



**VILLAGE OF SUFFERN
ZONING BOARD OF APPEALS MINUTES
AUGUST 28, 2025, 7:00 PM**

Attendance: Bruce Simon, Acting Chairman
Cary Adwar, Member
Steven Marks, Member
Lisa Wilson, Member
Andrew Zavoski, Member
Robert Magrino, Village Attorney
Melissa B. Reimer, Zoning Board of Appeals Clerk

Absent: Barry Tesseyman, Chairman

CALL TO ORDER

Acting Chairman Simon called the meeting to order at 7:00 P.M., and lead everyone in the Pledge of Allegiance.

Acting Chairman Simon asked if any Board member would like to make a motion to enter into a consultation with the attorney.

MOTION to enter into a recess session, an attorney/client privileged session, moved by Board Member Adwar, seconded by Board Member Marks, with all in favor, except for Chairman Tesseyman who was absent.

At 7:13pm the Board returned from recess.

MOTION to close recess session was moved by Board Member Zavoski, and seconded by Board Member Wilson, with all in favor, except for Chairman Tesseyman, who was absent.

30 Pavilion Road – Michael Abramo – Z2025-02

Mr. Michael Abramo approached the podium.

Acting Chairman Simon read the Notice of Public Hearing into the record.

Mr. Abramo was sworn in and began to speak.

Acting Chairman Simon told the public that Chairman Tesseyman was out and he was conducting the meeting for him.

Mr. Abramo told the Board that he is applying for variances (to be able to build an accessory

structure garage and accompanying driveway) for front yard use, accessory structure area, and disturbance of steep slopes. This is for his property for his own use and not for commercial use. "The structure is essential for the proper storage of personal supplies and maintenance equipment for my home and property." He said that he currently has two sheds on the property an 8'x10' and 10'x20'.

Mr. Abramo stated that one of the sheds is inadequate in terms of size and location. It forces him to keep his equipment (i.e., garden tractor, building materials) outdoors or even inside his home. He said that it leads to weather damage, visual clutter, and makes routine property maintenance difficult and unsafe.

He explained that in front of one of the existing sheds, there's only about 6 feet of space to walk through. and then there is approximately a five-foot drop and a retaining wall on one side. He said that navigating the space when you're trying to do things is difficult. He said that he has fallen off of the retaining wall and has to push equipment or supplies up/down to the shed and it is laborious and time-consuming. He said that it often requires multiple people to help him.

He mentioned in his application letter that he stores and works on his motorcycles in the shed. "I currently get up the hill via like a foot path I created from the lower part of my property up to the shed." He said that the garage will improve his property's overall appearance. He explained that the garage will help him free up room in his house for valuable interior living area by allowing him to move sports equipment into the garage.

He also told the Board that he intends on installing electrical service in the garage, but not water or sewer. He said that the project would also include removal of the existing shed and keeping the number of accessory structures in compliance with Village Code.

He told the Board that the variances he was requesting was not just a matter of convenience, but of necessity born from the hardship imposed by the property's natural features. The combination of a steep grade, irregular lot shape, and underlying bedrock in some areas made it unfeasible to build a code compliant garage in the side or rear yard. Building an attached garage was also not an option. He explained that any attempt to do so would require massive cost prohibitive excavation, extensive retaining walls, and tree removal, fundamentally altering the landscape at an unreasonable expense.

The proposed front yard location was the only feasible and practical site on the entire property. He said that he has considered alternative options to address the problem. They include expanding the existing shed, building on the existing parking area (cutout on the side of a hill). He also said that he thought about building by the property line, down the hill from his home.

Mr. Abramo stated that a garage and driveway previously existed on the property, and his proposal seeks to restore this in a functional and responsible way. He said that the structure is consistent with the neighborhood, as his immediate neighbors also have detached garages in their front yard, which they are currently restoring. He said that he also intends on cleaning up the erosion in the existing parking area while the workers and equipment are doing the project. Adding some erosion controls, soil retention, water flow controls, and landscaping finish work

along the road will be included.

Board Member Marks asked Mr. Abramo, “You mentioned, uh, water flows and how you would manage that. How would you manage that? Could you describe that a little bit more in detail for us?”

Mr. Abramo answered that he has an engineer working on it. He expects that there will be a retaining wall and drainage set behind the retaining wall. That typically would include corrugated drainage pipes behind the retaining wall (including 4’ of back fill gravel). He tried to explain where the drainage would be from the property and how the topography makes a difference in the way the drainage flows. He said that the drainage would not flow by the new garage.

Board Member Marks thanked Mr. Abramo.

Board Member Zavoski said that he attempted to walk onto the site and unfortunately there was a dog, and he did not feel comfortable walking onto the property. He was trying to understand the plans and the slope of the property. He was looking for a mockup of what he was looking to create on his property.

Mr. Abramo told Board Member Zavoski that he can only describe where the garage is supposed to go on the site. He has no exact pictures. It will be excavated, but that will be for the engineer to provide those details. The retaining wall will be next to the road, and you will see the side of the garage building. It will be a metal-sided building with a painted color and a metal roof.

Board Member Zavoski mentioned that he would like to keep the aesthetics of the community up there, trying to make it blend the way it's very nice the way it looks. “It's like mountainous kind of thing. ...that's kind of a steep slope there. And then we have the drainage too that I think uh my fellow board members touched on, you know.”

Mr. Abramo said that he agrees that he is concerned with the aesthetics and does not want it to look ugly. He believes that the building will be recessed, and you will not be seeing a 10-ft high wall above the retaining wall because it will be built below grade to an extent. He said, “So yes, you will see the side of a building a few feet up and then the side, you know, the broad side of a roof.”

Board Member Marks told the rest of the Board that he visited the property and said that there was (and it's on the schematic as well) an old gravel driveway that was relatively steep to get up to that area. So if he was considering some level of aesthetics, that something that may be paved and may look better, in general, leading up to that space. It may be safer than this gravel drive that was just kind of there and not in use and was just sitting there as a remnant of the past.

Board Member Zavoski added that the gravel may allow better drainage as opposed to a paved surface for runoff.

Board Member Marks agreed.

Mr. Abramo reiterated that he wants to pave the driveway and take care of the drainage issues.

Board Member Wilson asked what the retaining walls (some will be 15' high) are going to be made out of.

Mr. Abramo said that he was working with his engineer, and the retaining walls should be cement block. He mentioned that the current plot plan showed a retaining wall that gave approximately 4' of setback from the building and was surrounding the building. He and his engineer were discussing modifying the plot plan so that the garage was in the same location, but there would not be massive retaining walls. Instead, the building will be below grade, and we have the building built on top of the retaining wall.

Board Member Wilson had asked if the garage was going to be below grade, but Mr. Abramo said that it was going to be built on top of the retaining wall.

Mr. Abramo explained that the reason why the engineer has 15' retaining walls was because in his original design, there was a short driveway where the existing gravel driveway was, with a 10% grade on that existing gravel driveway, which would require the building and that area to be excavated down like 6' and then subsequently have very large walls. Instead the updated plan, which the Board was given, has a longer driveway and it requires less excavation.

Board Member Wilson asked if Mr. Abramo knew what slope the engineer had the driveway at now.

Mr. Abramo did not know.

Board Member Wilson told the Board that she was not ready to vote on this matter, because the drawings needed to be updated. She explained that the slopes were shown at different scales, it was impossible to determine how much of those slopes were affected by what was being done you could not put those two pieces together.

Mr. Abramo agreed.

She also requested that the proposed grading be shown. Spot grades at the top and the bottom of the walls were shown as well as proposed grading as you are coming down the driveway. What was lacking was how the grading was going to work around whatever the final decision was going to be. For instance, if the garage was to be built out of concrete block and that back wall was the retaining wall, then the drawings should show that.

She also asked the engineer to mark the four corners of where the garage would fall with flags, so the Board members could see it when visiting the site. This way the Board Members would have more of a visual of where the garage would be.

Lastly, Board Member Wilson asked for the full-size plans in order to see this bulk table more clearly. She asked for the plans on 24"x36" sheets and to scale.

Mr. Magrino asked for nine copies of that.

Board Member Adwar asked Mr. Abramo that on the site visit last week, he mentioned alternative plans without taking down all those trees and maybe without a driveway and moving it the shed closer to the house. He asked him to expand on that.

The alternatives that he considered were expanding the existing shed, but there was limited space. Other places on the property, there is bedrock. There might be places very close to the property line and slope disturbances, but that also requires multiple variances. He also mentioned some thefts in the neighborhood and could not fit his RV in his parking area anymore.

Board Member Adwar thanked Mr. Abramo.

Acting Chairman Simon spoke to Mr. Abramo. He thanked him for having them over to his home. Acting Chairman Simon mentioned that it seemed to him that the applicant's plans were still in flux. He said that it made it difficult for us to vote on something without a set knowledge of what it's going to be. He stated that he was speaking for himself and not any of the other board members. He agreed with Board Member Wilson for something to be laid out on the ground to show where the four corners of the structure would be.

Mr. Abramo agreed.

Acting Chairman Simon asked if anyone would like to vote/make a motion on the matter tonight.

Board Member Adwar answered, "No."

Mr. Magrino said that the plans were very difficult to read. He suggested updating the plans. He also suggested that his engineer come to the meeting because there are questions, and ordinarily the ZBA doesn't get into drainage and things of that nature, but because of the steep slope issue, that is the biggest issue that the Board is facing.

Mr. Magrino asked the Acting Chairman to ask the applicant if he would like a continuance.

Mr. Abramo requested a continuation. He went over everything that the Board was looking for the next meeting.

Board Member Adwar asked Mr. Abramo if it were possible to have the engineer present at the next meeting.

Mr. Abramo answered that he would.

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

No comments from the public.

MOTION- to continue the public hearing moved by Board Member Marks and seconded by Board Member Wilson, with all in favor.

Acting Chairman Simon told Mr. Abramo the next meeting will be held on September 18, 2025, at 7pm.

19 Clinton Place – Jorge Arias – Z2025-03

Acting Chairman Simon read the Notice of Public Hearing into the record.

Mr. Jorge Arias approached the podium.

Mr. Arias was sworn in and began to speak. Mr. Arias told the Board that he is applying for a variance to be able to keep the shed that is next to his house. He was given the shed and now people complain. He is looking to keep his shed. He told the Board that he keeps it for storage for things that he does not want in the house. He would appreciate it if the Board would allow him to keep the shed.

MOTION- to open the public hearing moved by Board Member Wilson and seconded by Board Member Zavoski, with all in favor, except for Chairman Tesseyman who was absent.

No comments from the public.

Board Member Marks asked Mr. Arias to address the history of the shed.

Mr. Arias answered, "About eight years."

Board Member Wilson asked Mr. Arias whether it would be feasible to move the shed so that it would not be in violation.

Mr. Arias said that he would have to move it to the back of the house.

Board Member Awar said to Mr. Arias that he and Board Member Simon went to Mr. Arias's property, and he noticed a vehicle in the back right corner.

Mr. Arias asked, "You want me to move back?"

Board Member Adwar said that he was asking if that was an alternative.

Mr. Arias said that it would be difficult for him to get his tools from the back of the property, especially in the winter with the snow. He complained that it would be far away.

Board Member Adwar said that it did not appear very far to him, in his opinion. Mr. Arias said that it was okay, if that was the situation.

Board Member Zavoski said that he did visit the site, but he did not get a chance to go to the other areas of the property. He just looked from the road. He doesn't understand the visual there and he would have to see the property again to get a better determination of the aesthetics and feasibility for going back and forth.

Mr. Arias told the Board that you can see from the street just a little peak.

Mrs. Cynthia Arias was sworn in.

Mrs. Arias said that both neighbors on either side of them have shed butted up against property lines and no one bothers them. She spoke at length about her neighbors. She also told the Board that they have a pool in their backyard and if they put the shed back there, it would not be aesthetically pleasing to them.

She admitted that the shed is for Mr. Arias's business. She said that it is better for the shed to be in the front so that he has better access to the tools.

She also mentioned that the concrete is built up at the patio and that would be a bigger expense. She said that they would have to build a ramp around another patio to put the shed in the back corner. She repeated that she did not want it in the backyard.

Acting Chairman Simon said that he understood. He asked if any other Board members had any questions. He thanked Mr. Arias. He turned to Mrs. Arias and told her that the issues with the neighbors' sheds were not before this Board, and this Board can only decide whether or not to give a variance for their shed.

Mrs. Arias tried to explain that she thought that they were grandfathered. They were there from when she bought her property. She also mentioned that there was a slab at the back of her property.

She also told the Board that you cannot see her shed from the street. It is not an eyesore for the neighborhood. The Board said that they understood.

Board Member Zavoski asked if they put up the structure eight or nine years ago.

Mr. Arias said that he was given the shed. He said that he does construction, and he built it himself.

Board Member Adwar said that when he and Mr. Simon visited the site Mr. Arias told them that it has been up for only four (4) years. He asked if it was eight or four years.

Mr. Arias answered that it was something four or five years.

Mrs. Arias said that he is not good at knowing his own age.

Mr. Arias said that he did not exactly know, but someone gave it to him, and he needed permission to put it in his premises. He said the size was not what was allowed, but it was on blocks, so he did not think he needed permission. So he built it. He said that no one complained.

Mrs. Arias said that they did not always have the fence there.

Mr. Arias said that it has been there a long time.

Board Member Wilson asked if they had a survey of the property.

Mr. Arias said that they had it a long time ago, when they bought the house.

Mrs. Arias said, "Nope."

Board Member Wilson said, "I was just curious if they could determine how far it actually is from the property line since we don't actually know."

Mr. Arias answered that the shed is about three feet, two and half feet.

Mr. Magrino asked them again if they had a survey.

Mrs. Arias answered that they did not have a survey.

Board Member Wilson asked them if they had put in their pool and they would need a survey then.

They answered that they did put in their pool and whatever they needed they handed in, but they don't have any paperwork. They had a flood, and everything was destroyed.

Acting Chairman Simon said that he agreed with Board Member Adwar that it may not be the most ideal situation for the Arias', but he feels that the shed should be in the back corner of the property.

Mr. Arias started to explain to the Board that the neighbor behind him did not want the shed in the backyard.

Mr. Magrino said that it should be five feet off the property line.

Mr. Arias said that it would be too close to the pool.

Board Member Marks said that Mr. Arias should get an updated survey done because that would be helpful.

Mrs. Arias asked if the Village or the Town still had their survey. She explained that it would be

a financial burden to do another survey.

Mr. Magrino told them that they can ask to see their file in the Building Department.

Acting Chairman Simon gave them directions on how to complete a FOIL request for a copy of their survey from the Building Department. He also suggested going to the Town of Ramapo to search for their records for the survey.

Mr. and Mrs. Arias thanked him.

Acting Chairman Simon asked Mr. and Mrs. Arias if they would like to ask for a continuance.

They agreed.

MOTION- to continue the public hearing moved by Board Member Marks and seconded by Board Member Wilson, with all in favor, except Chairman Tesseyman, who was absent.

Acting Chairman Simon explained to the Arias's that the supporting documents need to be submitted by September 4th for the next ZBA meeting either way please get in touch with the ZBA clerk by September 4th.

Board Member Zavoski asked if the applicant would be willing to change the dimensions of their shed, if their shed had to be re-located to the back of the property. If it was going to bother the neighbors or not be as aesthetic as they would like, perhaps if it were smaller.

Mrs. Arias said, "To do it smaller would not be good for his business."

Mr. Arias said that it was barely big enough now and he would need to build two structures then.

Board Member Zavoski asked, "So you would keep the structure in place?"

Mrs. Arias said that her husband would move it.

MOTION TO APPROVE MINUTES FROM MAY 15, 2025, ZONING BOARD OF APPEALS MEETING.

MOTION to approve the Zoning Board of Appeals minutes of May 15, 2025, was moved by Board Member Adwar, seconded by Board Member Zavoski, with all in favor, except for Chairman Tesseyman, who was absent.

MOTION- to adopt the Suffern Zoning Board of Appeals Findings of Fact and Decision for 14 Wayne Avenue, Suffern, NY ("202 Collision") was moved by Board Member Wilson and seconded by Acting Chairman Simon, with all in favor, except, abstained by Board Member Marks (pre-dates Board Member Mark's Term) and Chairman Tesseyman, who was absent.

MOTION to approve Zoning Board of Appeals meeting for September 18, 2025, and October 16, 2025, at 7pm and to adjourn the Zoning Board of Appeals meeting Board Member Marks,

seconded by Board Member Wilson, with all in favor, except Chairman Tesseyman who was absent.

Respectfully,

Melissa B. Reimer, CPA
Zoning Board of Appeals Clerk