



**VILLAGE OF SUFFERN
ZONING BOARD OF APPEALS MINUTES
SEPTEMBER 18, 2025, 7:00 PM**

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

Absent: Barry Tesseyman, Chairman
Steven Marks, Member

CALL TO ORDER

Acting Chairman Simon called the meeting to order at 7:02 P.M., and lead everyone in the Pledge of Allegiance.

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

19 Clinton Place – Jorge Arias – Z2025-03 – Continuance

Acting Chairman Simon told the Board that Mr. Arias was unable to attend so the Board should continue the matter for another month. It will be continued for the October meeting.

MOTION- to continue the public hearing for 19 Clinton Place to the next ZBA Board meeting scheduled for October 16, 2025, moved by Board Member Adwar and seconded by Board Member Wilson, with all in favor, except Chairman Tesseyman and Board Member Marks, who were both absent.

30 Pavillion Road – Michael Abramo – Z2025-02 – Continuance

Mr. Michael Abramo approached the podium.

Mr. Abramo was reminded by Acting Chairman Simon that he was still under oath, and he asked Mr. Abramo if his engineer was going to join the meeting tonight.

Mr. Abramo said that his engineer was not coming to the meeting. He told the Board that there were a number of requests from the last meeting, and his plans now show the drainage solution with dry wells. There are now two plot plans, and one shows the slope imposed over the property. The plot plan also shows the foundation of the building now serves as the earth

retaining structure. Whereas, before there was a building, setback and separate retaining walls. Now the foundation of the building would be the retaining walls. He told the Board that in this iteration, a little less of the hillside was to be excavated. He told the Board that the property was now flagged where the garage was to be going and the driveway as well.

Acting Chairman Simon asked if any board member had any questions based on the new information. He asked Board Member Zavoski if he went out to the property.

Board Member Zavoski said that he did go to the property. He told the Board when he went and where he parked his car. He said that he went to the door and banged on the outside door, but he did not walk into the vestibule because there was an open lady's purse that was in there and he did not feel comfortable walking in. He walked around the property where everything was marked off. He said that he believes that the orange flags marked off where the garage was going to go.

Mr. Abramo said that was correct.

Board Member Zavoski said that he walked over to the shed, and he noticed that it was a very high embankment.

Mr. Abramo agreed.

Board Member Zavoski said that was where he stopped, but he did get a flavor of the property and the terrain. He said that trying to decipher the map that he had with him, he could not get too far. He was not really well-versed in architecture.

He said that maybe if the applicant was there with him, it might have been different. He told the applicant that he would love to go back again. He would love to see it when the engineer was there as well. He wanted to understand the drainage and things of that nature.

A bit later in the meeting, Board Member Zavoski and Mr. Abramo planned to get together for a tour of the property.

Acting Chairman Simon asked Board Member Adwar if he had anything that he wanted to go over.

Board Member Adwar declined.

Acting Chairman Simon asked Board Member Wilson if she had anything that she wanted to go over.

Board Member Wilson said that she was still baffled by the retaining walls. She was concerned with the radius at the bottom of the driveway was unrealistic. She told the applicant for a car to make that tight of a radius in just a 10' wide space, where some of the walls are 8-10 feet high, it would be like driving in a tunnel.

The applicant said that Board Member Wilson is partially correct. On the uphill side the wall will be high, but on the downhill side the wall would be a couple of feet, but it would be down from the driveway. He said that his engineer would have been helpful. Mr. Abramo explained that it would be from the roadside “kind of like a ledge up to the driveway.”

Board Member Wilson asked if Mr. Abramo gave up the idea of a metal garage and whether the garage was going to be cinderblock or cement block.

Mr. Abramo said that the topography is impractical to carve out the hillside such that you can just place a building. The building site needs to be excavated down several feet to accommodate an inadequate driveway slope (approximately 12% grade). It has to be a block structure.

Board Member Wilson added that it has to be its retaining wall. She asked the reason for creating the whole new driveway instead of just facing the garage toward Pavilion, right off the existing gravel driveway.

Mr. Abramo said that the existing road is narrow.

Board Member Wilson understood.

Mr. Abramo said that it seemed impractical because it was so tight....

Board Member Wilson interrupted and stated, “I mean, if you look at this, if you look at this layout, from the front of the garage. I'm talking about the front being Pavilion in bold face. It's showing an offset of 9 and 1/2 feet to the property line. Then you've probably got another 3 or 4 feet to the edge of pavement. So you've got almost 12 feet from the front of the garage to the edge of pavement plus the pavement which is probably what 15 feet wide. I mean a normal roadway is 24.”

Mr. Abramo said, “I see what you're saying. So if the building were not set up right against the pavement, it would be set back...”

Board Member Wilson continued, “...you would have plenty of room to back out and, you know, and then traverse down the road. The other suggestion I would think in addition to that, you're looking at those retaining walls to the west or south if whatever you want to call it down the hill. If you created like a small 20 by 20 parking area to the left of the garage as you're looking at it instead of having this entire driveway come all the way down. So you've got a space next to the garage where you could pull a car in and park if you're in the middle of projects within the garage and you can't pull your car in, but you still have room to back out. And it would it would alleviate all of this disturbance, all of these retaining walls. I mean, I really feel like you're going to feel like you're driving up a tunnel. And this radius is unrealistic what he's got on here.”

Mr. Abramo said that those were definitely fair points. He was open to changing the plan to

something more like that or that exactly.

Board Member Wilson stated that the less disturbance that would be created by just having the garage, maybe 20 feet to the left of it, with the retaining wall, and being able to pull in and park - would be a whole lot less than what you're trying to create in the existing plan.

Mr. Abramo agreed with Board Member Wilson but was concerned about having to excavate deeper and hitting bedrock under the existing gravel.

Board Member Wilson said that she did not think that you would be creating more excavation. She asked about the contours of the driveway.

Mr. Abramo said that it was for a turn-around for vehicles.

Board Member Wilson was discussing the grade/slope with Mr. Abramo, and she explained how he would need to make the grading somewhat flat on one side and not need retaining walls where the parking area would go in her plan. She told him that all board members were concerned with the amount of new pavement, gravel, and runoff. Even with gravel, the more you drive on it, the more impervious it becomes. She said that she understands that they would install a trench drain at the bottom to catch whatever water would be coming. But if you don't have this driveway, you don't have this issue. This would be less work.

Mr. Abramo agreed. He explained why he wanted a longer driveway and that was to make a gentler driveway slope. It has a lot of retaining walls.

Board Member Wilson said that when she first looked at the plan, she knew that the applicant was asking for many variances including: setback, steep slope disturbance, which we are never supposed to give. She said that she understood that she wanted to make it all work for him. She suggested that he speak to his engineer and see if it is feasible to do what she suggested to him.

Board Member Adwar said that he agreed with Board Member Wilson 100%.

Board Member Zavoski said that with this plan he was happy that the applicant would be saving some trees.

The applicant told him that unfortunately half of the trees are dead or dying, but he was happy to save some of them.

Acting Chairman Simon pointed out that after the conversations tonight, no one is prepared to vote on the matter. He asked the applicant if he would like to come up with a new set of plans, with slope and drainage analysis.

Mr. Magrino added that the Village engineer will need to review the plans. Due to the slope, it

is drifting into site plan territory. This Board doesn't generally look at drainage or things of that nature, but because of the slope it is certainly in play. He recommended that the applicant's engineer provide a narrative on the drainage so it can be looked at by the Village engineer.

Board Member Wilson asked if the applicant needed to be referred to the Planning Board.

Mr. Magrino answered that he did not need to go in front of the Planning Board, but it does need to be looked at by the Village engineer when there was a new plan.

Mr. Abramo understood. He repeated that he needed his engineer to modify the site plan with what Board Member Wilson suggested and whatever his engineer provides for the new plan – he needs to provide for the Village engineer. He asked if the Village engineer located in the Building Department.

Mr. Magrino answered that he's to start with the plans and submit them to the Clerk of the ZBA. She will hand them out.

Mr. Abramo continued that he would have the property re-flagged, to see which part of the slope would be excavated.

The Board and Mr. Abramo discussed when someone would be home to let the Board members see the property.

Board Member Zavoski asked a few times if any other board members would like to join him on the applicant's property for inspection. The other board members declined, but the Acting Chairman said that he may.

Board Member Wilson asked about the flags in the ground.

Mr. Abramo explained the colors and the position of the flags.

The Clerk asked Mr. Abramo for ten copies of the new plot plan, so that there is one copy for the Village engineer.

Mr. Abramo agreed.

Acting Chairman Simon told the applicant that he was not sure if all paperwork would be complete and ready for the next Zoning Board of Appeals Meeting. He suggested that the item be continued for the November meeting.

Mr. Abramo agreed since the Village engineer needs to review the site plan as well.

Acting Chairman Simon told Mr. Abramo that everything has to be submitted at least two weeks prior to the meeting. The meeting is scheduled for November 13, 2025, so he must submit everything by October 30, 2025.

Mr. Abramo said that he understood.

Acting Chairman Simon told Mr. Abramo that if he needed more time then November, the Board would adjourn him again to December meeting. He told him to take as much time as he needed.

Mr. Abramo said. "Okay."

MOTION- to continue the public hearing for 30 Pavilion Road to the ZBA Board meeting scheduled for November 13, 2025, moved by Board Member Wilson and seconded by Board Member Adwar, with all in favor, except Chairman Tesseyman and Board Member Marks, who were both absent.

Acting Chairman Simon thanked Mr. Abramo for his time.

Mr. Abramo thanked the Board.

MOTION TO APPROVE MINUTES FROM AUGUST 28, 2025, ZONING BOARD OF APPEALS MEETING.

MOTION to approve the Zoning Board of Appeals minutes of August 28, 2025, was moved by Board Member Adwar, seconded by Board Member Wilson, with all in favor, except Chairman Tesseyman and Board Member Marks, who were both absent.

MOTION to approve Zoning Board of Appeals meeting for November 13, 2025, and December 18, 2025, at 7pm was moved by Board Member Wilson, seconded by Board Member Zavoski, with all in favor, except Chairman Tesseyman and Board Member Marks, who were both absent.

MOTION to adjourn the Zoning Board of Appeals meeting at 7:28pm moved by Board Member Adwar, seconded by Board Member Wilson, with all in favor, except Chairman Tesseyman and Board Member Marks, who were both absent.

Respectfully,

Melissa B. Reimer, CPA
Zoning Board of Appeals Clerk