

VILLAGE OF POMONA
ZONING BOARD OF APPEALS PUBLIC HEARING
JULY 27, 2022
7:30 PM

Topic: Pomona ZBA

Time: Jul 27, 2022 07:30 PM Eastern Time (US and Canada)

Join Zoom Meeting

<https://us02web.zoom.us/j/82189315312?pwd=RjdoY1ZBa21pT1h0OFA5eFIMV0NGQT09>

Meeting ID: 821 8931 5312

Passcode: 465708

One tap mobile

+16469313860,,82189315312# US

+19292056099,,82189315312# US (New York)

Dial by your location

+1 646 931 3860 US

+1 929 205 6099 US (New York)

+1 301 715 8592 US (Washington DC)

+1 312 626 6799 US (Chicago)

+1 386 347 5053 US

+1 564 217 2000 US

+1 669 444 9171 US

+1 669 900 6833 US (San Jose)

+1 253 215 8782 US (Tacoma)

+1 346 248 7799 US (Houston)

Meeting ID: 821 8931 5312

Find your local number: <https://us02web.zoom.us/j/82189315312?pwd=RjdoY1ZBa21pT1h0OFA5eFIMV0NGQT09>

AGENDA

APPLICANT

Lue Development LLC (Lloyd Ecker)

1 East Court- To permit the construction of a garage along with a gravel driveway. The existing lot coverage is 22.7% and proposed lot coverage is 24.7%, whereas the permitted maximum is 15%.

MOTION TO ADJOURN



ATZL, NASHER & ZIGLER P.C.

ENGINEERS-SURVEYORS-PLANNERS

234 North Main Street, New City, NY 10956
Tel: (845) 634-4694 Fax: (845) 634-5543

June 23, 2022

Lue Development LLC

Narrative Summary

The Site is identified on the Village of Pomona tax map as Section 25.06 Block 1 Lot 21 and is zoned R-40 District. It is located at 1 East Court and is situated at the corner of East Court and High Mountain Road.

The lot has a gross area of 95,621 square feet and a net area of 72,775 square feet (per approved Site Plan). The lot is developed with an existing two-story dwelling, swimming pool and garage.

The Applicant is proposing to construct a garage along with a gravel drive. This action requires an area variance from the Village of Pomona Zoning Board of Appeals for maximum lot coverage. The permitted maximum lot coverage is 15%, the existing lot coverage is 22.7%, and the proposed lot coverage is 24.7%.

The requested variance can be considered minimal. There would be no detrimental impacts to the health, safety, and welfare to the surrounding neighborhood if the variance were to be granted. There will be no increase in population, and the proposed action will not require additional services.

We are therefore respectfully requesting the Zoning Board of Appeals to grant the area variance described above.

ZBA FORM NO. 1

RECEIVED: _____
NOTIFIED : _____
HEARING : _____

ZONING BOARD OF APPEALS

**VILLAGE OF POMONA
100 LADENTOWN ROAD
POMONA, NEW YORK 10970**

APPLICATION TO THE ZONING BOARD OF APPEALS

INSTRUCTIONS

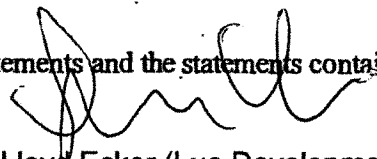
Furnish the following to the Board with this application:

- 1. Filing fee of \$150.00 (payable to the Village of Pomona)**
- 2. Twelve (12) plot plans, drawn to scale, showing the property in question and the changes to be made; including twelve copies of application , Narrative, etc.**
- 3. Any details that will help the Board judge your case, statements of neighboring property owners, building plans, map of area, etc.**
- 4. Copy of decision or order of administrative official on which appeal is based.**
- 5. A full list of names and addresses as provided in the "Notice to Property Owner's Affidavit" of all owners of property abutting or across the street from the appellant's property and all other properties within 500' from the premises. (Form #5)**
- 6. Copy of Notice to the Building Inspector that appeal has been taken. (Form #4)**
- 7. If this property is within 500' of a State or County Road, Parkway, Village Boundary or County owned land, additional Plot Plans must be submitted for each agency and a copy must be sent to the Rockland County Planning Board.**

AFFIDAVIT OF APPELLANT

State of New York
County of Rockland ss:
Village of Pomona

I hereby depose and say that all the above statements and the statements contained in the papers submitted herewith are true.



Appellant, Lloyd Ecker (Lue Development LLC).....

Mailing Address, 1 East Court
Pomona, NY 10970

Sworn to before me this

24 day of June 2022



Notary Public
County of Rockland

MARIA DELMY RAMIREZ
NOTARY PUBLIC, STATE OF NEW YORK
Registration No. 01RA6380096
Qualified in Rockland County
My Commission Expires August 27, 2022

AFFIDAVIT OF OWNERSHIP

State of New York
County of Rockland ss:
Village of Pomona

Lloyd Ecker (Lue Development LLC).....being duly sworn, deposes and says

that he resides at 1 East Court, Pomona.....in the County of

Rockland.....in the State of New York....., that he

is the owner in fee of all that certain lot, piece or parcel of land situated, lying and being in the

Village of Pomona aforesaid and designated as Lot No. 21, in Section No. 25.06, Block 1

Of the Tax Map and that he hereby authorizes in his behalf and that the statements of fact

contained in said application are true.

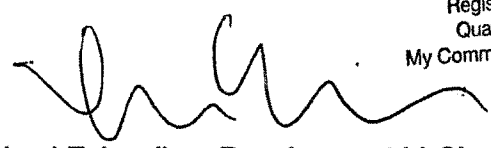
Sworn to before me this

24 day of June 2022



Notary Public
County of Rockland

MARIA DELMY RAMIREZ
NOTARY PUBLIC, STATE OF NEW YORK
Registration No. 01RA6380096
Qualified in Rockland County
My Commission Expires August 27, 2022



Owner, Lloyd Ecker (Lue Development LLC).....

Mailing Address, 1 East Court, Pomona, NY 10970

ZBA FORM NO. 3

Appellant: Lloyd Ecker (Lue Development LLC) Address: 1 East Court, Pomona, NY 10970

Owner: Lloyd Ecker (Lue Development LLC) Address: 1 East Court, Pomona, NY 10970

Lessee: NA Address:

TO THE ZONING BOARD OF APPEALS:

APPEAL IS HEREBY TAKEN AND APPLICATION IS MADE FOR:

- Variance from the requirements of Section 130-12 for Maximum Lot Coverage
- Special Permit per the requirements of Section NA
- 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 NA

To permit construction, maintenance and use of a proposed garage. See attached narrative for details.

Premises affected are situated on the west side of High Mountain Rd at East Ct and High Mountain Rd and on the Tax Map the property is known as Section 25.06 Block 1 Lot 21

The street address is: 1 East Court, Pomona, NY 10970

Has this property been before the Board of Appeals before? Yes [checked] No

If so, give the name of applicant, case number and date. Lloyd Ecker (Lue Development LLC)

Is this property within 500 feet of State or County Park, State or County Road, Parkway, Village Boundary, or County owned Land? If so, specify which of the above. No

ZBA FORM NO. 4

NOTICE TO BUILDING INSPECTOR OF APPEAL TO BOARD OF APPEALS

In the matter of the petition of:

Name Lloyd Ecker (Lue Development LLC)

Address 1 East Court, Pomona, NY 10970

Section/Block/Lot 25.06-1-21

**BUILDING INSPECTOR
VILLAGE OF POMONA
COUNTY OF ROCKLAND, NEW YORK**

This is to give notice that....., has
appealed to the Zoning Board of Appeals of the Village of Pomona, County of Rockland,
New York, from your decision order dated....., 20..., disapproving application for
alteration, erection, and maintenance or use of a.....

The grounds on which appeal is based are as follows:

Yours truly,

Dated:

NOTE: To be made out in duplicate, original to be served to the Building Inspector, duplicate filed with appeal.

ZBA FORM NO. 5

AFFIDAVIT

STATE OF NEW YORK)
COUNTY OF ROCKLAND) ss
VILLAGE OF POMONA)

Lloyd Ecker (Lue Development LLC), being duly sworn deposes and says that he is the applicant, agent or attorney for applicant, in the matter of the petition before the Village of Pomona in the matter of the petition before the Village of Pomona Zoning Board of Appeals affecting property located at 1 East Court, Village of Pomona, Rockland County, New York.

That the following are all of the owners of property abutting or across the street and all others within 500 feet from the premises as to which this appeal is being taken, and that the attached letter was sent by registered mail, return receipt requested, to each of the aforesaid owners.

<u>SECT./BLK./LOT</u>	<u>NAME</u>	<u>ADDRESS</u>
_____	<u>SEE ATTACHED LIST</u>	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
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_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

This affidavit is made in connection with such Application No. _____ for appeal before the Village of Pomona Zoning Board of Appeals, knowing full well that the Office of the Zoning Board of Appeals of the Village of Pomona rely on the representations herein made.

Sworn to before me this 24 day of June, 2022.

[Signature]
(Notary Public)

[Signature]
(Petitioner's Signature)

MARIA DELMY RAMIREZ
NOTARY PUBLIC, STATE OF NEW YORK
Registration No. 01RA6380096
Qualified in Rockland County
My Commission Expires August 27, 2022

**Owners within 500 Feet of
Tax Lot 25.06-1-21**

<u>Tax Lot</u>	<u>Name and Address</u>
25.05-2-17	Jonathan Tuller Sara Tuller 80 Overlook Rd Pomona, NY 10970
25.05-2-18	Eisen Bracha 78 Overlook Road Pomona, NY 10970
25.05-2-32	11 Pomona Views LLC 1615 Carroll St Brooklyn, NY 11213
25.05-2-33	David Gefner 13 High Mtn Rd Pomona, NY 10970
25.05-2-34	Instructional Television Archdiocese of New York Attn; Michael Lavery 215 Seminary Avenue Yonkers, NY 10704
25.05-2-35	Spring Valley Water Co c/o Altus Group US Inc PO Box 71970 Phoenix, AZ 85050
25.06-1-13	Vladimir Veyland & Svetlana Veyland 6 East Ct Pomona, NY 10970
25.06-1-14	Yoel Leonorovitz 23 High Mtn Rd Pomona, NY 10970
25.06-1-15	Lee Sang Bai 2 East Court Pomona, NY 10970

25.06-1-16 MSUR East LLC
YH East LLC
7 Glenwood Ave Ste 311C
East Orange, NJ 07017

25.06-1-17 Shmuel Judkin & Chanah Hecht
10 East Ct
Pomona, NY 10970

25.06-1-18 Joanne Robinson-Silas
12 East Ct
Pomona, NY 10970

25.06-1-19 9 East Court LLC
9 East Ct
Pomona, NY 10970

25.06-1-20 M Kaufman Realty LLC
7 East Ct
Pomona, NY 10970

25.06-1-22 Lue Development
c/o Lloyd Ecker
1 East Court
Pomona, NY 10970

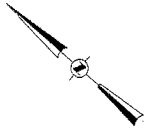
25.06-1-24 High Mountain Estates 14
425 Madison Ave Fl 19
New York, NY 10017

25.06-1-25 David Gefner
16 High Mtn Rd
Pomona, NY 10970

25.06-1-26 SLOYD Development LLC
1 East Ct
Pomona, NY 10970

25.06-1-27 22 High Mountain LLC
22 High Mountain Road
Pomona, NY 10970

- 25.06-1-28 Kimberly Thomas
24 High Mountain Road
Pomona, NY 10970
- 25.06-1-29 Benjamin Friedman
Daniella Friedman
2 Riverview Ct
Pomona, NY 10970
- 25.06-1-30 4 Riverview Estates LLC
4 Riverview Ct
Pomona, NY 10970
- 25.06-1-45 Yair Schneid
63P Edison Ct
Monsey, NY 10952
- 25.06-1-46 Rivka Cunin Bina
6 Carbery Court
Pomona, NY 10970
- 25.06-1-47 Vincent Sykes
Bibian Sykes
8 Carbery Court
Pomona, NY 10970
- 25.06-1-48 Pottakulathu Thomas
10 Carbery Court
Pomona, NY 10970
- 25.06-1-51 Daniel Wawronek
Kathryn Wawronek
122 Overlook Road
Pomona, NY 10970
- 25.10-1-4 Gee & Gee Developers, Inc
1240 Woods Road
Germantown, NY 12526



OWNER & APPLICANT:
 LLOYD ECKER
 LUE DEVELOPMENT LLC
 1 EAST COURT
 POMONA, NY 10970

TAX MAP REFERENCE:
 SECTION 22.06, BLOCK 1, LOT 21

AREA:
 94,621 SQ. FT.

SUBMISSION REFERENCE:
 SUBMISSION ENTITLED "LUE DEVELOPMENT LLC" FILED
 IN THE ROCKLAND COUNTY CLERK'S OFFICE ON
 MARCH 6, 2018, IN BOOK 131, PAGE 46, AS MAP NO. 8404.

NOTE:
 ALL UTILITIES & UTILITY
 LOCATIONS PER OWNER

ATZEL, WASHNER & ZICLER P.C.
 ENGINEERS-SURVEYORS-PLANNERS
 252 North Main Street
 New City, New York 10966
 Tel: (845) 634-4694
 Fax: (845) 634-6543
 E-mail: info@anzny.com
 Web: www.anzny.com

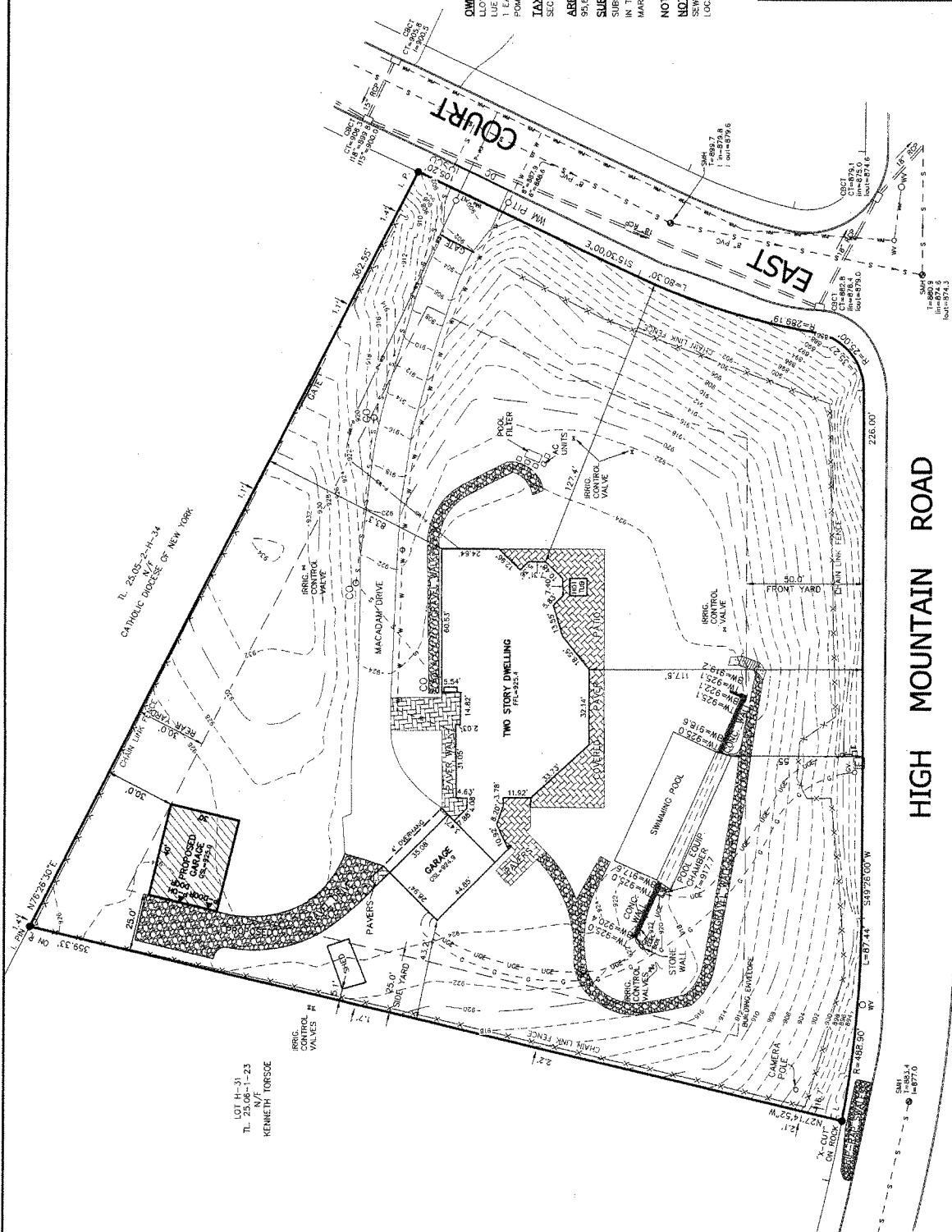
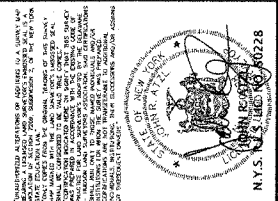
PROJECT:
 LUE DEVELOPMENT LLC

**VILLAGE OF POMONA
 ROCKLAND COUNTY, NEW YORK**

SITE PLAN

PROJECT NO.: 2705
DRAWN BY: JS
DATE: JUNE 23, 2022
CHECKED BY: JBA
SCALE: 1" = 30' FT.
DRAWING NO.:

1



LOT COVERAGE CALCULATIONS:
 EXISTING GARAGE 1,020 SQ.FT.
 PROPOSED GARAGE 1,200 SQ.FT.
 COVERED PAVEN PATIO 1,851 SQ.FT.
 DRIVEWAY 5,175 SQ.FT.
 POOL 1,640 SQ.FT.
 EXPOSED BACK PATIO PAVERS 445 SQ.FT.
 NEW EXPOSED FRONT SIDEWALKS 340 SQ.FT.
 SHED 200 SQ.FT.
 TOTAL 17,712 SQ.FT.

LOT COVERAGE CALCULATION:
 17,712 SQ.FT. = 72,775 SQ.FT. NET LOT AREA
 = 24.3% LOT COVERAGE

BULK REQUIREMENTS -- R-40 DISTRICT

MINIMUM LOT AREA	REQUIRED	EXISTING	PROPOSED
MINIMUM LOT AREA	40,000 SQ.FT.	95,621 SQ.FT. GROSS 72,775 SQ.FT. NET	NO CHANGE
MINIMUM LOT WIDTH	150 FT.	N/A COR. LOT	NO CHANGE
MINIMUM LOT DEPTH	140 FT.	295 FT.	NO CHANGE
MINIMUM FRONT YARD	50 FT.	83.3 FT.	NO CHANGE
MINIMUM REAR YARD	30 FT.	43.2 FT.	25 FT.
MINIMUM SIDE YARD	25 FT.	29 FT.	NO CHANGE
MAXIMUM BUILDING HEIGHT (IMPERVIOUS AREA)	15%	22.7%	24.7% *

NOTE: NET LOT AREA PER APPROVED SITE PLAN.
 * VARIANCE REQUIRED

LOT 14, 31
 TL 25.05-2-H-34
 N/Y
 KENNETH TORSE

LOT 14, 31
 TL 25.05-1-23
 N/Y
 KENNETH TORSE

LOT 14, 31
 TL 25.05-2-H-34
 N/Y
 KENNETH TORSE

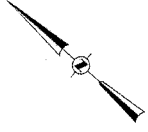
LOT 14, 31
 TL 25.05-2-H-34
 N/Y
 KENNETH TORSE


LOT 14, 31
 TL 25.05-2-H-34
 N/Y
 KENNETH TORSE

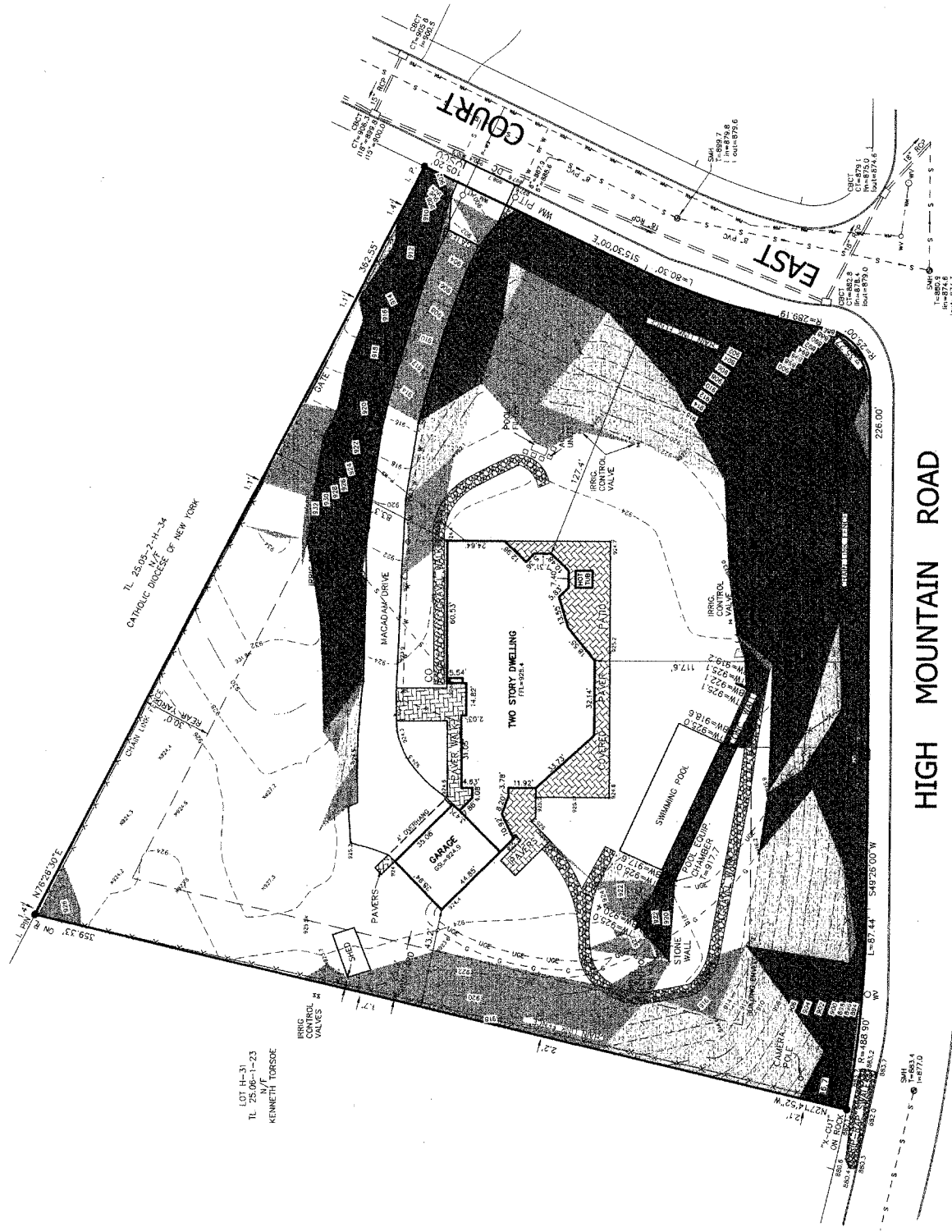
LOT 14, 31
 TL 25.05-2-H-34
 N/Y
 KENNETH TORSE

LOT 14, 31
 TL 25.05-2-H-34
 N/Y
 KENNETH TORSE


LOT 14, 31
 TL 25.05-2-H-34
 N/Y
 KENNETH TORSE



REVISION	DATE	DESCRIPTION
 ATZL, NASHER & ZIGLER P.C. ENGINEERS-SURVEYORS-PLANNERS 232 North Main Street New City, New York 10956 Tel: (845) 634-4684 Fax: (845) 634-5543 E-mail: info@anzny.com Web: www.anzny.com		
PROJECT: LUE DEVELOPMENT LLC		
TITLE: VILLAGE OF POMONA ROCKLAND COUNTY, NEW YORK		
EXISTING CONDITION		
DRAWN BY: IS	CHECKED BY: JRA	
DATE: JUNE 23, 2022	SCALE: 1" IN. = 30' FT.	
PROJECT NO:	DRAWING NO:	
	2705	2



UNAPPROVED. AUTHORITY OF RECORDING IS A LOCAL LAW ENFORCEMENT AGENCY. THIS PLAN IS NOT TO BE CONSIDERED AS A BASIS FOR ANY DECISIONS BY ANY AGENCY OR OFFICIAL. THE USER OF THIS PLAN SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE APPROPRIATE AGENCIES AND OFFICIALS. THE USER SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE APPROPRIATE AGENCIES AND OFFICIALS. THE USER SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE APPROPRIATE AGENCIES AND OFFICIALS.



 N.Y.S. REG. ENG. NO. 13022

SLOPE LEGEND
 MODERATELY STEEP SLOPE (15%-30%) - 8.0% SOFT
 VERY STEEP SLOPE (30%-45%) - 9.3% SOFT
 EXTREMELY STEEP SLOPE (45%+) - 24.3% SOFT



TO: Village of Pomona, Zoning Board
FROM: Martin K. Spence, PE Village Engineer
DATE: July 25, 2022
RE: 1 East Court Tax Map Reference 25.06-1-21
Development Coverage Variance Application - Proposed Garage

Martin K. Spence

We have received the following regarding the subject application:

- Application Review ZBA Form No. 1
- Narrative Summary prepared by Atzl, Nasher and Zigler, dated June 23, 2022
- Site Plan, Dwg 1 as prepared by Atzl, Nasher and Zigler, dated June 23, 2022
- Existing Condition Plan, Dwg 2 as prepared by Atzl, Nasher and Zigler, dated June 23, 2022

We offer the following:

1. The owner/applicant in this matter is:
Lloyd Ecker
Lue Development, LLC
1 East Court
Pomona, NY 10970
2. The application is proposing to construct a detached 30' X 40' (1,200 SF) garage at the NW property corner. The garage doors face to the west and the garage is 25' from the property line. A gravel drive extends off the existing hardscape driveway and is 20' wide at the garage doors, providing a 5' landscape offset. The property was substantially completed in the Fall of 2020 and the applicant applied and received a ZBA variance in Fall 2021 for development coverage in the amount of 22.7%, where maximum allowable is 15% (The Board granted a prior 7.7% (5,596 SF) variance. The gravel driveway does not count toward development coverage.
3. The 20' distance from the garage doors to the edge of the gravel and driveway approach layout does not provide adequate turning room for typical size cars. 20' on a 90 degree approach is not adequate and may require multiple turns. The applicant should discuss what the proposed garage is for such as lawn equipment, infrequent usage, etc.
4. The property is located in the R-40 Zone District and has a lot area of 95,621 gross SF, where 72,775 net SF is calculated and a minimum of 40,000 SF is required.
5. The packet submittal did not contain a review from the Building Inspector of decision or order of administrative official on which appeal is based.
6. The property is a corner lot at the intersection with East Court and High Mountain Road. The east and south sides are defined by steep slopes where the upper and middle of the lot is a flat plateau where the improvements are located. A single access driveway exists at the NE property corner. The proposed garage location and driveway do not encroach into steep slopes and the west property area is not developed.

86 E. Allendale Road, Saddle River NJ 07458 Phone: (201) 934-0300 Fax: (201) 934-0320
Visit us @ www.spenceengineer.com

7. The plan shows development coverage that exceeds the permissible coverage of 15% (10,916 SF), where 24.3% (17,712 SF) is proposed. The development coverage is calculated based on the net lot area.

Proposed Variances

The applicant is requesting the following:

	Required (max)	Proposed	Variance
Development Coverage (Maximum)	15%	24.3%	9.3%
(Square Feet)	10,916	17,712	6,796

It is noted that the prior variance approval provided for a 22.7% development coverage. This application increases the development coverage by 1,200 SF or 1.65%

Engineering Comments:

- S-1. Provide a subsurface detention basin (shallow cultech chambers) or approved alternate for the increase in runoff.
- S-2. Bulk Requirement Table should reflect variance request of 24.3% (consistent with calculations), revise accordingly.

END OF REPORT

- c Louis Zummo, Building Inspector
Chakiers Locust, Board Clerk