



**VILLAGE OF SUFFERN  
ZONING BOARD OF APPEALS MINUTES  
OCTOBER 17, 2024**

Attendance: Cary Adwar, Member  
Bruce Simon, Acting Chairman  
Lisa Wilson, Member  
Andrew Zavoski, Member  
Dennis Michaels, Acting Village Attorney  
Melissa B. Reimer, Village Clerk

Absent: Barry Tesseyman, Chairman  
Robert Magrino, Village Attorney

**CALL TO ORDER**

Board Member Simon called the meeting to order at 7:00 P.M., led everyone in the Pledge of Allegiance.

**Suffern Auto Service - 20 Wayne Avenue – Z2024-03  
Interpretation - Parking Lot**

Mr. Michaels told the Board that Mr. Richard Ellsworth requested, by e-mail, an adjournment until November 21, 2024. Mr. Michaels said that the Chairman spoke with Mr. Ellsworth and the Chairman was okay with granting another adjournment. Adjournments, Mr. Michaels explained, must be statutorily in agreement by mutual consent of the Board and the applicant. Mr. Michaels explained that he told Mr. Ellsworth that he would be suggesting to the Board that this would be the final adjournment. This was first scheduled in July, adjourned by mutual consent to September, again adjourned by mutual consent to October, and now adjourned by mutual consent to November. This would be the fourth adjournment. Since there are code violations pending against this property in the Suffern Village Justice Court, this should be the final adjournment, barring some sensible reason to adjourn it again, for 20 Wayne Avenue.

**MOTION** – a motion to grant a FINAL adjournment, except for some sensible reason to adjourn it further, for the public hearing for Suffern Auto Service – 20 Wayne Avenue, to November 21, 2024, as so recited by legal counsel, was moved by Board Member Adwar, seconded by Board Member Wilson, with all in favor.

Mr. Michaels explained that the public hearing for 20 Wayne Avenue will remain open and will be continued to November 21, 2024, ZBA meeting at 7p.m. No public notice will need to be published.

Mr. Michaels suggested that the Board choose an Acting Chairman for the remainder of the

meeting.

**MOTION** to select an Acting Chair of the Board, Board Member Simon was so moved by Board Member Adwar and seconded by Board Member Wilson, and all in favor, except Board Member Simon who recused himself.

**202 LLC, 14 Wayne Avenue - Z2024-08**  
**Variances – Front yard, lot frontage and required parking**

Acting Board Chairman Simon read the public notice into the record.

Mr. Michaels asked the Clerk if all public notices, required by the State and Village of Suffern local law, been complied with, to the best of your knowledge.

Clerk Reimer answered that yes, they have.

**MOTION** - to open the public hearing was so moved by Board Member Adwar and seconded by Board Member Zavoski, with all in favor.

Mr. Ira Emanuel, Emanuel Law PC, New City, NY addressed the Board. He stated that this application is an interesting one. What the applicant wants to do in a business sense makes a lot of sense, but it does not quite fit into the zoning code. He stated that the zoning code does not deal with this type of business very well. “This is an auto body repair business...the vehicles that are awaiting being worked on are not parked in nice 9 ½ by 18 parking spaces. They are put together; they are pretty much jammed in there. The members of the public are not putting the cars where they are, it’s the staff that is doing it and businesses try to maximize the land that they have.” Mr. Emanuel stated that the zoning code does not recognize the difference between storing vehicles while they are being worked on or after they are worked on waiting to be picked up and parking.

Mr. Emanuel continued that the zoning code has a requirement for a parking space that is 9 ½ by 18 and if you measure that out, then this property is sorely deficient. However, this property is adjacent to an existing ongoing business and the business has been there for quite some time. Mr. Emanuel stated that the vehicles fit into the property quite nicely. He instructed the Board to look at the photos.

Mr. Emanuel said that the applicant would like to take a piece of the property immediately next door and utilize it as part of the business. Currently, all body work is done in one building at 16 Wayne Avenue. This includes prep, mechanical repairs, and painting. If a car is being painted, no other work can happen in that building.

The applicant purchased 14 Wayne Avenue. Mr. Emanuel said that the applicant wants to put up a three-bay garage on that property. The applicant will move all of his prep work into that garage. He will do the body work and the painting in the existing garage. He will have a more efficient turnout. In order to do that a number of variances are required. Mr. Emanuel stated that if the Board read through the narrative, it states that the applicant can put 31 vehicles on the

two sites. That is also taking advantage of the interior of the new garage. Mr. Emanuel added that the Building Inspector inexplicably refused to count those spaces even though the code specifically allows “indoor parking spaces.” Mr. Emanuel said that they have three bays and an external parking spot. He reiterated that the Building Inspector only counted one parking space. He told the Board that they can fit more than four cars there.

Mr. Emanuel stated that there is a variance needed for lot frontage, but that is existing condition. A variance for front yard, two feet are proposed as opposed to the existing 1.9 feet, but 30 feet are required, but this is a function of topography. Mr. Emanuel explained that there is a steep embankment that side of Route 202 up to supporting the New York State Thruway. So, he stated that there is really very little room that they can move these things back. Mr. Emanuel stated that it is consistent with the front yards that you see on both sides of Route 202 in that location. He stated that some are beyond the front yards and right up close to the roadway, within the designated street line.

Mr. Emanuel was asking the Board to allow the applicants to allow the building to be approximately the same place where the pre-existing building was; the old building was a house. The house was a non-conforming use in the GB District and now put in a conforming use building.

Board Member Wilson asked why they are not merging the lots together and making the business on one lot.

Mr. Emanuel answered, “Finances.”

The applicant, John Calabro, was sworn in. He addressed Ms. Wilson’s question. The blacktop between the two lots is continuous. There is no break; there is no separation between the two properties. There is a mortgage on 14 and a separate mortgage on 16 Wayne Avenue. You cannot merge the two-mortgage financing together.

Mr. Emanuel stated that the principles on both mortgages are the same and that is Mr. Green. There will also be cross-easements, and the two properties will be tied together that way.

Acting Chairman Simon stated that the Rockland County Planning Board GML response was a fairly detailed and multipage response, he asked for Mr. Emanuel to go over some of the information for the Board.

Mr. Emanuel stated that they are not asking for any overrides. GML asks for things to be examined, and Mr. Emanuel believes they have been addressed in their narrative already. The Rockland County Planning Board wants any other agency that needs to grant a permit, has the opportunity to review, and if necessary, grant those permits. Those are standard notes.

Mr. Troy O’Hanlon – owns 12 Wayne Avenue as well as six other properties in Wayne Avenue. He was sworn in. Mr. O’Hanlon said that he was opposed to the granting of this variance. There is a problem with the parking situation on Wayne Avenue and this does not help at all. Mr. O’Hanlon said that they will be priming and working on cars in the new building. He asked,

“Where will the primer be vented? Will they have a spray booth in that building?” Mr. O’Hanlon said that the idea that a parking space is smaller for a body shop than it is for anything else, he strongly disagrees with. A parking space, he said, is a parking space. A car is the same size. You still need access all around the vehicles when you are working on them. You cannot have them parked on top of each other when the insurance company has to come by and evaluate the car for damage or any other repair process that has to be done. He told the Board that he did not understand how this could be allowed. There was already a problem with congestion in the area. With an autobody shop there is a ratio of about four to one. For every one inside parking space that you need to have, you need about four outside. This is because of the time that you are waiting. So, if they add three inside spaces, they will need 12 outside spaces. They only have one. That is not enough.

Another neighbor tried to do this, and Mr. O’Hanlon said that they were denied.

Board Member Zavoski asked Mr. O’Hanlon, “What business was his, Royal Coach?”

O’Hanlon answered that it was Autohaus.

Mr. Emanuel said that Mr. O’Hanlon’s first comment is relevant. Mr. O’Hanlon was a competitor of his client. He stated that Mr. O’Hanlon just does not want competition. He doesn’t want a competitor that can do things in a more productive and efficient manner. Mr. Emanuel stated that expanding the business to another lot will create a parking problem on its face is just absurd. This applicant will have more room to store vehicles that are being worked on and they will be more efficient working on those vehicles. Mr. Emanuel stated that the comments of Mr. O’Hanlon should be discounted because he was a competitor, and his comments don’t make sense.

Board Member Wilson said that she thought she understood that the new building was not the painting building.

Mr. Emanuel said that it was not.

Board Member Wilson said that the venting questions don’t apply.

Mr. Emanuel stated that you still need ventilation but not special venting for this. Mr. Emanuel stated that any questions with respect to the ventilation are not the purview of this Board. That would be a Building Department issue.

Mr. Michaels agreed with Mr. Emanuel.

Mr. O’Hanlon returned to the podium. He said that he did not care about competition. He cared about his seven properties in the Wayne Avenue location. He was concerned about the aesthetics of the area and his investment in the area. Mr. O’Hanlon is concerned about devaluing his properties in the area.

He also stated that if they are not priming vehicles in that new building then they would not be spending more than an hour in each bay of the building. He stated that for a body shop priming the

vehicle is prep work. He said that if you are required to have 12 parking spaces and you only have one, that doesn't work.

As far as being a competitor, Mr. O'Hanlon stated that the Board would be devaluing the entire neighborhood if they passed this and he is a businessman, not a competitor. He thanked the Board for listening.

Board Member Zavoski asked Mr. O'Hanlon if all of his properties were automotive-related businesses.

Mr. O'Hanlon answered that no, they were not. He has mixed use buildings, residential...he said he has multiple properties in the same area.

A Suffern High School student approached the podium and asked what Mr. Emanuel's company was and the location. The Acting Chairman answered his questions.

Mr. Emanuel said that the site plan and how the business will be set up goes before the Planning Board. He proceeded to show the ZBA the landscaping plan. Mr. Emanuel also mentioned that the GML letter mentioned that the County was concerned with other body shops in the area parking on the sidewalk.

Board Member Zavoski interrupted and said that the Board did not have the landscape - plan.

Mr. Emanuel apologized and walked on stage to show the diagram of landscaping on the plans for each Board member. He listed the number of plants and the types of plants for the Board members.

Acting Chairman Simon asked if there is anything in the Village of Suffern's code that an auto business can have different size parking than any other businesses.

Mr. Emanuel answered, "No." He stated that if there was then they could take advantage of that provision. He added that there are some communities that differentiate between parking vehicles and storage of vehicles in connection with repair shops and automotive dealers.

Acting Chairman Simon asked about the GML letter, "Based on the number of vehicles that are currently parked on the properties because of the way the business works, by tearing down the house and adding in the three-bay garage, you're going to increase the amount of traffic, I don't mean the amount of people driving up on there, there is going to be more business. If there is a problem with parking vehicles now, how does this plan address adding more vehicles to the property and as part of that question, they brought up, handicapped parking access?"

Mr. Emanuel answered that there is a handicap parking space at 16 Wayne. That is the space that is needed for the business. He said with regard to a parking problem, he said that it is not necessarily the case. The business can only handle a certain number of vehicles so that the jobs can be done more quickly. You will have more rapid turnover and have a better parking situation. "Cars are not going to have to wait for space to be free within the existing building."

The Acting Chairman asked if any of the Board Members had any questions, and they all answered that they did not.

A Suffern High School Student, Finegan Mitchell asked why the house was being demolished for parking.

Mr. Emanuel explained that the house was already demolished.

Mr. Michaels informed the Board that if they do not have any requests of him or need to hear any more testimony or see any more documentation, if you have everything that you need to render a decision, then you can close the public hearing. Once you close the public hearing, you cannot hear testimony from anyone except for your legal counsel. There is no more evidence or testimony.

The Board continued with the motion.

**MOTION-** to close the public hearing moved by Board Member Wilson and seconded by Board Member Adwar, with all in favor.

The Acting Chairman tried to make a Motion regarding the request from the applicant, but Mr. Michaels asked to go through the criterion first:

CRITERIA I. Do any of you feel that an undesirable change will be produced in the character of the neighborhood or a detriment to nearby properties will be created by the granting of the area variance;

Board Member Wilson stated, "I do not."

Board Member Zavoski stated that he believes that it is the same type of business, and they will do some aesthetic things to make it more appealing from going down the street. He said that he doesn't see it as a change, he sees it as more of the same.

Board Member Adwar stated, "I do not."

Acting Chairman Simon stated, "I do because of the lot requirements and the square footage that we are talking about."

Mr. Michaels said that this is not a formal vote, but we have three (3) that are in favor of criteria one and one (1) member that is not favorable.

CRITERIA II. Do any of you feel whether the benefit sought by the applicant can be achieved by some method, feasible for the applicant to pursue, other than an area variance;

Board Member Adwar stated, "I do not."

Board Member Wilson stated, "I do not."

Board Member Zavoski stated, "I don't either."

Acting Chairman Simon stated, "I don't think so."

Mr. Michaels stated that was four (4) in favor of Criteria II.

CRITERIA III. Do any of you feel whether the requested area variances are substantial;

Acting Chairman Simon stated, "Yes."

Board Member Adwar stated, "I do not."

Board Member Wilson stated, "I do not."

Board Member Zavoski stated, "I am kind of in the middle, but I will go with I do not."

Mr. Michaels stated that it was not substantial three (3) out of four (4).

CRITERIA IV. Do any of you feel whether the proposed variance will have an adverse effect or impact on the physical or environmental conditions in the neighborhood or district.

Mr. Michaels added that the Planning Board is the Lead Agency under the State Environmental Quality Review Act or SEQRA and they have already adopted a negative declaration. The Planning Board has determined that there is no potential for significant adverse environmental impacts. So, the Planning Board has already said that there are no significant adverse environmental impacts.

Acting Chairman Simon stated, "I do."

Board Member Adwar stated, "I do not."

Board Member Wilson stated, "I do not."

Board Member Zavoski stated, "I do not."

Mr. Michaels stated, "Three (3), one (1)."

Mr. Michaels stated that the need for these area variances needed by the applicant are self-

created, but this consideration under New York State Village Law in and of itself is relevant to your decision, but in and of itself it is not a basis for you to deny the application. It is a self-created hardship.

CRITERIA V. Do any of you feel whether the alleged difficulty was self-created, which consideration shall be relevant to the decision of the board of appeals but shall not necessarily preclude the granting of the area variance.

Board Member Adwar stated, "I do not."

Board Member Wilson stated, "I do not."

Board Member Zavoski stated, "I do not."

Acting Chairman Simon stated, "I do."

Mr. Michaels stated, "Three (3), one (1)." So based upon the informal polling, there were three members of the Zoning Board of Appeals that were in favor of granting the area variances.

**MOTION** to approve the area variances as requested and as depicted and illustrated and set forth on the drawings and plans that are before you this evening signed by Paul Gdanski, as a New York State licensed Professional Engineer and they are dated July 18, 2024, on both sheets numbered number 1 of 5 and 4 of 5. There is also a landscaping drawing, under the signature and seal of Paul Gdanski dated July 18, 2024 – drawing page 3 of 5. The applicant said that they will comply with the Rockland County Planning Departments GML Report dated October 11, 2024, was so moved as recited by legal counsel by Board Member Adwar and second by Board Member Zavoski, all in favor, all opposed Acting Chairman Simon said, "Nay."

**MOTION TO APPROVE MINUTES FROM SEPTEMBER 19, 2024, ZONING BOARD OF APPEALS MEETING.**

**MOTION** to approve the Zoning Board of Appeals minutes of August 22, 2024, was moved by Board Member Wilson, seconded by Board Member Adwar, with all in favor.

**SUFFERN ZONING BOARD OF APPEALS  
FINDINGS OF FACT and DECISION**

**RE: Application of Moshe Rosenblum-Amsel  
Premises: 29 Sagamore Avenue Suffern, NY  
Section 55.79 Block 1 Lot 1  
Zoning District R-15**

**Application No. Z2024-07**

**Hearing Date: August 22, 2024; September 19, 2024**

The applicant appeared before the Zoning Board of Appeals to request a variance from the requirements of Section 266-15G(1)(c) and 266-23, Columns 6, 7 and 8 of the General Bulk Regulations of the Zoning Code of the Village of Suffern. The property is located in an R-15 zoning district within the Village. The applicant proposes installing, constructing a storage shed on the property within the minimum side and rear yard.

The Zoning Board of Appeals having heard testimony and reviewed written evidence with reference to the above-referenced application, including but not limited to a plot plan last revised on 9/5/2024 for Rosenblum-Amsel, the applicant appeared before the Board for the following variances from the Zoning Code of the Village of Suffern:

266-15(G)(1)(c) and 266-23 Columns 6, 7, 8 and 9

	Proposed	Required
1) Floor area of accessory structure	200 sf.	100 sf.
2) Side Yard	5'	20'
3) Total Side Yard	29'	40'
4) Rear Yard	5'	40'

The applicant has presented documentary and testimonial evidence, and the Board has heard from all who appeared at the hearing, and upon said hearing and the evidence presented, which hearing minutes are incorporated herein by reference, it is hereby found and determined as follows:

1. That the premises is located in an R-15 zone and is a residential district within the Village of Suffern.
2. The applicant contended that the placement of this shed would not negatively

impact the surrounding area.

3. In considering the application, the ZBA has considered the benefit to the applicant, weighed against the detriment to the health, safety and welfare of the community, and the factors as set forth in NY Village Law §7-712-b(3) and Suffern Village Code §266-54.
4. In applying these considerations, the ZBA finds that,
  - A) There will not be an undesirable change in the neighborhood as the property as the location of the storage shed is a minor addition to the property. This storage shed is consistent with the uses in the area as accessory to the principal use, and would not create an undesirable change in the neighborhood
  - B) The benefit sought cannot be achieved by another feasible method other than an area variance since locating the shed elsewhere would inhibit use of the existing back yard and is an improvement from putting it near the driveway.
  - C) The proposed variances are not substantial, given that this is for a storage shed as opposed to being part of a more permanent structure.
  - D) The proposed variance will not have an adverse effect or impact on the physical or environmental conditions in the neighborhood as the storage shed is permitted as an accessory item and placement of this storage shed where requested has no different impact than if the variance were not required.
  - E) The need for variances is self-created. That factor is relevant but does

not necessarily preclude granting of the area variances that were sought.

The granting of area variances is a Type II Action under SEQRA, requiring no further environmental review.

**A Motion was made by Cary Adwar, Seconded by Lisa Wilson, as follows:**

**Based upon the foregoing, the ZBA hereby GRANTS the following variances pursuant to the above referenced application:**

**266-15(G)(1)(c) and 266-23 Columns 6, 7 and 8**

	<b>Proposed</b>	<b>Required</b>
<b>5) Floor area of accessory structure</b>	<b>200 sf.</b>	<b>100 sf.</b>
<b>6) Side Yard</b>	<b>5'</b>	<b>20'</b>
<b>7) Total Side Yard</b>	<b>29'</b>	<b>40'</b>
<b>8) Rear Yard</b>	<b>5'</b>	<b>40'</b>

THIS DECISION is conditioned upon the applicant placing only a shed where indicated on the plot plan for Rosenblum-Amsel last revised 9/5/2024 and adhering to obtaining all permits necessary and by all jurisdictions having authority over same.

On a Roll Call, the Board voted as follows:

AYES: Barry Tesseyman, Chairman  
Cary Adwar  
Lisa Wilson

NOES: Bruce Simon

Abstention: Andrew Zavoski

The motion carried with a vote 3-1 in favor, with one abstention.

Dated: October 17, 2024  
Suffern, New York

*Barry Tesseyman*  
Barry Tesseyman, Chairman  
Zoning Board of Appeals

**MOTION TO ADOPT THE FINDINGS OF FACT and DECISION FOR** Application of Moshe Rosenblum-Amsel, Premises: 29 Sagamore Avenue Suffern, NY, dated September 19, 2024, was moved by Board Member Wilson, seconded by Board Member Adwar, with all in favor.

**SUFFERN ZONING BOARD OF APPEALS  
FINDINGS OF FACT and DECISION**

**RE: Application of 99 Washington LD Holdings, LLC  
Premises: 99 Washington Avenue Suffern, NY  
Section 54.21 Block 2 Lot 12  
Zoning District R-2R-5**

**Application No. Z2024-04  
Hearing Date: September 19, 2024**

The applicant appeared before the Zoning Board of Appeals on an APPEAL and for an INTERPRETATION with regards to certain violations that were issued by the Village of Suffern Building Department with respect to the subject premises. Specifically, the applicant was seeking an appeal and interpretation regarding a Notice of Violation issued by Village Code Enforcement Officer Michael Stark identified as violation number 23-355 regarding “signs” and violation number 23-356 regarding “general use regulations”. Both Notices of Violation are incorporated by reference herein. Notice of Violation 23-355 alleges that the applicant has a sign that requires approval of the Village Planning Board pursuant to section 228-26(B) of the Village Code. Notice of Violation 23-356 alleges that the owners of the property are using the rear parking lot for storage of vans for sale or lease, which is not a permitted accessory use to a professional office in a 2R-5 zone.

The Zoning Board of Appeals heard testimony and reviewed written evidence with reference to the above-referenced application, including but not limited to, a previous Zoning Board of Appeals decision dated June 21, 2000, which permitted the use of a “professional office” at 99 Washington Avenue and the Building Department file for the subject property.

**TESTIMONY BEFORE THE BOARD:**

The testimony before the ZBA, as set forth in the approved minutes of the meeting, which are incorporated by reference herein, included that of Paul Baum, Esq., attorney for the applicant, and Avrohom Zuntz, a principal of the company operating at the subject location.

Mr. Baum indicated the applicant was seeking an interpretation that the tenant, 99 LD Truck Leasing, was renting space at the location for offices, that they be permitted to store vans on the property as an accessory use to the leasing office. The testimony was that the tenant owns the vans and leases them out. Mr. Baum asked the Board to consider that since they are a “leasing office” and it is customary for a leasing office to store vans on site, that it is an incidental or accessory use permitted as “parking” under the Code.

Mr. Zuntz said the company owns about 15 vans at a time and they have approximately 10 on the property at the time of the hearing. Generally he has commercial customers and that he gets emails or phone calls about leasing out vans. Mr. Zuntz indicated the building had approximately 20 parking spots. He indicated that two of the businesses there were his (including the leasing) and that the other tenant did use the lot to park their two cars. Mr. Zuntz indicated that at one point they had too many vans so they moved some of them to another location, one in Brooklyn, the other in New Jersey. Mr. Baum acknowledged that the vans are parked but they sit there for storage because they are not being used on a regular basis. Mr. Zuntz further indicated that most of the vans at the location are not registered. When a customer

leases a van, the company registers it for them and delivers the vehicle.

In terms of the signs, Mr. Baum argued that the sign was exempt from the requirements of Village Code Section 266-26(C)(1)(7) and (9) in that the sign is required by NYS DMV and they are less than two feet in length, and six inches in height as part of a professional office.

**The Board made the following findings of FACT, DETERMINATION and INTERPRETATION:**

**Violation No. 23-0356:**

The subject property is located in the 2R5 zoning district. In June 2000, the ZBA granted a variance to permit a "professional office" to be operated on this property. A professional office is not otherwise permitted in a 2R-5 zone.

On 3/4/22, the Building Department issued a Certificate of Use to Leasing Direct for use as a professional office, and to permit installation of new flooring and windows.

It is established the professional office is a permitted use at this location based upon the variance and certificate of occupancy. The issue is whether or not "outdoor storage of vehicles" is permitted as an "accessory use" to a professional office under the circumstances presented here.

Professional office is a permitted use in the PO40, PO15, GB, PLI and M zoning districts. The Code indicates that the outdoor storage of vehicles may be an accessory use to a professional office only in the GB district.

**Based upon the foregoing, the permitted use of the property in a 2R-5 zoning district as a professional office does not mean the outdoor storage of vehicles is permitted as an accessory use in this district as of right. To the extent they are calling the storage of these vehicles "parking", that would not be applicable either, since these vehicles do not**

**utilize the property for parking in the traditional sense. The vehicles are being stored. The Notice of Violation 23-0356 is therefore interpreted and determined to be a valid violation of the Suffern Village Code as set forth therein and is hereby upheld.**

**Violation No. 23-0355:**

The violation for requiring sign approval from the Planning Board is found to be not valid because the door sign is less than six inches in height for each tenant, and the DMV sign is exempt as being required for an office that requires a DMV license. This interpretation does not, however, authorize the storage of vehicles, only that the two signs do not need to be further reviewed or approved by the Planning Board.

**Based upon the foregoing, a Motion was made by Bruce Simon to uphold the determination of the Building Department (Code Enforcement Officer) with respect to Notice of Violation 23-0356, which found the storage of vehicles is not a permitted accessory use to a professional office under the circumstances presented. The motion was Seconded by Cary Adwar, and approved by a vote of the Board as follows:**

**On a Roll Call, the Board voted as follows:**

**AYES:            Barry Tesseyman, Chairman  
                      Cary Adwar  
                      Bruce Simon  
                      Lisa Wilson  
                      Andrew Zavoski**

**NOES:            None**

**Thereafter, a motion was made by Chairman Barry Tesseyman to vacate the Notice of Violation 23-0355 with respect to the door sign requiring Planning Board approval, as**

**being exempt based upon the sign being less than 6” in height for each tenant. The Motion was seconded by Lisa Wilson, and approved by a vote of the Board as follows:**

**On a Roll Call, the Board voted as follows:**

**AYES: Barry Tesseyman, Chairman  
Cary Adwar  
Bruce Simon  
Lisa Wilson  
Andrew Zavoski**

**NOES: None**

**Thereafter, a motion was made by Chairman Barry Tesseyman to vacate the Notice of Violation 23-0355 with respect to the DMV sign requiring Planning Board approval, as being exempt based upon the sign being required for an office engaged in such business. The Motion was seconded by Bruce Simon and approved by a vote of the Board as follows:**

**On a Roll Call, the Board voted as follows:**

**AYES: Barry Tesseyman, Chairman  
Cary Adwar  
Bruce Simon  
Lisa Wilson  
Andrew Zavoski**

**NOES: None**

Therefore, it is the interpretation of the Board that the Violation identified as No. 23-0356 prohibiting the storage of vehicles at the subject location is upheld. The Violation identified as No. 23-0355 requiring Planning Board approval of the subject signs is overruled. The applicant need not appear before the Planning Board for the signs, but may not store vehicles at the subject location.

Dated: October 17, 2024

Suffern, New York

*Barry Tesseyman* \_\_\_\_\_  
Barry Tesseyman, Chairman  
Zoning Board of Appeals

**MOTION TO ADOPT THE FINDINGS OF FACT and DECISION FOR** Application of 99 LD Holdings LLC, 99 Washington Avenue, Suffern, NY, dated September 19, 2024, was moved by Board Member Adwar, seconded by Board Member Wilson, with all in favor.

**MOTION** to adjourn the Zoning Board of Appeals meeting Board Member Wilson, seconded by Board Member Zavoski, with all in favor.

Respectfully,

Melissa B. Reimer, CPA  
Village Clerk