</u>
<u>40.16-1-10.22(#2)</u>	<u>Jacob Fries</u>	<u>91 Spook Rock Rd. Wisley Hills, NY 10901</u>
<u>41.13-1-2</u>	<u>Jeremiah L. Fricke</u>	<u>84 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 Hurny  
SWORN to before this  
15<sup>th</sup> day of January, 20 24

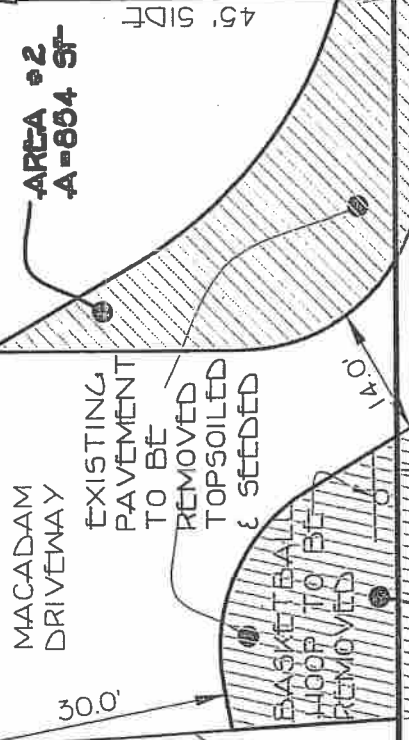
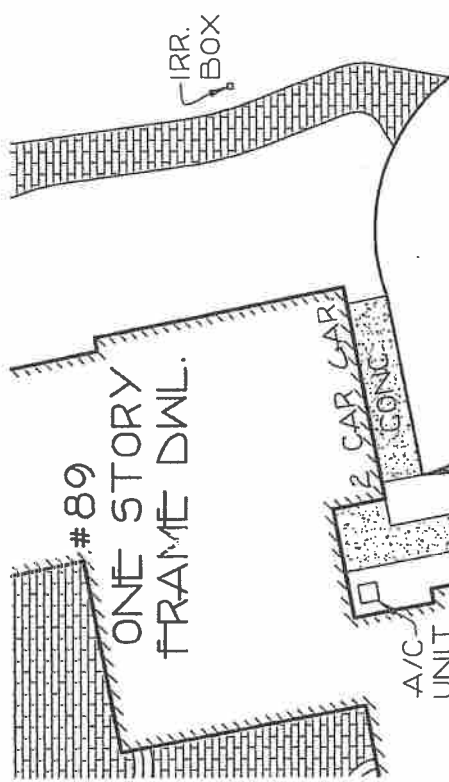
Notary Public

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



SUBDIVISION MAP  
DRAWING 1 OF 7  
LINE (TYP.)  
30' FRONT

**HURWITZ SUBDIVISION  
(YB-3089)**  
**AREA SKETCH FOR ZBA**  
- AREA #1 = 476 SF  
- AREA #2 = 854 SF  
- TOTAL = 1,330 SF  
1-8-24



PROPOSED INGRESS & EGRESS  
EASEMENT OVER LOT #2  
IN FAVOR OF LOT #1  
AREA = 4,142 S.F.

16.0'

14.0'

172.81'

158.58'

290.62'

AREA #1  
A-476 SF

AREA #2  
A-854 SF

