

VILLAGE OF NEW HEMPSTEAD  
108 OLD SCHOOLHOUSE RD.  
NEW CITY, N.Y. 10956

**ZONING BOARD OF APPEALS**

REGULAR MEETING  
Wednesday July 12, 2023  
7:30pm  
VILLAGE HALL

PRESENT

SOLOMON FUERST, CHAIR  
ARYEH TAUB  
MOSHE ZAMIR  
MEIR ROTHMAN  
CHAIM BERGER (ADHOC)

ABSENT

ELLIOT ZISMAN

ALSO PRESENT

AMANDA BETTELLO, DEPUTY VILLAGE CLERK TREASURER  
BRUCE MINSKY, VILLAGE ATTORNEY  
ZACHARY KAMM, VILLAGE ENGINEER

**Open Meeting**

**Roll Call**

**APPROVAL OF MINUTES- AUGUST 25, 2021, MARCH 1, 2023, MARCH 22, 2023, APRIL 26, 2023**

There were not enough members present who attended the meetings to approve the August 25, 2021 or April 26, 2023 set of minutes. Those minutes will be held over until the next date.

Chaim Berger offered the following motion, which was seconded by Aryeh Taub

Resolution # ZBA 2023-19

Resolved, that the Zoning Board of Appeals hereby approves the minutes of the ZBA meeting held on March 1, 2023 and the reading of said minutes is waived. Chairman Fuerst called for a vote. The vote was 4-0.

Chaim Berger offered the following motion, which was seconded by Aryeh Taub

Resolution # ZBA 2023-20

Resolved, that the Zoning Board of Appeals hereby approves the minutes of the ZBA meeting held on March 22, 2023 and the reading of said minutes is waived. Chairman Fuerst called for a vote. The vote was 4-0.

Adjourn to August 30, 2023-PUBLIC HEARING FOR YEDEI CHESED, INC. 21 FESSLER DR. THE APPLICANT IS REQUESTING VARIANCES FROM SECTION 290-3 OF THE ZONING LAW OF THE VILLAGE OF NEW HEMPSTEAD. (I) MINIMUM FRONT YARD: 50' IS REQUIRED, AND 30' IS PROPOSED. (II) MAXIMUM IMPERVIOUS SURFACE: .20 REQUIRED, AND .33 IS PROPOSED. (III) PAVING IN FRONT YARD PER 290-22(8). 30' REQUIRED AND 15.4' PROPOSED. (IV) MINIMUM REAR YARD: 50' REQUIRED AND 35.1 PROPOSED. TO PERMIT THE CONSTRUCTION MAINTENANCE AND USE OF A NEW BUILDING APPROXIMATELY 8,100 SF FOOTPRINT FOR ADDITIONAL RESPITE SERVICES. EXISTING RESIDENCE AND DRIVEWAY TO BE REMOVED AND THE TWO LOTS WILL BE MERGED INTO ONE. THE SUBJECT PROPERTY IS LOCATED ON THE SOUTH SIDE OF FESSLER DR. 0+/- FEET FROM THE INTERSECTION OF RT-306. THE PROPERTY IS DESIGNATED ON THE TOWN OF RAMAPO TAX MAP AS SECTION 49.08 BLOCK 1 LOT 64 + 65 IN A 1R-40 ZONING DISTRICT.

Adjourn to August 30, 2023-PUBLIC HEARING FOR BAIS MALKA, 48 GRANDVIEW AVE.,, NEW HEMPSTEAD, NY. THE APPLICANT IS REQUESTING VARIANCES THE APPLICANT IS SEEKING A VARIANCE FROM LOCAL LAW NO. 1 OF 2014, ARTICLE 4, SECTION 4.4.18, PERMITTING A PORTION OF THE ABOVE PROPERTY TO BE DESIGNATED EXCLUSIVELY FOR SCHOOL BUS PARKING/STORAGE. THE SUBJECT PROPERTY IS LOCATED ON THE SOUTH SIDE OF GRANDVIEW AVE. 900 FEET FROM THE INTERSECTION OF PLEASANT RIDGE RD. THE PROPERTY IS DESIGNATED ON THE TOWN OF RAMAPO TAX MAP AS SECTION 41.20 BLOCK 2 LOT 41 IN A 1R-25 ZONING DISTRICT.

Adjourn to August 30, 2023- PUBLIC HEARING FOR BAYLA PEARLSTEIN., 280 HEMPSTEAD RD. NEW HEMPSTEAD NY 10977 FOR VARIANCES FROM SECTION 290-28 OF THE ZONING LAW OF THE VILLAGE OF NEW HEMPSTEAD FOR VARIANCES FROM CURRENT SITE CONDITIONS AS FOLLOWS: (I) LOT AREA:24,941 SF WHEN 25,000 SF IS REQUIRED (II) IMPERVIOUS SURFACE:0.43 WHEN 0.25 IS PERMITTED (III) ACCESSORY STRUCTURE (EXISTING VINYL SHED) UNDER 160 SF (1/3) SIDE YARD-6.2' WHEN 6.66' IS REQUIRED (IV)ACCESSORY STRUCTURE (EXISTING FRAME SHED) OVER 160 SF SIDE YARD: 6.3' WHEN 20' IS REQUIRED (V) 290-25.A.(1) FENCE OR WALL MAY NOT EXCEED 6' IN HEIGHT INSIDE OR REAR YARD (EXISTING BASKETBALL COURT FENCE): 12' HEIGHT WHEN 6' IS PERMITTED. \*PLEASE NOTE THIS FENCE IS WITHIN BOTH THE REQUIRED SIDE AND REAR YARDS (VI) 290-28.A NOT MORE THAN ONE ACCESSORY BUILDING OR STRUCTURE SHALL BE A SHED.-2 SHEDS ON SITE THE VARIANCES UNDER THE PROPOSED SITE CONDITIONS ARE AS FOLLOWS: (VII) LOT AREA: 24,941 SF WHEN 25,000 SF IS REQUIRED (VIII) IMPERVIOUS SURFACE: 0.45 WHEN 0.25 IS PERMITTED (IX)ACCESSORY STRUCTURE (EXISTING VINYL SHED) UNDER 160 SF (1/3) SIDE YARD: 6.2' WHEN 6.66' IS REQUIRED (X) ACCESSORY STRUCTURE (EXISTING FRAME SHED) OVER 160 SF SIDE YARD: 6.3' WHEN 20' IS REQUIRED (XI) ACCESSORY STRUCTURE (PROPOSED POOL) OVER 160 SF SIDE YARD: 10' WHEN 20' IS REQUIRED (XII) ACCESSORY STRUCTURE (PROPOSED POOL) OVER 160 SF REAR YARD: 10' WHEN 35' IS REQUIRED (XIII) 290-25.A.(1) FENCE OR WALL MAY NOT EXCEED 6' IN HEIGHT IN SIDE OR REAR YARD (EXISTING BASKETBALL COURT FENCE): 12' HEIGHT WHEN 6' IS

PERMITTED.\* PLEASE NOTE THIS FENCE IS WITHIN BOTH THE SIDE AND REAR YARD (XIV) 290-25.A.(1) FENCE OR WALL MAY NOT EXCEED 6' IN HEIGHT IN SIDE OR REAR YARD (PROPOSED POOL FENCE ON TOP OF WALL): 10.3' HEIGHT WHEN 6' IS PERMITTED. \* PLEASE NOTE THIS FENCE IS PROPOSED WITHIN BOTH THE REQUIRED SIDE AND REAR YARDS (XV) 290-28.A NOT MORE THAN THREE ACCESSORY BUILDINGS AND STRUCTURES SHALL BE PERMITTED ON A LOT IN A RESIDENTIAL DISTRICTS.: FOUR ACCESSORY STRUCTURES UNDER PROPOSED CONDITIONS. \* TWO SHEDS, BASKETBALL COURT AND PROPOSED POOL (XVI) 290-28.A NOT MORE THAN ONE ACCESSORY BUILDING OR STRUCTURE SHALL BE A SHED.: 2 SHEDS ON SITE THE SUBJECT PROPERTY IS LOCATED ON THE EAST SIDE OF HEMPSTEAD RD. 545 +/- FEET FROM THE INTERSECTION OF NEW HEMPSTEAD RD. THE PROPERTY IS DESIGNATED ON THE TOWN OF RAMAPO TAX MAP AS SECTION 42.14 BLOCK 2 LOT 33 IN A 1R-25 ZONING DISTRICT.

Meir Rothman offered the following motion, which was seconded by Chaim Berger.

Resolution # ZBA 2023-21

Resolved, that the Zoning Board of Appeals hereby adjourned the public hearing for Yedei Chesed, Inc. 21 Fessler Dr., Bais Malka, 48 Grandview Ave., and Bayla Pearlstein, 280 Hempstead Rd. to August 30, 2023. Chairman Fuerst called for a vote, the vote was 4-0. The resolution was adopted.

**PUBLIC HEARING FOR 4 STONEHURST LLC, 4 STONEHURST CT., POMONA NY 10970. THE APPLICANT IS REQUESTING VARIANCES FROM SECTION 290 OF THE ZONING LAW OF THE VILLAGE OF NEW HEMPSTEAD. VARIANCES FOR (I) 10' SIDE YARD VARIANCE FROM REQUIRED 20' FOR POOL HOUSE (II) 13.3' SIDE YARD VARIANCE FROM REQUIRED 20' FOR DWELLING ADDITION (III) 36' TOTAL SIDE YARD VARIANCE FROM REQUIRED 50' (IV) 34% IMPERVIOUS COVERAGE VARIANCE FROM REQUIRED 20% (V) 7,561 SF BUILDING COVERAGE VARIANCE FROM REQUIRED 3,000 TO PERMIT THE CONSTRUCTION MAINTENANCE OF USE OF AN ADDITION AND POOL HOUSE TO A SINGLE FAMILY DWELLING. THE SUBJECT PROPERTY IS LOCATED ON THE WEST SIDE OF STONEHURST CT. 500 +/- FEET FROM POMONA RD. THE PROPERTY IS DESIGNATED ON THE TOWN OF RAMAPO TAX MAP AS SECTION 33.17 BLOCK 3 LOT 8 IN A 1R-25 ZONING DISTRICT.**

The board explained to the applicant due to the submission of new variances being provided before the meeting the board has not had sufficient time to review the documents. Chairman Fuerst expressed concern that the pool house they are submitting for appears as more of a house. The Village Attorney Bruce Minsky advised that an accessory structure cannot have a second floor or a kitchen. The building coverage also appears to be 150% over what the standard is and may require them to go to the town for a permit due to the size.

Paul Tremont, Attorney for the applicant  
Asked the board to reiterate what their main concerns were with the current plans.

No members of the public were present whom wished to speak.

Aryeh Taub offered the following motion, which was seconded by Chaim Berger

Resolution # ZBA 2023-22

Resolved, that the Zoning Board of the Village of New Hempstead here by Adjourn the Public Hearing for 4 Stonehurst LLC, 4 Stonehurst Ct. Chairman Fuerst called for a vote. The vote was 4-0. The resolution was adopted.

**MOTION TO ADJOURN**

Aryeh Taub offered the following motion, which was seconded by Chaim Berger.

Resolution #ZBA 2023-23

Resolved, that the meeting held by the Zoning Board of Appeals on July 12, 2023  
Is hereby adjourned. Chairman Fuerst called for a vote. The vote was 4-0. The resolution was adopted.

Respectfully submitted,  
Amanda Bettello, Deputy Village Clerk- Treasurer