



ZONING BOARD OF APPEALS MEETING MINUTES

January 15, 2025, 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
Randi Marlin, Member
Barry Rozenberg, Ad Hoc
Anita Hajioff, Ad Hoc

ABSENT: Stuart Zelmanovitz, Member

OTHERS PRESENT: Doris Ulman, Assistant Village Attorney
Alicia Schultz, Deputy Village Clerk

Chairman Gewirtz opened the meeting at 7:30 pm.

ITEM #1– APPROVAL OF MINUTES- NOVEMBER 20, 2024

Randi Marlin made a motion to approve the November 20, 2024 minutes, seconded by Richard Weinberger. Upon vote, this motion was carried unanimously.

ITEM #2– CONTINUED PUBLIC HEARING – 7 STEINWAY COURT – SAMUELS

Chairman Gewirtz read the public hearing notice into the record. Chairman Gewirtz stated that at the December 18, 2024 meeting, the applicant requested the Board to waive the site visit and make a decision that evening, as this application is for something that was already constructed and the variances are not substantial. Doris Ulman stated that at the January 20, 2021 Zoning Board meeting, the Board established a rule that no site visits will be waived in the future. The reason being that at the time, there was an exorbitant amount of requests to waive the site visits and people were taking advantage of the Board's generosity, even going as far as requesting site visits prior to the first meeting or appearance before the Board. This rule covered both waiving site visits, completing site visits prior to the application being presented to the Board, and that neither will be permitted again by the Board, in order to make the process the same for all applicants and not show favoritism to any in particular application presented. Chairman Gewirtz stated that there was a site visit on January 12, 2025, and that all of the Board members were

able to attend, except Anita Hajioff. Chairman Gewirtz also noted that neither the applicant, nor any of their representatives, were present for the site visit.

Stanley Mayerfeld, the applicant's architect, was present and affirmed. Mr. Mayerfeld stated that when building the addition to the home, the contractor went over the front yard maximum impervious surface, due to the front steps and larger driveway. Mr. Mayerfeld added that they also require a variance for front yard of 48 feet where 50 feet is allowed, due to the front steps. Mr. Mayerfeld stated that the house itself is compliant and does not need any variances, and it is just the front steps that are creating the need for the front yard variance. Mr. Mayerfeld stated that at the site visit, the Board was made aware of the awkward shape of the property and perhaps have a better understanding as to why the variances are needed.

Richard Weinberger read the following letters into the record:

1. Rockland County Department of Planning memo, dated 12/11/2024
2. Rockland County Sewer District #1 memo, dated 12/9/2024
3. Town of Ramapo Department of Public Works, dated 12/20/2024

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

Nobody from the audience chose to speak.

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

Barry Rozenberg questioned if the front stairs were preexisting nonconforming and if they ever received a variance.

Mr. Mayerfeld responded that the steps were redesigned on the original footprint and there is no history that he knows of, of any variances previously granted on the property, including for the front steps.

Chairman Gewirtz stated that it was noted at the site visit that the steps were graded and built to be safer than they previously were, that these are smaller variances and do not have any impact on the neighboring properties, especially due to the fact that the visual impact is nonexistent.

Chairman Gewirtz made a motion to approve this application, seconded by Stefanie Collantes-Bouvry:

In the Matter of the Application of
Nethanel and Deena Samuels
Premises situated on the west side of Steinway
Court approximately 250 feet south of Maurice
Lane, known as 7 Steinway Court, designated
on The Tax Map as Section 32.18 Block 1 Lot

19, In an R-50 Zoning District

WHEREAS, application has been made to the Zoning Board of Appeals of the Village of Wesley Hills by Nethanel and Deena Samuels for variances from the provisions of Section 230- 17 Attachment I of the Code of the Village of Wesley Hills, to permit the maintenance and use of an addition to a single family residence having a front yard of 48 feet instead of the minimum required of 50 feet and front yard impervious surface ratio of .165 instead of the maximum permitted of .15, and

WHEREAS, after due notice, a public hearing on said application was held ty the Zoning Board of Appeals on December 18, 2024, which hearing was continued on January 15, 2025 , and

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

That this was a renovation of an existing residence and all work has been completed;

That the house is fully compliant but one of the front steps is 48 feet from the front property line

That the front yard impervious surface ratio variance is needed because of the width of the driveway and steps giving access to the front door; these are necessary because of the steep slope of the property at the front of the house; and

WHEREAS, members of the Zoning Board of Appeals visited the site and noted that the front yard is very steep; that the property is at the end of a cul de sac and there are no houses impacted by the variances because of the terrain, 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 Nethanel and Deena Samuels for variances from the provisions of Section 230-17 Attachment I of the Code of the Village of Wesley Hills to permit the maintenance and use of an addition to a single family residence having a front yard of 48 feet instead of the minimum required of 50 feet and front yard impervious surface ratio of .165 instead of the maximum permitted of .15 are hereby granted subject to compliance with the letter from Rockland County Planning Department dated December 11, 2024, letter from Rockland County Sewer District No. 1 dated December 9. 2024 and letter from Town of Ramapo Department of Public Works dated December 20, 2024, and be it further

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

1. That the steps and wider driveway at the front of the house are needed for safety access because of the steep grade of the land in the front yard;
2. That the variances do not impact neighbors because the nearest house is on a very high grade above applicants' property;

3. That the variances are not substantial as being less than 15%;
4. That the benefit to the applicants by granting the variances is substantial whereas no detriment to adjoining properties or to the community has been identified.

Upon vote, this motion was carried unanimously.

ADJOURNMENT

Randi Marlin made a motion to adjourn the meeting, seconded by Richard Weinberger. Upon vote, this motion was carried unanimously.

Respectfully submitted,
Alicia Schultz