

**TOWN OF HAVERSTRAW ZONING BOARD OF APPEALS
ONE ROSMAN ROAD, GARNERVILLE, NY 10923**

PHONE 845-942-3710

FAX 845-786-7647

Gregg Lawless, Acting Chairman

Christie Tomm Addona, Attorney

Annette Hendrie, Senior Clerk

April 18, 2023

R.C Dept. of Planning
50 Sanatorium Road, Bldg. T
Pomona, NY 10970
Att: Michael Kezner

Re: Ben Friedman
16 Mohawk Lane
Pomona, NY 10970
Sect: 24.16 Block: 02 Lot: 47

Dear Mr. Kezner,

Enclosed please find a Zoning Board Application dated 03/08/2023 and a Legal Notice dated 04/17/2023.

A Public Hearing is scheduled for Wednesday, May 10, 2023 at 7:00PM.

Please review and submit comments to:

Town of Haverstraw Zoning Board of Appeals
One Rosman Road
Garnerville, NY 10923
Annette Hendrie, Senior Clerk

If you have any questions please feel free to call me at 845-942-3710.

Sincerely,

Annette Hendrie

Annette Hendrie
Senior Clerk

Town of Haverstraw Zoning Board of Appeal

LEGAL NOTICE

Please take notice the Town of Haverstraw Zoning Board of Appeals shall hold a Public Hearing to consider the application of Ben Friedman, 16 Mohawk Ln., Pomona for a proposed Side Yard Addition to an existing Single Family Residence.

The following Variances are required:

1. Maximum Building Coverage: 18% is permitted:
19.6% is proposed- ***A Variance for an increase of 1.6% is required.***
2. Side Yard (Western Side): 20ft. is required
13' is proposed: ***A 7' Variance is required.***
3. Side Yard (Eastern Side): 20ft. is required
14. 2' is proposed: ***A 5. 8' Variance is required.***
4. Total Side Yard: 45ft. is required
27.2' is proposed: ***A 17.8' Variance is required.***

Said property being located on the South side of Mohawk Lane and located on the Town of Haverstraw Tax Map as Section-24.16, Block-02, Lot-47.

Said Public Hearing shall be held on Wednesday, May 10, 2023 at 7:00 PM in the large meeting room of Haverstraw Town Hall, One Rosman Road, Garnerville.

All interested parties are invited to attend and will be heard by the board.

By Order Of the Zoning Board of Appeals of the Town Of Haverstraw
Gregg Lawless, Acting Chairman
Christie Tomm Addona, Planning and Zoning Board Attorney
Annette Hendrie, Planning and Zoning Board Senior Clerk
April 17, 2023



ORIGINAL
FOR OFFICE FILE

TOWN OF HAVERSTRAW
BUILDING DEPARTMENT

George T. Behn, Jr.
Building Inspector II

Erich J. Desch
Deputy Building Inspector

2/21/2023

Ben & Shana Friedman
16 Mohawk Lane
Pomona, NY 10970

Re: The application for an addition renovation of the existing home
Address: 16 Mohawk Ln. Pomona, NY 10970
SBL: 24.16-2-47

Dear Ben & Shana,

Please be advised the Building Permit application for 16 Mohawk Lane Pomona, NY 10970 is denied; Pursuant to the Town of Haverstraw Zoning Code Chapter 167.

The following area variances are required:

1. Maximum Building Coverage: Required 18%, Proposed 19.6%, a variance for an increase of 1.6% is required.
2. Required Side Yard (western side): Required 20', Proposed 13', a variance for a 7' reduction is required.
3. Required Side Yard (eastern side): Required 20', Proposed 14.2', a variance for a 5.8' reduction is required.
4. Required Total Side Yard: Required 45', Proposed 27.2', a variance for a 17.8' reduction is required.

Regards,


George T. Behn Jr. Building Inspector II

03/10/2023

ORIGINAL
FOR OFFICE FILE

Dear Town of Haverstraw Building Department and Zoning Board,

I am writing in response to the letter from the Town of Haverstraw Building department regarding the required variances for the proposed addition to my home. I understand that the following variances are required: Maximum Building Coverage, Required Side Yard (western side), Required Side Yard (eastern side), and Required Total Side Yard.

Our family is growing, and we aim to enhance the house's curb appeal by expanding the entrance. The East side will see the addition of a spacious garage, laundry room, bedroom, and master suite. On the West side, we plan to expand the kitchen and pantry and add a formal dining room and home office. The lower level will feature an enlarged kids play area, a separate home gym, two guest bedrooms, and a mudroom connected to the garage. These plans were developed with the input of our architect as we navigated the constraints of our lot's shape.

I'm requesting a variance so I can turn my home from the last eight years into my forever home. We love the beauty of the nature in Haverstraw, the mountain views, and our neighborhood. We would like to live here as our forever home which we believe we can accomplish with this addition. We needed to use the side yards in order to keep our backyard space and deck for our family to enjoy and keep the nature of the woods behind our house. We are planning on adding a master suite and a bedroom over our garage on the East, and a will be expanding our playroom, kitchen, and dining room to the West. We will also be adding a home gym and a toy closet so the workout equipment is separated from kids toys. This addition is important to us because it will improve our family quality of life by providing us with a space that is customized to our specific needs and preferences. The additional living space will allow us to host family and friends which will provide our children with a happy and healthy childhood.

Although I acknowledge that variances are required with the addition, I believe that the proposed addition will bring significant benefits to my family and the community. Firstly, the beauty of woods and nature on our property and the backyard play area for kids are crucial to our family's enjoyment of our home. We want to extend our living space while maintaining the natural beauty of the land around us and still be able to enjoy our backyard.

Additionally, the proposed addition will be built around an expensive deck that was installed by the previous owners, which has two levels and is reinforced for a hot tub. We would like to preserve this deck as it provides significant value to our property and enhances our quality of life.

Another important consideration is stability for our children. We believe it is essential for them to grow up in a stable environment, surrounded by the same neighborhood and community. We would like to add on to our home instead of moving to a larger house as we want to stay in the same community for stability and for our beautiful view of the mountains. We currently have

our 5 year old son and 8 year old daughter sharing a room this addition will allow them to each have their own rooms.

Furthermore, garage space is important for us as we want to keep the street clean and avoid parking on the street. Our neighbor often parks their car on the street and we do not want to follow suit as our kids get older and the cars no longer fit in the driveway.

Finally, the shape of our lot, the hills, and the curve of the road make it challenging to adhere to the required setbacks. Our house is numbered 16, and the house across from us is numbered 7, due to the shape of lots, hills, and curvature of the neighborhood. The proposed addition will not negatively impact the neighboring properties or the community in any way.

In conclusion, I believe that the proposed addition is necessary and will bring numerous benefits to my family and the community. Our love for the stunning mountain views, and the sense of community in our neighborhood are just a few reasons why we want to stay here for the long term. I would be grateful if you could consider my request and approve these variances in order to allow us to proceed with the addition.

Thank you for your consideration.

Sincerely,

A handwritten signature in black ink, appearing to read 'BF' followed by a horizontal line.

Benjamin Friedman

16 Mohawk Lane, Pomona, NY 10970

ORIGINAL
FOR OFFICE FILE

APPLICATION REVIEW FORM

PART I

Name of Municipality Town of Haverstraw Date 03/08/2022

Please check all that apply:

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

Project Name: Friedman 16 Mohawk Lane

Tax Map Designation:
Section 24.16 Block 2 Lot(s) 47
Section _____ Block _____ Lot(s) _____

Location: On the south side of Mohawk Lane,
_____ feet _____ of Palisades Ct. in the
town/village of Haverstraw

Street Address: 16 Mohawk Lane

Acreage of Parcel .45 Zoning District R-25

School District East Ramapo CSD Postal District 10970

Fire District FD222 Moleston Fire Ambulance District HA001 Haverstraw

Water District WT 221 Sewer District SW221

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

Add an approximately 3,300 SF addition to existing split-level home to add master suite, additional bedrooms, update and enlarge kitchen, formal dining room, enlarged garage, and playroom and home gym.

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

Municipality Town of Haverstraw Date Sent _____

Board _____ Planning ZBA _____ Town/Village Meeting Date _____

File Name Benjamin & Shara Friedman
 Contact Person Ben Friedman
 Address 16 Mohawk Lane
Pomona, NY 10970

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) South side of Mohawk Lane

Existing Sq. Footage 2,276 Acreage of Parcel (s) .45
 Proposed Sq. Footage 6,586

The Property in Question Lies Within 500 Feet of:

- County Road _____ State Road, Thruway, or Parkway
- County Stream _____ State Park
- County Park _____ Village, Town, or County Boundary
- County or State Facility _____ The Long Path

Map 24.16 Block ~~2~~ Lot(s) 47 Map Date _____
 Map _____ Block _____ Lot(s) _____ Current Zoning R-25

Brief Project Description Addition to single family residential home to increase living area, bedrooms, etc.

Variations Needed (if applicable)	Required	Provided
Building coverage (max)	18%	19.6%
Side yard (west)	20'	13'
Side yard (east)	20'	14.2'
Total side yard	45'	27.2'

APPLICATION REVIEW FORM

If subdivision:

- 1) Is any variance from the subdivision regulations required? _____
- 2) Is any open space being offered? ____ If so, what amount? _____
- 3) Is this a standard or average density subdivision? _____

If site plan:

- 1) Existing square footage _____
- 2) Total square footage _____
- 3) Number of dwelling units _____

If special permit, list special permit use and what the property will be used for.

Environmental Constraints:

Are there slopes greater than 25%? If yes, please indicate the amount and show the gross and net area. _____

Are there streams on the site? If yes, please provide the names. _____

Are there wetlands on the site? If yes, please provide the names and type. _____

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

If so, provide a narrative, including the list case number, name, date, and the board(s) you appeared before, and the status of any previous approvals.

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

APPLICATION REVIEW FORM

Contact Information:

Applicant: Benjamin Friedman Phone # 845-548-1144
Address 16 Mohawk Lane Pomona, NY 10970
Street Name & Number (Post Office) State Zip code

Property Owner: Benjamin & Shana Friedman Phone #
Address 16 Mohawk Lane Pomona, NY 10970
Street Name & Number (Post Office) State Zip code

Engineer/Architect/Surveyor: Liborio Dirario Phone # 845-351-2600
Address
Street Name & Number (Post Office) State Zip code

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

Contact Person: Benjamin Friedman Phone # 845-548-1144
Address 16 Mohawk Lane Pomona, NY 10970
Street Name & Number (Post Office) State Zip code

General Municipal Law Review:

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 L, M, N, AND NN.

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

List name(s) of facility checked above.

Referral Agencies: (Please make sure that the appropriate agencies as needed received copies of your application and plans for their review.)

- RC Highway Department
RC Drainage Agency
NYS Dept. of Transportation
NYS Thruway Authority
Adjacent Municipality
Other
RC Division of Environmental Resources
RC Dept. of Health
NYS Dept. of Environmental Conservation
Palisades Interstate Park Comm.

**All applicants must send copies of their applications and plans to:
Orange and Rockland, Regional manager, 75 West Route 59, Spring Valley, NY 10997.

APPLICATION REVIEW FORM

Applicant's Combined Affidavit and Certification

State of New York)
County of Rockland) ss.:
Town/Village of Haverstraw)

Benjamin Friedman, being duly sworn, deposes and says:
Applicant's Name

I am the applicant in this matter. I make these statements to induce the Town/Village of Haverstraw, its boards, commissions, officers, employees, and consultants, to entertain my application, knowing that the Town/Village will rely upon the statements made herein.

1. Verification of Facts. All statements contained in this application and in all documents, drawings, writings, and other communications submitted in connection with this application are true.

2. Consent to Enter. I hereby give permission to members of said boards and/or supporting staff to visit the property in question at a reasonable time during the day.

3. Affidavit Pursuant to General Municipal Law Section 809. All the following statements and the statements contained in the papers submitted herewith are true and the nature and extent of any interests set forth are disclosed to the extent that they are known to the applicant.

A. I certify that I am the owner, officer, member or agent of owner, 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:

B. 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.

APPLICATION REVIEW FORM

C. 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 Haverstraw in the petition, request or application or in the property or subject matter to which it relates:

(if none, so state) NONE

- 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 or limited liability company ownership: A list of all directors, officers and stockholders of each corporation or members of each limited liability company owning more than five (5%) percent of any class of stock or more than five (5%) percent beneficial interest, 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 _____.

D. 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.

4. Reimbursement for Professional Consulting Services. I understand that the Town/Village Board, Planning Board, Zoning Board of Appeals, and other municipal boards, in the review of any application described above, may refer any such application presented to it to such engineering, planning, environmental or other technical consultant as such Board shall deem reasonably necessary to enable it to review such application as required by law. The charges made by such consultants shall be in accord with charges usually made for such services in the metropolitan New York region or pursuant to an existing contractual agreement between the town/village and each such consultant for the cost of such consultant services upon receipt of the bill.


APPLICATION REVIEW FORM

5. Application Fee(s)

I, Benjamin Friedman, have paid to the Town/Village Clerk and/or Treasurer, the required fee for this application. (The fee is subject to the Schedule of Fees of the municipality). I shall review a copy of the zoning Local Law and Land Development Regulations, and be ready and prepared to review this application when scheduled. The Municipal Board, Planning Board, or Zoning Board of Appeals in the review of any application described above, may refer the subject application to an engineering, planning, environmental, or other technical consultant as such Board shall deem reasonably necessary to enable it to review the application as required by law.

***The following paragraph is optional to add if your municipality establishes escrow accounts:*

(I agree to establish an escrow account with the Town/Village of _____ from which these consultants' fees will be paid. The escrow account will not draw interest, and will be replenished upon notification by the Town/Village. Any additional sums needed to pay the Town's/Village's consultants shall be paid prior to final action on the application. The Town/Village may suspend processing of the application if there is a deficiency in the escrow account. Permits will not be issued and site plan or subdivision will not be signed until bill is paid in full. Any sums remaining in the escrow account after the consultants have been paid in full will be returned to the applicant. The applicant has the right to examine escrow and payment records upon prior written notice to the Town/Village.)

Applicant's Signature 
 Print Applicant's Name Benjamin Friedman

SWORN to before me this 08 day of March, 2023

Annette Hendrie

Notary Public



I have received from _____ the sum of _____ on this date

Reviewed by the _____ on _____ Municipal Clerk/Treasurer

Action Taken: _____

APPLICATION REVIEW FORM

Affidavit of Ownership/Owner's Consent

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

I, Benjamin Friedman being duly sworn, hereby
depose and say that I reside at: 16 Mohawk Lane Pomona, NY 10970

in the county of Rockland in the state of New York

I am the (*) owner in fee simple of premises located at:
16 Mohawk Lane Pomona, NY 10970

described in a certain deed of said premises recorded in the Rockland County Clerk's
Office in Liber of conveyances, page or as Instrument ID #

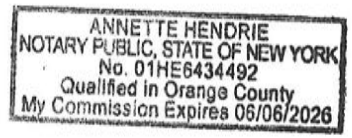
Said premises have been in my/its possession since 2014. Said premises are also
known and designated on the Town of Aaverstraw Tax Map as:
section 24.16 block 2 lot(s) 47

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
16 Mohawk Lane
Pomona, NY 10970

SWORN to before this
8th day of March, 20 23

Annette Hendrie
Notary Public



* If owner is a corporation or LLC, fill in the office held by deponent and name of
corporation or LLC, and provide a list of all directors, officers, and stockholders
owning more than 5% of any class of stock and all members having greater than 5%
beneficial interest.

APPLICATION REVIEW FORM

PART II*

Application before the Zoning Board of Appeals

Application, petition, or request is hereby submitted for:

- Area Variance from the requirement of Section _____;
- Use 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 additions to existing single family home

Previous Appeal:

- a. A previous appeal ___ has, or X has not, been made with respect to this property.
- b. Such appeal was in the form of:
 - ___ An AREA Variance; or
 - ___ A USE Variance; or
 - ___ Appeal from decision of Town Official or Officer; or
 - ___ Interpretation of the Zoning Ordinance or Map; or
 - ___ Other
- c. The previous appeal described above was appeal number _____, dated _____ and was _____ (Granted/Denied).

TO ALL APPLICANTS: Complete all relevant information by the section or sections pertaining to your appeal ONLY. You may also include extra pages to supplement this form with a narrative explanation. At the time of the hearing, you must present written documentation in support of all the statements made in this application. You must also substantiate all financial information supplied.

APPLICATION REVIEW FORM

A. AREA VARIANCE (This section to be completed only for an AREA variance. Use additional pages, if needed.)

This application seeks a variance from the provisions of Article _____, Section(s) _____. Specifically, the applicant seeks a variance from the requirements from:

Dimension*	Column	Required	Provided
Maximum Building Coverage		18%	19.6%
Side yard (western side)		20'	13'
Side yard (eastern side)		20'	14.2'
Total side yard		45'	17.8'

*e.g., front yard, side setback, FAR, etc.

1. Is the requested variance the minimum necessary to relieve the practical difficulty or economic injury? Yes

Describe: In order to preserve the rear yard nature, as well as our 2-tier deck (inherited from previous owner) adding to the sides is prudent.

2. Is the variance substantial in relation to the zoning code? Y/N

Explain: The building coverage variance is relatively minor, the side yards are more significant.

3. Will a substantial change be produced in the character of the neighborhood, or a substantial detriment to adjoining property owners be created, if this variance is granted? No.

Explain: Due to the nature of the way the properties are laid out on the hill there is minimal affect on the neighboring lots.

4. Can the alleged practical difficulty or economic injury be overcome by some method other than a variance? No.

Explain: The lot shape and size prevent other options.

APPLICATION REVIEW FORM

5. Will the granting of this variance affect the health, safety, or welfare of the neighborhood or community? No.

Explain: Property and home will remain a single family residence for us and our growing family.

6. Will there be any affect on governmental facilities or services if this variance is granted? No.

Describe: Property remains a single family residence

7. Other factors I/we wish the Board to consider in this case are

B. USE VARIANCE (This section to be completed only for a USE variance. Use additional pages, if needed.)

1. This property cannot be used for any uses currently permitted in this zone because:

2. The problem with this property is due to unique circumstances and not to the general conditions of the neighborhood in that:

3. The use requested by this variance will not alter the essential character of the neighborhood in that:

4. The amount paid for the entire parcel was: _____

5. The date of purchase of the property was: _____

6. The present value of the entire property is: _____

7. The monthly expenses attributed to normal and usual maintenance of the property are: _____

8. The annual taxes on the property are: _____

APPLICATION REVIEW FORM

9. The current income from the property is: _____

10. The amount of mortgages and other encumbrances on the property in question is:

- a. Date of mortgage: _____
- b. Scheduled maturity (payoff) date: _____
- c. Present monthly payment amount: _____
- d. Current principal balance: _____
- e. Current interest rate: _____

11. Other factors I/we wish the Board to consider in this case are:

C. APPEAL OF DECISION OF BUILDING INSPECTOR *(This section to be completed for an appeal, only. Use additional pages, if needed.)*

1. Name and position of official making the decision:

2. Nature of decision:

3. The decision described above is hereby appealed because:

D. INTERPRETATION OF ZONING CODE *(This section to be completed for an interpretation, only. Use additional pages, if needed.)*

1. Section(s) to be interpreted: _____

2. An interpretation of the Zoning Code is requested because:

